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10 **BEFORE THE**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
13 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 79/09-54

14 STOP N GO SMOG #5
JOSE LUIS CERVANTES, PARTNER
15 GABRIELA ROMOLAND CERVANTES, PARTNER
MARTHA ELENA CERVANTES, PARTNER
16 145 Ramona Express Way, #B4
Perris, California 92571

ACCUSATION

SMOG CHECK

17 Mailing Address:

18 22425 Alessandro Blvd., #101A
Moreno Valley, CA 92553

19 Automotive Repair Dealer Reg. No. ARD 251017
20 Smog Check, Test Only, Station License
No. TC 251017

21 and

22 ERIC LOUIS MARTINEZ
23 22837 Old Elsinore Road
Perris, CA 92570

24 Advanced Emission Specialist Technician License
25 No. EA 153164

26 Respondents.

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Complainant alleges:

PARTIES

1. Sherry Mehl ("Complainant") brings this Accusation solely in her official capacity as the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

Automotive Repair Dealer Registration No. ARD 251017

2. On or about June 13, 2007, the Director of Consumer Affairs ("Director") issued Automotive Repair Dealer Registration Number ARD 251017 to Stop N Go Smog #5 ("Respondent Stop N Go Smog #5"), with Jose Luis Cervantes, Gabriela Romoland Cervantes, and Martha Elena Cervantes as partners. Respondent's automotive repair dealer registration was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2009, unless renewed.

Smog Check, Test Only, Station License No. TC 251017

3. On or about August 13, 2007, the Director issued Smog Check, Test Only, Station License Number TC 251017 to Respondent Stop N Go Smog #5. Respondent's smog check station license was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2009, unless renewed.

Advanced Emission Specialist Technician License No. EA 153164

4. In or about 2006, the Director issued Advanced Emission Specialist Technician License Number EA 153164 to Eric Louis Martinez ("Respondent Martinez"). Respondent's advanced emission specialist technician license was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2010, unless renewed.

JURISDICTION

5. Business and Professions Code ("Bus. & Prof. Code") section 9884.7 provides that the Director may invalidate an automotive repair dealer registration.

6. Bus. & Prof. Code section 9884.13 provides, in pertinent part, that the expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with a

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11. Health & Saf. Code section 44072.2 states, in pertinent part:

The director may suspend, revoke, or take other disciplinary action against a license as provided in this article if the licensee, or any partner, officer, or director thereof, does any of the following:

(a) Violates any section of this chapter [the Motor Vehicle Inspection Program (Health and Saf. Code § 44000, et seq.)] and the regulations adopted pursuant to it, which related to the licensed activities.

....

(c) Violates any of the regulations adopted by the director pursuant to this chapter.

(d) Commits any act involving dishonesty, fraud, or deceit whereby another is injured . . .

12. Health & Saf. Code section 44072.10 states, in pertinent part:

....

(c) The department shall revoke the license of any smog check technician or station licensee who fraudulently certifies vehicles or participates in the fraudulent inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of the following:

(1) Clean piping, as defined by the department . . .

13. Health & Saf. Code section 44072.8 states that when a license has been revoked or suspended following a hearing under this article, any additional license issued under this chapter in the name of the licensee may be likewise revoked or suspended by the director.

Cost Recovery

14. Bus. & Prof. Code section 125.3 provides, in pertinent part, that a Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 Respondent failed to comply with provisions of California Code of Regulations, title 16, as
2 follows:

- 3 a. **Section 3340.24, subdivision (c)**: Respondent Stop N Go Smog #5
4 falsely or fraudulently issued electronic smog certificates of compliance
5 for vehicles 1 and 2, identified in paragraph 15 above.
- 6 b. **Section 3340.35, subdivision (c)**: Respondent Stop N Go Smog #5
7 issued electronic smog certificates of compliance for vehicles 1 and 2,
8 identified in paragraph 15 above, even though the vehicles had not been
9 inspected in accordance with section 3340.42.
- 10 c. **Section 3340.41, subdivision (c)**: Respondent Stop N Go Smog #5's
11 technician, Respondent Martinez, entered false information into the
12 Emission Inspection System ("EIS") by entering vehicle identification
13 information or emission control system identification data for vehicles
14 other than the ones being tested.
- 15 d. **Section 3340.42**: Respondent Stop N Go Smog #5 failed to conduct the
16 required smog tests on vehicles 1 and 2, identified in paragraph 15 above,
17 in accordance with the Bureau's specifications.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 **(Dishonesty, Fraud or Deceit)**

20 20. Respondent Stop N Go Smog #5's smog check station license is subject to
21 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that
22 Respondent committed dishonest, fraudulent, or deceitful acts whereby another is injured by
23 issuing electronic smog certificates of compliance for vehicles 1 and 2, identified in paragraph 15
24 above, without performing bona fide inspections of the emission control devices and systems on
25 the vehicles, thereby depriving the People of the State of California of the protection afforded by
26 the Motor Vehicle Inspection Program.

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1 control system identification data for vehicles other than the ones being
2 tested.

3 d. **Section 3340.42:** Respondent failed to conduct the required smog tests on
4 vehicles 1 and 2, identified in paragraph 15 above, in accordance with the
5 Bureau's specifications.

6 **EIGHTH CAUSE FOR DISCIPLINE**

7 **(Dishonesty, Fraud or Deceit)**

8 23. Respondent Martinez's advanced emission specialist technician license is
9 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in
10 that Respondent committed dishonest, fraudulent, or deceitful acts whereby another is injured by
11 issuing electronic smog certificates of compliance for vehicles 1 and 2, identified in paragraph 15
12 above, without performing bona fide inspections of the emission control devices and systems on
13 the vehicles, thereby depriving the People of the State of California of the protection afforded by
14 the Motor Vehicle Inspection Program.

15 **VIDEO SURVEILLANCE OPERATION OF MARCH 13, 2008**

16 24. On March 13, 2008, a representative of the Bureau conducted a videotaped
17 surveillance operation of Respondent Stop N Go Smog #5's smog check facility. The
18 surveillance video and information obtained from the Bureau's VID revealed that Respondent
19 Martinez issued electronic smog certificates of compliance on behalf of Respondent Stop N Go
20 Smog #5, certifying that he had tested and inspected the vehicles identified below and that the
21 vehicles were in compliance with applicable laws and regulations. In fact, Respondent Martinez
22 conducted the inspections using clean piping methods, resulting in the issuance of fraudulent
23 certificates of compliance for the vehicles.

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Time of Smog Inspection	Vehicle Certified & License # or VIN	Certificate of Compliance No.	Vehicle Actually Tested
25 3. 1028-1033	1999 Ford F150 pickup; License # 5Z79722	VP016863C	Toyota 4Runner
26 4. 1043-1051	2002 Mazda Protege; VIN # JM1BJ245821526204	VP016864C	Toyota 4Runner

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b. **Section 44015:** Respondent Stop N Go Smog #5 issued electronic smog certificates of compliance for vehicles 3 and 4, identified in paragraph 24 above, without properly testing and inspecting the vehicles to determine if they were in compliance with Health & Saf. Code section 44012.

TWELFTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program)

28. Respondent Stop N Go Smog #5's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with provisions of California Code of Regulations, title 16, as follows:

- a. **Section 3340.24, subdivision (c):** Respondent Stop N Go Smog #5 falsely or fraudulently issued electronic smog certificates of compliance for vehicles 3 and 4, identified in paragraph 24 above.
- b. **Section 3340.35, subdivision (c):** Respondent Stop N Go Smog #5 issued electronic smog certificates of compliance for vehicles 3 and 4, identified in paragraph 24 above, even though those vehicles had not been inspected in accordance with section 3340.42.
- c. **Section 3340.41, subdivision (c):** Respondent Stop N Go Smog #5's technician, Respondent Martinez, entered false information into the EIS by entering vehicle identification information or emission control system identification data for vehicles other than the ones being tested.
- d. **Section 3340.42:** Respondent Stop N Go Smog #5 failed to conduct the required smog tests on vehicles 3 and 4, identified in paragraph 24 above, in accordance with the Bureau's specifications.

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THIRTEENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

29. Respondent Stop N Go Smog #5's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed dishonest, fraudulent, or deceitful acts whereby another is injured by issuing electronic smog certificates of compliance for vehicles 3 and 4, identified in paragraph 24 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

FOURTEENTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

30. Respondent Martinez's advanced emission specialist technician license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with provisions of that Code, as follows:

- a. **Section 44012:** Respondent failed to perform emission control tests on vehicles 3 and 4, identified in paragraph 24 above, in accordance with procedures prescribed by the department.
- b. **Section 44059:** Respondent willfully made false entries in the EIS, resulting in the issuance of fraudulent certificates of compliance for vehicles 3 and 4, identified in paragraph 24 above.

FIFTEENTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program)

31. Respondent Martinez's advanced emission specialist technician license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in

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1 that Respondent failed to comply with provisions of California Code of Regulations, title 16, as
2 follows:

- 3 a. **Section 3340.24, subdivision (c)**: Respondent falsely or fraudulently
4 issued electronic smog certificates of compliance for vehicles 3 and 4,
5 identified in paragraph 24 above.
- 6 b. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test
7 vehicles 3 and 4, identified in paragraph 24 above, in accordance with
8 Health & Saf. Code sections 44012 and 44035, and California Code of
9 Regulations, title 16, section 3340.42.
- 10 c. **Section 3340.41, subdivision (c)**: Respondent entered false information
11 into the EIS by entering vehicle identification information or emission
12 control system identification data for vehicles other than the ones being
13 tested.
- 14 d. **Section 3340.42**: Respondent failed to conduct the required smog tests on
15 vehicles 3 and 4, identified in paragraph 24 above, in accordance with
16 the Bureau's specifications.

17 **SIXTEENTH CAUSE FOR DISCIPLINE**

18 **(Dishonesty, Fraud or Deceit)**

19 32. Respondent Martinez's advanced emission specialist technician license is
20 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in
21 that Respondent committed dishonest, fraudulent, or deceitful acts whereby another is injured by
22 issuing electronic smog certificates of compliance for vehicles 3 and 4, identified in paragraph 24
23 above, without performing bona fide inspections of the emission control devices and systems on
24 the vehicles, thereby depriving the People of the State of California of the protection afforded by
25 the Motor Vehicle Inspection Program.

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1 without performing a bona fide inspection of the emission control devices and systems on the
2 vehicle, thereby depriving the People of the State of California of the protection afforded by the
3 Motor Vehicle Inspection Program.

4 **NINETEENTH CAUSE FOR DISCIPLINE**

5 **(Violations of the Motor Vehicle Inspection Program)**

6 36. Respondent Stop N Go Smog #5's smog check station license is subject to
7 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that
8 Respondent failed to comply with provisions of that Code, as follows:

- 9 a. **Section 44012:** Respondent Stop N Go Smog #5 failed to perform
10 emission control tests on the 2004 Chrysler PT Cruiser, identified in
11 paragraph 33 above, in accordance with procedures prescribed by the
12 department.
- 13 b. **Section 44015:** Respondent Stop N Go Smog #5 issued an electronic
14 smog certificate of compliance for the 2004 Chrysler PT Cruiser,
15 identified in paragraph 33 above, without properly testing and inspecting
16 the vehicle to determine if it was in compliance with Health & Saf. Code
17 section 44012.

18 **TWENTIETH CAUSE FOR DISCIPLINE**

19 **(Failure to Comply with Regulations Pursuant
20 to the Motor Vehicle Inspection Program)**

21 37. Respondent Stop N Go Smog #5's smog check station license is subject to
22 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that
23 Respondent failed to comply with provisions of California Code of Regulations, title 16, as
24 follows:

- 25 a. **Section 3340.24, subdivision (c):** Respondent Stop N Go Smog #5
26 falsely or fraudulently issued an electronic smog certificate of compliance
27 for the 2004 Chrysler PT Cruiser, identified in paragraph 33 above.

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- 1 b. **Section 3340.35, subdivision (c)**: Respondent Stop N Go Smog #5
- 2 issued an electronic smog certificate of compliance for the 2004 Chrysler
- 3 PT Cruiser, identified in paragraph 33 above, even though the vehicle had
- 4 not been inspected in accordance with section 3340.42.
- 5 c. **Section 3340.41, subdivision (c)**: Respondent Stop N Go Smog #5's
- 6 technician, Respondent Martinez, entered false information into the EIS by
- 7 entering vehicle identification information or emission control system
- 8 identification data for a vehicle other than the one being tested.
- 9 d. **Section 3340.42**: Respondent Stop N Go Smog #5 failed to conduct the
- 10 required smog tests on the 2004 Chrysler PT Cruiser, identified in
- 11 paragraph 33 above, in accordance with the Bureau's specifications.

12 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

13 **(Dishonesty, Fraud or Deceit)**

14 38. Respondent Stop N Go Smog #5's smog check station license is subject to

15 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that

16 Respondent committed a dishonest, fraudulent, or deceitful act whereby another is injured by

17 issuing an electronic smog certificate of compliance for the 2004 Chrysler PT Cruiser, identified

18 in paragraph 33 above, without performing a bona fide inspection of the emission control devices

19 and systems on the vehicle, thereby depriving the People of the State of California of the

20 protection afforded by the Motor Vehicle Inspection Program.

21 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

22 **(Violations of the Motor Vehicle Inspection Program)**

23 39. Respondent Martinez's advanced emission specialist technician license is

24 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in

25 that Respondent failed to comply with provisions of that Code, as follows:

- 26 a. **Section 44012**: Respondent failed to perform emission control tests on
- 27 the 2004 Chrysler PT Cruiser, identified in paragraph 33 above, in
- 28 accordance with procedures prescribed by the department.

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b. **Section 44059:** Respondent willfully made false entries in the EIS, resulting in the issuance of a fraudulent certificate of compliance for the 2004 Chrysler PT Cruiser, identified in paragraph 33 above.

TWENTY-THIRD CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program)

40. Respondent Martinez's advanced emission specialist technician license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with provisions of California Code of Regulations, title 16, as follows:

- a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued an electronic smog certificate of compliance for the 2004 Chrysler PT Cruiser, identified in paragraph 33 above.
- b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the 2004 Chrysler PT Cruiser, identified in paragraph 33 above, in accordance with Health & Saf. Code sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.
- c. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS by entering vehicle identification information or emission control system identification data for a vehicle other than the one being tested.
- d. **Section 3340.42:** Respondent failed to conduct the required smog tests on the 2004 Chrysler PT Cruiser, identified in paragraph 33 above, in accordance with the Bureau's specifications.

TWENTY-FOURTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

41. Respondent Martinez's advanced emission specialist technician license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in

1 that Respondent committed a dishonest, fraudulent, or deceitful act whereby another is injured by
2 issuing an electronic smog certificate of compliance for the 2004 Chrysler PT Cruiser, identified
3 in paragraph 33 above, without performing a bona fide inspection of the emission control devices
4 and systems on the vehicle, thereby depriving the People of the State of California of the
5 protection afforded by the Motor Vehicle Inspection Program.

6 **SURVEILLANCE OPERATION OF AUGUST 13, 2008**

7 42. On August 13, 2008, representatives of the Bureau conducted a
8 surveillance operation of Respondent Stop N Go Smog #5's smog check facility. During the
9 surveillance, one of the representatives observed a Toyota RAV4 in the testing bay from
10 approximately 1312 to 1335 hours. The representative determined based on his observations and
11 a review of information obtained from the Bureau's VID that Respondent Martinez issued
12 electronic smog Certificate of Compliance # VT114751C on behalf of Respondent Stop N Go
13 Smog #5, certifying that between 1324 and 1332 hours, he had tested and inspected a 1990
14 Toyota Camry, License No. 2VBJ633, and that the vehicle was in compliance with applicable
15 laws and regulations. In fact, Respondent Martinez conducted the inspection using the exhaust
16 emissions of the Toyota RAV4, a method commonly known as clean piping, resulting in the
17 issuance of a fraudulent certificate of compliance for the 1990 Toyota Camry.

18 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

19 **(Untrue or Misleading Statements)**

20 43. Respondent Stop N Go Smog #5's automotive repair dealer registration is
21 subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in
22 that Respondent made or authorized a statement which it knew or in the exercise of reasonable
23 care should have known to be untrue or misleading, as follows: Respondent Stop N Go Smog
24 #5's technician, Respondent Martinez, certified that the 1990 Toyota Camry, identified in
25 paragraph 42 above, had passed inspection and was in compliance with applicable laws and
26 regulations. In fact, Respondent Martinez used clean-piping methods in order to issue a
27 certificate for the vehicle and did not test or inspect the vehicle as required by Health & Saf.
28 Code section 44012.

1 Respondent failed to comply with provisions of California Code of Regulations, title 16, as
2 follows:

- 3 a. **Section 3340.24, subdivision (c)**: Respondent Stop N Go Smog #5
4 falsely or fraudulently issued an electronic smog certificate of compliance
5 for the 1990 Toyota Camry, identified in paragraph 42 above.
- 6 b. **Section 3340.35, subdivision (c)**: Respondent Stop N Go Smog #5
7 issued an electronic smog certificate of compliance for the 1990 Toyota
8 Camry, identified in paragraph 42 above, even though the vehicle had
9 not been inspected in accordance with section 3340.42.
- 10 c. **Section 3340.41, subdivision (c)**: Respondent Stop N Go Smog #5's
11 technician, Respondent Martinez, entered false information into the EIS by
12 entering vehicle identification information or emission control system
13 identification data for a vehicle other than the one being tested.
- 14 d. **Section 3340.42**: Respondent Stop N Go Smog #5 failed to conduct the
15 required smog tests on the 1990 Toyota Camry, identified in paragraph 42
16 above, in accordance with the Bureau's specifications.

17 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

18 **(Dishonesty, Fraud or Deceit)**

19 47. Respondent Stop N Go Smog #5's smog check station license is subject to
20 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that
21 Respondent committed a dishonest, fraudulent, or deceitful act whereby another is injured by
22 issuing an electronic smog certificate of compliance for the 1990 Toyota Camry, identified in
23 paragraph 42 above, without performing a bona fide inspection of the emission control devices
24 and systems on the vehicle, thereby depriving the People of the State of California of the
25 protection afforded by the Motor Vehicle Inspection Program.

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1 control system identification data for a vehicle other than the one being
2 tested.

3 d. **Section 3340.42:** Respondent failed to conduct the required smog tests on
4 the 1990 Toyota Camry, identified in paragraph 42 above, in accordance
5 with the Bureau's specifications.

6 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

7 **(Dishonesty, Fraud or Deceit)**

8 50. Respondent Martinez's advanced emission specialist technician license is
9 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in
10 that Respondent committed a dishonest, fraudulent, or deceitful act whereby another is injured by
11 issuing an electronic smog certificate of compliance for the 1990 Toyota Camry, identified in
12 paragraph 42 above, without performing a bona fide inspection of the emission control devices
13 and systems on the vehicle, thereby depriving the People of the State of California of the
14 protection afforded by the Motor Vehicle Inspection Program.

15 **OTHER MATTERS**

16 51. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the
17 Director may refuse to validate, or may invalidate temporarily or permanently, the registrations
18 for all places of business operated in this state by Respondent Stop N Go Smog #5 upon a finding
19 that said Respondent has, or is, engaged in a course of repeated and willful violations of the laws
20 and regulations pertaining to an automotive repair dealer.

21 52. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test
22 Only, Station License Number TC 251017, issued to Respondent Stop N Go Smog #5, is revoked
23 or suspended, any additional license issued under this chapter in the name of said licensee may
24 be likewise revoked or suspended by the Director.

25 53. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission
26 Specialist Technician License Number EA 153164, issued to Eric Louis Martinez, is revoked or
27 suspended, any additional license issued under this chapter in the name of said licensee may be
28 likewise revoked or suspended by the Director.

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Director of Consumer Affairs issue a decision:

4 1. Temporarily or permanently invalidating Automotive Repair Dealer
5 Registration Number ARD 251017, issued to Stop N Go Smog #5;

6 2. Temporarily or permanently invalidating any other automotive repair
7 dealer registration issued to Stop N Go Smog #5;

8 3. Revoking or suspending Smog Check, Test Only, Station License Number
9 TC 251017, issued to Stop N Go Smog #5;

10 4. Revoking or suspending any additional license issued under Chapter 5 of
11 the Health and Safety Code in the name of Stop N Go Smog #5;

12 5. Revoking or suspending Advanced Emission Specialist Technician
13 License Number EA 153164, issued to Eric Louis Martinez;

14 6. Revoking or suspending any additional license issued under Chapter 5 of
15 the Health and Safety Code in the name of Eric Louis Martinez;

16 7. Ordering Respondents Stop N Go Smog #5 and Eric Louis Martinez to
17 pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement
18 of this case, pursuant to Business and Professions Code section 125.3;

19 8. Taking such other and further action as deemed necessary and proper.

20 DATED: 12/15/08

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23 SHERRY MEHL
24 Chief
25 Bureau of Automotive Repair
26 Department of Consumer Affairs
27 State of California

28 Complainant