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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 79/26-1615

13 **SMOG N TAG INC., DBA SMOG N TAG**
14 **MAJOR SINGH BAINS, PRES/SEC/TRES**
6421 Watt Ave.
North Highlands, CA 95660

ACCUSATION

15 **Automotive Repair Dealer Registration**
16 **No. ARD 262049**
Smog Check, Test-Only, Station License
17 **No. TC 262049,**

18 **MAJOR SINGH BAINS**
706 Sanborn Road
Yuba City, CA 95993

19 **Smog Check Inspector License**
20 **No. EO 030353**
Smog Check Repair Technician License
21 **No. EI 030353,**

22 **DAVID JOSEPH MARTIN**
30 Bridgehome Court
Sacramento, CA 95834

23 **Smog Check Inspector License**
24 **No. EO 129149,**

25 **RAJINESH CHAND**
3243 U Street
Antelope, CA 95843

26 **Smog Check Inspector License**
27 **No. EO 641639,**
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and
CHAMKAUR SINGH
3630 Bilsted Way
Sacramento, CA 95834

Smog Check Inspector License
No. EO 632967
Smog Check Repair Technician License
No. EI 632967

Respondents.

PARTIES

1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.

Automotive Repair Dealer Registration

2. On or about May 26, 2010, the Bureau issued Automotive Repair Dealer Registration Number ARD 262049 to Smog N Tag Inc., doing business as Smog N Tag (Respondent Smog), with Major Singh Bains as President, Secretary, and Treasurer (Respondent Bains). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2027, unless renewed.

Smog Check, Test-Only, Station License

3. On or about June 29, 2010, the Bureau issued Smog Check, Test-Only, Station License Number TC 262049 to Respondent Smog. The Smog Check, Test-Only, Station License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2027, unless renewed. The station was STAR Certified on or about January 14, 2013, and remains active unless the ARD Registration and/or Smog Check Station license is revoked, cancelled, licensed become delinquent, or certification is suspended.

Smog Check Inspector License- Respondent Bains

4. On or about September 27, 2012, the Bureau issued Smog Check Inspector License Number EO 030353 to Respondent Bains. The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2026, unless renewed.

1 (6) Failure in any material respect to comply with the provisions of this chapter
or regulations adopted pursuant to it.

2 ...

3 (c) Notwithstanding subdivision (b), the director may suspend, revoke or place
on probation the registration for all places of business operated in this state by an

4 automotive repair dealer upon a finding that the automotive repair dealer has, or is,
engaged in a course of repeated and willful violations of this chapter, or regulations
5 adopted pursuant to it....

6 17. Code section 9889.22 states:

7 The willful making of any false statement or entry with regard to a material matter in
8 any oath, affidavit, certificate of compliance or noncompliance, or application form which
is required by this chapter or Chapter 5 (commencing with Section 44000) of Part 5 of
9 Division 26 of the Health and Safety Code constitutes perjury and is punishable as provided
in the Penal Code.

10 18. Health & Saf. Code section 44012, states, in pertinent part:

11 The test at the smog check stations shall be performed in accordance with
12 procedures prescribed by the department and may require loaded mode
dynamometer testing in enhanced areas, two-speed idle testing, testing utilizing a
13 vehicle's onboard diagnostic system, or other appropriate test procedures as
determined by the department in consultation with the state board. The department
14 shall implement testing using onboard diagnostic systems, in lieu of loaded mode
dynamometer or two-speed idle testing, on model year 2000 and newer vehicles
15 only, beginning no earlier than January 1, 2013. However, the department, in
consultation with the state board, may prescribe alternative test procedures that
16 include loaded mode dynamometer or two-speed idle testing for vehicles with
onboard diagnostic systems that the department and the state board determine
17 exhibit operational problems. The department shall ensure, as appropriate to the
test method, the following:

18 (a) Emission control systems required by state and federal law are reducing
19 excess emissions in accordance with the standards adopted pursuant to
subdivisions (a) and (c) of Section 44013.

20 ...

21 (f) A visual or functional check is made of emission control devices
specified by the department, including the catalytic converter in those instances in
22 which the findings of Section 44001. The visual or functional check shall be
performed in accordance with the procedures as prescribed by the department....

23 19. Health & Saf. Code section 44015, subdivision (b), provides that a certificate
24 of compliance shall be issued if a vehicle meets the requirements of the Health & Saf. Code
25 section 44012.

26 20. Health & Saf. Code section 44024.5, subdivision (a) states:

27 The department shall compile and maintain statistical and emissions profiles
28 and data from motor vehicles that are subject to the motor vehicle inspection

1 program. The department may use data from any source, including remote sensing
2 data, in use data, and other motor vehicle inspection program data, to develop and
3 confirm the validity of the profiles, to evaluate the program, and to assess the
4 performance of smog check stations. The department shall undertake these
5 requirements directly or seek a qualified vendor for these services.

6 21. Health & Saf. Code section 44032 provides that qualified technicians shall perform
7 tests of emissions control devices and systems in accordance with Health & Saf. Code section
8 40012.

9 22. Health & Saf. Code section 44037 states, in pertinent part:

10 (a) The department shall compile and maintain records, using the sampling
11 methodology necessary to ensure their scientific validity and reliability, of tests
12 and repairs performed by qualified smog check technicians at licensed smog check
13 stations pursuant to this chapter on all of the following information:

14 (1) The motor vehicle identification information and the test data collected at
15 the station.

16 ...

17 (5) Data received and compiled through the use of the centralized computer
18 database and computer network to be established pursuant to Section 44037.1, and
19 any other information determined to be essential by the department for program
20 enhancement to achieve greater efficiency, consumer protection, cost-
21 effectiveness, convenience, or emission reductions. . . .

22 23. Health & Saf. Code section 44037.1 states, in pertinent part:

23 (a) On or before January 1, 1995, the department shall design and establish
24 the equipment necessary to operate a centralized computer data base and computer
25 network that is readily accessible by all licensed smog check technicians on a real
26 time basis.

27 (b) The centralized computer data base and network shall be designed with
28 all of the following capabilities:

...

(2) To provide smog check technicians and the department with information
as to the date and result of prior smog check tests performed on each vehicle to
discourage vehicle owners from shopping for certificates of compliance and to
permit the department to identify smog check stations for further investigation as
potential violators of this chapter.

(3) To provide the department with data on the failure rates and repair
effectiveness for vehicles of each make and model year on a statewide basis, and

1 by smog check station and technician, to facilitate identification of smog check
2 stations and technicians as potential violators of this chapter.

3 ...

4 (8) To be compatible with the department's recordkeeping and compilation
5 requirements established by Section 44037.

6 ...

7 (c) After January 1, 1995, each smog check station shall transmit vehicle
8 data emission test results to the department's centralized data base. Each smog
9 check station shall also transmit vehicle data and emission measurements made
10 before and after repair. The department shall establish, by regulation, the form,
11 manner, and frequency of the data transmittals.

12 24. Health & Saf. Code section 44059 states:

13 The willful making of any false statement or entry with regard to a material
14 matter in any oath, affidavit, certificate of compliance or noncompliance, or

15 application form which is required by this chapter or Chapter 20.3 (commencing
16 with Section 9880) of Division 3 of the Business and Professions Code, constitutes
17 perjury and is punishable as provided in the Penal Code.

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

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

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

25 ...

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

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

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

30 ...

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

...

(4) Intentional or willful violation of this chapter or any regulation, standard, or procedure of the department implementing this chapter....

REGULATORY PROVISIONS

27. California Code of Regulations, title 16 (CCR), section 3340.17, subdivision (c), states, “ Vehicle data and test results from the OBD Inspection System (OIS) shall be transmitted to the bureau’s centralized database.”

28. CCR, section 3340.30 states, in pertinent part:

A licensed smog check inspector and/or repair technician shall comply with the following requirements at all times while licensed:

(a) Inspect, test and repair vehicles, as applicable, in accordance with section 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code, and section 3340.42 of this article....

29. CCR section 3340.35, states, in pertinent part:

...

(c) A licensed station shall issue a certificate of compliance or noncompliance to the owner or operator of any vehicle that has been inspected in accordance with the

procedures specified in section 3340.42 of this article and has all the required emission control equipment and devices installed and functioning correctly. The following conditions shall apply....

30. CCR section 3340.41, states, in pertinent part:

...

(c) No person shall enter into the emissions inspection system any vehicle identification information or emission control system identification data for any vehicle other than the one being tested. Nor shall any person knowingly enter into the emissions inspection system any false information about the vehicle being tested....

31. CCR section 3340.42, states:

Smog check inspection methods are prescribed in the Smog Check Manual, referenced by section 3340.45.

(a) All vehicles subject to a smog check inspection, shall receive one of the following test methods:

(1) A loaded-mode test shall be the test method used to inspect 1976 - 1999 model-year vehicle, except diesel-powered, registered in the enhanced program areas of the state. The loaded-mode test shall measure hydrocarbon, carbon monoxide,

1 carbon dioxide and oxides of nitrogen emissions, as contained in the bureau's
2 specifications referenced in subsection (a) of Section 3340.17 of this article. The
loaded-mode test shall use Acceleration Simulation Mode (ASM) test equipment,
including a chassis dynamometer, certified by the bureau.

3 On and after March 31, 2010, exhaust emissions from a vehicle subject to this
4 inspection shall be measured and compared to the emissions standards shown in the
Vehicle Look-up Table (VLT) Row Specific Emissions Standards (Cutpoints) Table,
5 dated March 2010, which is hereby incorporated by reference. If the emissions
standards for a specific vehicle are not included in this table then the exhaust
6 emissions shall be compared to the emissions standards set forth in TABLE I or
TABLE II, as applicable. A vehicle passes the loaded-mode test if all of its measured
7 emissions are less than or equal to the applicable emission standards specified in the
applicable table.

8 (2) A two-speed idle mode test shall be the test method used to inspect 1976 -
9 1999 model-year vehicles, except diesel-powered, registered in all program areas of
the state, except in those areas of the state where the enhanced program has been
10 implemented. The two-speed idle mode test shall measure hydrocarbon, carbon
monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as
11 contained in the bureau's specifications referenced in subsection (a) of Section
3340.17 of this article. Exhaust emissions from a vehicle subject to this inspection
12 shall be measured and compared to the emission standards set forth in this section and
as shown in TABLE III. A vehicle passes the two-speed idle mode test if all of its
13 measured emissions are less than or equal to the applicable emissions standards
specified in Table III.

14 (3) An OBD-focused test, shall be the test method used to inspect gasoline-
15 powered vehicles 2000 model-year and newer, and diesel-powered vehicles 1998
model-year and newer. The OBD test failure criteria are specified in section
16 3340.42.2.

17 (b) In addition to subsection (a), all vehicles subject to the smog check program
shall receive the following:

18 (1) A visual inspection of emission control components and systems to verify
19 the vehicle's emission control systems are properly installed.

20 (2) A functional inspection of emission control systems as specified in the
Smog Check Manual, referenced by section 3340.45, which may include an OBD
21 test, to verify their proper operation.

22 (c) The bureau may require any combination of the inspection methods in
sections (a) and (b) under any of the following circumstances:

23 (1) Vehicles that the department randomly selects pursuant to Health and Safety
24 Code section 44014.7 as a means of identifying potential operational problems with
vehicle OBD systems.

25 (2) Vehicles identified by the bureau as being operationally or physically
26 incompatible with inspection equipment.

27 (3) Vehicles with OBD systems that have demonstrated operational problems.

28 (d) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter

standards are as follows:

(1) A gross polluter means a vehicle with excess hydrocarbon, carbon monoxide, or oxides of nitrogen emissions pursuant to the gross polluter emissions standards included in the tables described in subsection (a), as applicable.

(2) Vehicles with emission levels exceeding the emission standards for gross polluters during an initial inspection will be considered gross polluters and the provisions pertaining to gross polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, and 44081 of the Health and Safety Code.

(3) A gross polluting vehicle shall not be passed or issued a certificate of compliance until the vehicle's emissions are reduced to or below the applicable emissions standards for the vehicle included in the tables described in subsection (a), as applicable. However, the provisions described in section 44017 of the Health and Safety Code may apply.

(4) This subsection applies in all program areas statewide to vehicles requiring inspection pursuant to sections 44005 and 44011 of the Health and Safety Code.

32. CCR section 3373, states:

No automotive repair dealer or individual in charge shall, in filling out an estimate, invoice, or work order, or record required to be maintained by section 3340.15(e) of this chapter, withhold therefrom or insert therein any statement or information which will cause any such document to be false or misleading, or where the tendency or effect thereby would be to mislead or deceive customers, prospective customers, or the public.

COST RECOVERY

33. Code section 125.3 provides, in pertinent part, that the Bureau 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 investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

SMOG CHECK PROGRAM – ON BOARD DIAGNOSTIC SYSTEM

34. California's Smog Check Program requires the owners of most motor vehicles in the enhanced and basic areas of the state to obtain and pass a Smog Check inspection every two years or when the vehicle title is transferred. Smog Check Certificates of Compliance are issued to vehicles that have passed a Smog Check Inspection. These inspections are performed by Licensed Smog Check Stations/Inspectors. The Bureau administers the Smog Check Program. The Smog

1 Check Program’s purpose is to reduce air pollution by identifying and requiring the repair of
2 polluting motor vehicles.

3 35. On or about March 9, 2015, California's Smog Check Program was updated to keep
4 pace with ever-advancing technology. The program update requires the use of an On-Board
5 Diagnostic Inspection System (BAR-OIS). BAR-OIS is the smog check equipment required in
6 all areas of the State when inspecting most model-year 2000 and newer gasoline and hybrid
7 vehicles and most 1998 and newer diesel vehicles. The system consists of a certified Data
8 Acquisition Device (DAD), computer, bar code scanner, and printer.

9 36. The DAD is an On-Board Diagnostic (OBD) scan tool that, when requested by the
10 California BAR-OIS software, retrieves OBD data from the vehicle. The DAD connects between
11 the BAR-OIS computer and the vehicle's diagnostic link connector. The bar code scanner is used
12 to input technician information, the vehicle identification number, and the Department of Motor
13 Vehicle (DMV) renewal information. The vehicle identification number (VIN) that is physically
14 present on all vehicles is required to be programmed into the vehicle's On-Board Diagnostics —
15 Generation II (OBD II) on 2005 and newer vehicles, and on many occasions was programmed
16 into the OBD II computer in earlier model years. The Electronic Vehicle Identification Number
17 (eVIN) is the digitally stored VIN programmed into the vehicle’s on-board computer or
18 Powertrain Control Module (PCM), transmitted through the DAD, and collected by the BAR-OIS
19 during the static portion of the OBDII functional test. A static eVIN test is performed on all
20 completed Smog Check Inspections. The dynamic eVIN, or dynamic test, is only required when
21 prompted by the BAR-OIS. Unlike the static test, the dynamic test is not performed for every
22 completed Smog Check Inspection. The eVIN is captured by the Bureau during a smog check
23 inspection and should match the physical VIN on the vehicle. The printer is used to provide a
24 vehicle inspection report, which shows the inspection results and the Smog Check Certificate of
25 Compliance Number for passing vehicles. Data retrieved and recorded during an OIS smog
26 check includes the eVIN, the communication protocol¹, and the number of Parameter

27 ¹ The OBD II communication protocol describes the specified communication “language” used by
28 the OBD II computer to communication to scan tools and other devices such as the BAR-OIS. The
(continued...)

1 Identifications (PID)².

2 37. Smog Check Inspectors are required to perform visual and functional tests to the
3 vehicle as outlined in the Smog Check Manual. The Smog Check Inspector must conduct a visual
4 inspection of the emission control components/devices to verify they are present and properly
5 connected. The Smog Check Inspector must perform a functional test of the malfunction
6 Indicator Lamp (MIL). The BAR-OIS prompts the Smog Check Inspector to start the vehicle's
7 engine and might ask them to raise the engine RPM. The BAR-OIS software makes the
8 determination whether the vehicle passes the inspection based on the results of the visual,
9 functional, and OBD II tests.

10 38. EIS or BAR-OIS, dependent upon the test type, prints a Vehicle Inspection Report
11 (VIR), which is a physical record of the test results and shows the Smog Check Certificate of
12 Compliance number that was issued if the vehicle passed the Smog Check Inspection. The Smog
13 Check Inspector must sign the VIR to show that the inspection was performed within BAR
14 guidelines. Licensed Smog Check Inspectors are the only persons authorized by the BAR to
15 perform official Smog Check Inspections. They are issued a license and a personal access code
16 which are used to gain access to the EIS and used to set up a username and password within the
17 BAR-OIS to perform Smog Check Inspections. Beginning May 1, 2023, Smog Check inspectors
18 must use a biometric palm scanner instead of a password login for the BAR-OIS.

19 39. BAR's Vehicle Information Database (VID) contains vehicle registration data from
20 DMV, emission standards, vehicle Smog Check Inspection data, smog check station and inspector
21 information, and Smog Check Certificates of Compliance. The VID has an internal clock that is
22 set to Pacific Standard Time and records the time and date for each inspection. Each Smog Check
23 Certificate of Compliance has a unique control number so that it can be tracked to determine
24 which Smog Check Station purchased it and which vehicle it was issued to. The VID receives the
25 Smog Check Inspection results immediately following the inspection. BAR can access the VID to

26 _____
27 communication protocol is programmed into the vehicle's on-board computer during manufacture and does
not change.

28 ² PIDs are data points reported by the vehicle's on-board computer to a scan tool or BAR-OIS,
such as engine speed, vehicle speed, engine temperature, etc. The PID count is the number of data points.

1 view test data for Smog Check Inspections performed at any Smog Check Station. BAR can
2 search, retrieve, and print test records for all tested vehicles.

3 40. BAR has identified several means by which fraudulent Smog Check Certificates of
4 Compliance are issued to vehicles that will not pass a Smog Check Inspection or are not present
5 during the Smog Check Inspection. Some of these methods are known as “clean piping,” “clean
6 gassing,” and “clean plugging.” Electronic defeat devices are used to simulate vehicles during the
7 BAR-OIS Smog Check Inspection. These devices mimic vehicle data for the purpose of
8 generating passing data to issue fraudulent Smog Check Certificates of Compliance. This method
9 is known as “clean plugging.” Clean plugging is when another vehicle, an electronic defeat
10 device, and/or computer programming, is used to generate passing data readings to vehicles that
11 will not pass the inspection or are not present for testing.

12 **REVIEW OF OIS TEST DATA**

13 41. Bureau representative R.P. reviewed BAR-OIS test data pertaining to smog
14 inspections conducted at Respondent Smog’s facility. R.P. found that Respondent Bains,
15 Respondent Martin, Respondent Chand, and Respondent Singh performed smog check
16 inspections on twelve (12) vehicles identified below using a method known as "clean plugging,"
17 resulting in the issuance of fraudulent certificates of compliance for the vehicles.

18 **Vehicle 1**

19 42. BAR-OIS test data showed that on July 20, 2023, Respondent Martin performed a
20 smog check inspection on a 2009 Volkswagen New Beetle S (Vehicle 1), resulting in the issuance
21 of Certificate of Compliance No. TK693091C. The OIS test details for Vehicle 1 showed that the
22 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
23 other 2009 Volkswagen New Beetle S vehicles and found that the eVIN is transmitted, and the
24 PID count recorded during the inspection on Vehicle 1 was not consistent with the PID count for
25 the make and model of this vehicle. The OIS test details show that Respondent Martin scanned
26 the physical VIN into the BAR-OIS.

27 43. R.P. utilized the Bureau’s database and found that Vehicle 1 had previously been
28 tested four times at four different smog facilities. The BAR-OIS test data from those four prior

1 inspections showed the eVIN had been transmitted as expected and the PID count was consistent
2 with the make and model of the vehicle.

3 44. R.P. concluded that the DAD had not been connected to Vehicle 1 during the smog
4 check inspection performed by Respondent Martin, resulting in a fraudulent smog check
5 certificate of compliance for Vehicle 1 using clean-plugging methods.

6 **Vehicle 2**

7 45. BAR-OIS test data showed that on August 14, 2023, Respondent Chand performed a
8 smog check inspection on a 2007 Toyota Sienna (Vehicle 2), resulting in the issuance of
9 Certificate of Compliance No. IV434106C. The OIS test details for Vehicle 2 showed that the
10 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
11 other 2007 Toyota Sienna vehicles and found that the eVIN is transmitted, and the PID count
12 recorded during the inspection on Vehicle 2 was not consistent with the PID count for the make
13 and model of this vehicle. The OIS test details show that Respondent Chand scanned the physical
14 VIN into the BAR-OIS.

15 46. R.P. utilized the Bureau's database and found that Vehicle 2 had previously been
16 tested five times at three different facilities, and one failed smog inspection at Respondent Smog
17 (performed by Respondent Martin) on July 21, 2023. The BAR-OIS test data from those six prior
18 inspections showed the eVIN had been transmitted as expected and the PID count and protocol
19 were consistent with the make and model of the vehicle.

20 47. R.P. concluded that the DAD had not been connected to Vehicle 2 during the smog
21 check inspection performed by Respondent Chand, resulting in a fraudulent smog check
22 certificate of compliance for Vehicle 2 using clean-plugging methods.

23 **Vehicle 3**

24 48. BAR-OIS test data showed that on August 30, 2023, Respondent Chand performed a
25 smog check inspection on a 2013 Mini Cooper (Vehicle 3), resulting in the issuance of Certificate
26 of Compliance No. TM604189C. The OIS test details for Vehicle 3 showed that the eVIN was
27 not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for other 2013
28 Mini Cooper vehicles and found that the eVIN is transmitted. The OIS test details show that

1 Respondent Chand scanned the physical VIN into the BAR-OIS.

2 49. R.P. utilized the Bureau's database and found that before and after the August 30,
3 2023 test, Vehicle 3 had been tested twice at different facilities, and once at Respondent Smog
4 (performed by Respondent Chand) on May 12, 2022. The BAR-OIS test data from those two
5 prior inspections showed the eVIN had been transmitted as expected.

6 50. R.P. concluded that the DAD had not been connected to Vehicle 3 during the smog
7 check inspection performed by Respondent Chand, resulting in a fraudulent smog check
8 certificate of compliance for Vehicle 3 using clean-plugging methods.

9 **Vehicle 4**

10 51. BAR-OIS test data showed that on October 16, 2023, Respondent Martin performed a
11 smog check inspection on a 2007 Subaru Legacy (Vehicle 4), resulting in the issuance of
12 Certificate of Compliance No. IX189877C. The OIS test details for Vehicle 4 showed that the
13 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
14 other 2007 Subaru Legacy vehicles and found that the eVIN is transmitted. The OIS test details
15 show that Respondent Martin scanned the physical VIN into the BAR-OIS.

16 52. R.P. utilized the Bureau's database and found that Vehicle 4 had previously been
17 tested five times at different facilities and once at Respondent Smog on October 16, 2023. On
18 October 16, 2023, approximately 23 minutes prior to the fraudulent test, Respondent Martin
19 tested Vehicle 4 at Respondent Smog and Vehicle 4 failed the inspection. The BAR-OIS test data
20 from those six prior inspections show the eVIN had been transmitted as expected.

21 53. R.P. concluded that the DAD had not been connected to Vehicle 4 during the smog
22 check inspection performed by Respondent Martin, resulting in a fraudulent smog check
23 certificate of compliance for Vehicle 4 using clean-plugging methods.

24 **Vehicle 5**

25 54. BAR-OIS test data showed that on February 6, 2024, Respondent Chand performed a
26 smog check inspection on a 2013 Ford F150 (Vehicle 5), resulting in the issuance of Certificate of
27 Compliance No. TS395390C. The OIS test details for Vehicle 5 showed that the eVIN was not
28 reported during the inspection. R.P. reviewed the Comparative OIS Test Data for other 2013

1 Ford F150 vehicles and found that the eVIN is transmitted, and the PID count recorded during the
2 inspection on Vehicle 5 was not consistent with the PID count for the make and model of this
3 vehicle. The OIS test details show that Respondent Chand scanned the physical VIN into the
4 BAR-OIS.

5 55. R.P. utilized the Bureau's database and found that before and after the February 6,
6 2024 test, Vehicle 5 had been tested once at a different facility and once at Respondent Smog.
7 The BAR-OIS test data from those two inspections showed the eVIN had been transmitted as
8 expected, and the PID count was consistent with the make and model of the vehicle.

9 56. R.P. concluded that the DAD had not been connected to Vehicle 5 during the smog
10 check inspection performed by Respondent Chand, resulting in a fraudulent smog check
11 certificate of compliance for Vehicle 5 using clean-plugging methods.

12 **Vehicle 6**

13 57. BAR-OIS test data showed that on May 25, 2024, Respondent Bains performed a
14 smog check inspection on a 2011 Toyota Prius (Vehicle 6), resulting in the issuance of Certificate
15 of Compliance No. TW771229C. The OIS test details for Vehicle 6 showed that the eVIN was
16 not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for other 2011
17 Toyota Prius vehicles and found that the eVIN was transmitted. The OIS test details show that
18 Respondent Bains scanned the physical VIN into the BAR-OIS.

19 58. R.P. utilized the Bureau's database and found that Vehicle 6 had previously been
20 tested four times at different facilities. The BAR-OIS test data from those four inspections
21 showed the eVIN had been transmitted as expected.

22 59. R.P. concluded that the DAD had not been connected to Vehicle 6 during the smog
23 check inspection performed by Respondent Bains, resulting in a fraudulent smog check certificate
24 of compliance for Vehicle 6 using clean-plugging methods.

25 **Vehicle 7**

26 60. BAR-OIS test data showed that on May 29, 2024, Respondent Martin performed a
27 smog check inspection on a 2006 Chevrolet Express (Vehicle 7), resulting in the issuance of
28 Certificate of Compliance No. TY526261C. The OIS test details for Vehicle 7 showed that the

1 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
2 other 2006 Chevrolet Express vehicles and found that the eVIN is transmitted. The OIS test
3 details show that Respondent Martin scanned the vehicle's VIN into the BAR-OIS.

4 61. R.P. utilized the Bureau's database and found that Vehicle 7 had previously been
5 tested once at a different facility and four times at Respondent Smog. The BAR-OIS test data
6 from those five inspections showed the eVIN had been transmitted as expected.

7 62. R.P. concluded that the DAD had not been connected to Vehicle 7 during the smog
8 check inspection performed by Respondent Martin, resulting in a fraudulent smog check
9 certificate of compliance for Vehicle 7 using clean-plugging methods.

10 **Vehicle 8**

11 63. BAR-OIS test data showed that on September 12, 2024, Respondent Bains performed
12 a smog check inspection on a 2014 Dodge Durango (Vehicle 8), resulting in the issuance of
13 Certificate of Compliance No. UC906835C. The OIS test details for Vehicle 8 showed that the
14 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
15 other 2014 Dodge Durango vehicles and found that the eVIN is transmitted. The OIS test details
16 show that Respondent Bains scanned the physical VIN into the BAR-OIS.

17 64. R.P. utilized the Bureau's database and found that before and after the September 12,
18 2024 test, Vehicle 8 had been tested once at a different facility and twice at Respondent Smog's
19 facility. The BAR-OIS test data from those three inspections showed the eVIN had been
20 transmitted as expected.

21 65. R.P. concluded that the DAD had not been connected to Vehicle 8 during the smog
22 check inspection performed by Respondent Bains, resulting in a fraudulent smog check certificate
23 of compliance for Vehicle 8 using clean-plugging methods.

24 **Vehicle 9**

25 66. BAR-OIS test data showed that on May 21, 2025, Respondent Bains performed a
26 smog check inspection on a 2015 BMW M3 (Vehicle 9), resulting in the issuance of Certificate of
27 Compliance No. UO728333C. The OIS test details for Vehicle 9 showed that the eVIN recorded
28 during the inspection as WBA3C3G53FNT53655 was incorrect and did not match the physical

1 VIN on Vehicle 9, which was WBS3C9C56FP804859. R.P. reviewed the Comparative OIS Test
2 Data for other 2015 BMW M3 vehicles and found that they transmitted the correct eVIN, and the
3 PID count recorded during the inspection on Vehicle 9 was not consistent with the PID count for
4 the make and model of this vehicle. The OIS test details show that Respondent Bains scanned the
5 physical VIN into the BAR-OIS.

6 67. R.P. utilized the Bureau's database and found that the eVIN transmitted during the
7 inspection of Vehicle 9 on May 21, 2025, matched a 2015 BMW 320I X. The eVIN,
8 communication protocol, and PID count transmitted to the Bureau's database during the
9 inspection of Vehicle 9 were consistent with the eVIN, communication protocol and PID count
10 for the 2015 BMW 320I X. R.P. concluded that Respondent Bains had used the surrogate 2015
11 BMW 320I X's properly functioning OBD II system during the smog inspection of Vehicle 9.

12 68. R.P. concluded that the DAD had not been connected to Vehicle 9 during the smog
13 check inspection performed by Respondent Bains, resulting in a fraudulent smog check certificate
14 of compliance for Vehicle 9 using clean-plugging methods.

15 **Vehicle 10**

16 69. BAR-OIS test data showed that on August 21, 2025, Respondent Singh performed a
17 smog check inspection on a 2008 Honda CR-V (Vehicle 10), resulting in the issuance of
18 Certificate of Compliance No. JH122311C. The OIS test details for Vehicle 10 showed that the
19 eVIN was not reported during the inspection, and the dynamic eVIN was reported as
20 JHLRE38378C019490. R.P. reviewed the Comparative OIS Test Data for other 2008 Honda CR-
21 V vehicles and found that the eVIN is transmitted. The OIS test details show that Respondent
22 Singh scanned the physical VIN into the BAR-OIS.

23 70. R.P. utilized the Bureau's database and found that Vehicle 10 had previously been
24 tested four times at other facilities and twice at Respondent Smog. The BAR-OIS test data from
25 those six inspections showed the eVIN had been transmitted as expected.

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1 71. R.P. concluded that the DAD had not been connected to Vehicle 10 during the smog
2 check inspection performed by Respondent Singh, resulting in a fraudulent smog check certificate
3 of compliance for Vehicle 10 using clean-plugging methods.

4 **Vehicle 11**

5 72. BAR-OIS test data showed that on August 22, 2025, Respondent Martin performed a
6 smog check inspection on a 2004 GMC Sierra (Vehicle 11), resulting in the issuance of
7 Certificate of Compliance No. JH086248C. The OIS test details for Vehicle 11 showed that the
8 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
9 other 2004 GMC Sierra vehicles and found that the eVIN was transmitted. The OIS test details
10 show that Respondent Martin scanned the physical VIN into the BAR-OIS.

11 73. R.P. utilized the Bureau's database and found that Vehicle 11 had previously been
12 tested twice at other facilities and five times at Respondent Smog. The BAR-OIS test data from
13 those inspections showed the eVIN had been transmitted as expected. On August 19, 2025, three
14 days prior to the August 22, 2025 test, Respondent Martin tested Vehicle 11 at Respondent Smog
15 and Vehicle 11 failed the inspection. The BAR-OIS test data from that inspection showed the
16 eVIN had been transmitted as expected during the August 19, 2025 failed test.

17 74. R.P. concluded that the DAD had not been connected to Vehicle 11 during the smog
18 check inspection performed by Respondent Martin, resulting in a fraudulent smog check
19 certificate of compliance for Vehicle 11 using clean-plugging methods.

20 **Vehicle 12**

21 75. BAR-OIS test data showed that on January 10, 2026, Respondent Singh performed a
22 smog check inspection on a 2002 GMC Denali (Vehicle 12), resulting in the issuance of
23 Certificate of Compliance No. UY829922C. The OIS test details for Vehicle 12 showed that the
24 eVIN was not reported during the inspection. R.P. reviewed the Comparative OIS Test Data for
25 other 2002 GMC Denali vehicles and found that the eVIN was transmitted.

26 76. R.P. utilized the Bureau's database and found that on January 10, 2026,
27 approximately one hour prior to the inspection at Respondent Smog, Vehicle 12 was tested at a
28 different smog facility and failed that inspection for the OBD system not communicating with an

1 OIS. The Bureau's database also showed that Vehicle 12 had previously been tested six times at
2 other facilities. The BAR-OIS test data from those six inspections showed the eVIN had been
3 transmitted as expected.

4 77. R.P. concluded that the DAD had not been connected to Vehicle 12 during the smog
5 check inspection performed by Respondent Singh, resulting in a fraudulent smog check certificate
6 of compliance for Vehicle 12 using clean-plugging methods.

7 **FIRST CAUSE FOR DISCIPLINE**

8 **(Untrue or Misleading Statements)**

9 78. Respondent Smog's registration is subject to disciplinary action pursuant to Code
10 section 9884.7, subdivision (a)(1), in conjunction with Code section 9889.22, in that Respondent
11 Smog made or authorized statements which Respondent Smog knew or in the exercise of
12 reasonable care should have known to be untrue or misleading. Specifically, Respondent Smog
13 certified that Vehicles 1 through 12 passed inspection and were in compliance with applicable
14 laws and regulations when, in fact, those vehicles had not been properly inspected, as more fully
15 set forth above in paragraphs 41 through 77.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Fraud)**

18 79. Respondent Smog's registration is subject to disciplinary action pursuant to Code
19 section 9884.7, subdivision (a)(4), in that Respondent Smog committed acts that constituted fraud
20 by issuing electronic smog certificates of compliance for Vehicles 1 through 12, identified above
21 in paragraphs 41 through 77, without ensuring that bona fide inspections had been performed of
22 the emission control devices and systems on the vehicles, thereby depriving the People of the
23 State of California of the protection afforded by the Motor Vehicle Inspection Program.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Material Violation of Automotive Repair Act)**

26 80. Respondent Smog's registration is subject to disciplinary action pursuant Code
27 section 9884.7, subdivision (a)(6), in that Respondent Smog failed in a material respect to comply
28 with the provisions of the chapter or regulations adopted pursuant to it when Respondent Smog

1 issued electronic certificates of compliance for Vehicles 1 through 12, identified above in
2 paragraphs 41 through 77, without performing bona fide inspections of the emission control
3 devices and systems on those vehicles, thereby depriving the People of the State of California of
4 the protection afforded by the Motor Vehicle Inspection Program.

5 **FOURTH CAUSE FOR DISCIPLINE**

6 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

7 81. Respondent Smog's smog check, test only, station license is subject to discipline
8 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent Smog failed
9 to comply with the following sections of the CCR's, as more fully set forth above in paragraphs
10 41 through 77, and as follows:

11 a. **Section 3340.35, subdivision (c)**: Respondent Smog failed to inspect and test
12 Vehicles 1 through 12 in accordance with the procedures specified in section 3340.42 of the CCR
13 and failed to ensure that the vehicles had all the required emission control equipment and devices
14 installed and functioning correctly.

15 b. **Section 3373**: Respondent Smog made or authorized documents which it knew
16 or which by exercise of reasonable care should have known to be untrue or misleading, when
17 Respondent issued fraudulent smog certificates of compliance for Vehicles 1 through 12.

18 **FIFTH CAUSE FOR DISCIPLINE**

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

20 82. Respondent Smog's smog check, test only, station license is subject to disciplinary
21 action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that with regards to
22 Vehicles 1 through 12, identified above in paragraphs 41 through 77, Respondent Smog failed to
23 comply with the Health & Saf. Code, as follows:

24 a. **Health & Saf. Code, section 44012**: Respondent Smog failed to ensure that the
25 emission control tests were performed on the vehicles in accordance with procedures prescribed
26 by the department.

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1 a. **CCR, section 3340.30, subdivision (a)**: Respondent Bains failed to inspect
2 and test Vehicles 6, 8, and 9 in accordance with Health & Saf. Code section 44012 and CCR
3 section 3340.42.

4 b. **CCR, section 3340.41, subdivision (c)**: Respondent Bains entered false
5 information into the OIS by entering vehicle identification information for a vehicle other than
6 the one being tested.

7 **NINTH CAUSE FOR DISCIPLINE**

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

9 86. Respondent Bains's smog check inspector license and smog check repair technician
10 license are subject to disciplinary action pursuant to Health & Saf. Code section 44072.2,
11 subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that
12 Respondent Bains committed dishonest, fraudulent, or deceitful acts whereby another was injured
13 by issuing electronic smog certificates of compliance for Vehicles 6, 8, and 9, identified above in
14 paragraphs 57 through 59 and 63 through 68, without performing bona fide inspections of the
15 emission control devices and systems on those vehicles, thereby depriving the People of the State
16 of California of the protection afforded by the Motor Vehicle Inspection Program.

17 **TENTH CAUSE FOR DISCIPLINE**

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

19 87. Respondent Martin's smog check inspector license is subject to disciplinary action
20 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent Martin
21 violated section 44032 of that Code. Specifically, Respondent Martin failed to perform the
22 emission control tests on Vehicles 1, 4, 7, and 11, identified above in paragraphs 42 through 44,
23 51 through 53, 60 through 62, and 72 through 74, in accordance with procedures prescribed by
24 the department.

25 **ELEVENTH CAUSE FOR DISCIPLINE**

26 **(Failure to Comply with Regulations)**

27 88. Respondent Martin's smog check inspector license is subject to discipline pursuant to
28 Health & Saf. Code section 44072.2, subdivision (c), in that regarding Vehicles 1, 4, 7, and 11,

1 identified above in paragraphs 42 through 44, 51 through 53, 60 through 62, and 72 through 74,
2 Respondent Martin failed to comply with provisions of the CCR, as follows:

3 a. **CCR, section 3340.30, subdivision (a)**: Respondent Martin failed to inspect
4 and test Vehicles 1, 4, 7, and 11 in accordance with Health & Saf. Code section 44012 and CCR
5 section 3340.42.

6 b. **CCR, section 3340.41, subdivision (c)**: Respondent Martin entered false
7 information into the OIS by entering vehicle identification information for a vehicle other than
8 the one being tested.

9 **TWELFTH CAUSE FOR DISCIPLINE**

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

11 89. Respondent Martin's smog check inspector license is subject to disciplinary action
12 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health &
13 Saf. Code section 44072.10, subdivision (c), in that Respondent Martin committed dishonest,
14 fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates
15 of compliance for on Vehicles 1, 4, 7, and 11, identified above in paragraphs 42 through 44, 51
16 through 53, 60 through 62, and 72 through 74, without performing bona fide inspections of the
17 emission control devices and systems on those vehicles, thereby depriving the People of the State
18 of California of the protection afforded by the Motor Vehicle Inspection Program.

19 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

21 90. Respondent Chand's smog check inspector license is subject to disciplinary action
22 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent Chand
23 violated section 44032 of that Code. Specifically, Respondent Chand failed to perform the
24 emission control tests on Vehicles 2, 3, and 5, above, identified above in paragraphs 45 through
25 50, and 54 through 56, in accordance with procedures prescribed by the department.

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1 **FOURTEENTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations)**

3 91. Respondent Chand’s smog check inspector license is subject to discipline pursuant to
4 Health & Saf. Code section 44072.2, subdivision (c), in that regarding Vehicles 2, 3, and 5,
5 identified above in paragraphs 45 through 50, and 54 through 56, Respondent Chand failed to
6 comply with provisions of the CCR, as follows:

7 a. **CCR, section 3340.30, subdivision (a)**: Respondent Chand failed to inspect
8 and test Vehicles 2, 3, and 5 in accordance with Health & Saf. Code section 44012 and CCR
9 section 3340.42.

10 b. **CCR, section 3340.41, subdivision (c)**: Respondent Chand entered false
11 information into the OIS by entering vehicle identification information for a vehicle other than
12 the one being tested.

13 **FIFTEENTH CAUSE FOR DISCIPLINE**

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

15 92. Respondent Chand’s smog check inspector license is subject to disciplinary action
16 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health &
17 Saf. Code section 44072.10, subdivision (c), in that Respondent Chand committed dishonest,
18 fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates
19 of compliance for Vehicles 2, 3, and 5, identified above in paragraphs 45 through 50, and 54
20 through 56, without performing bona fide inspections of the emission control devices and systems
21 on those vehicles, thereby depriving the People of the State of California of the protection
22 afforded by the Motor Vehicle Inspection Program.

23 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

25 93. Respondent Singh’s smog check inspector license and smog check repair technician
26 license are subject to disciplinary action pursuant to Health & Saf. Code section 44072.2,
27 subdivision (a), in that Respondent Singh violated section 44032 of that Code. Specifically,
28 Respondent Singh failed to perform the emission control tests on Vehicles 10 and 12, identified

1 above in paragraphs 69 through 71 and 75 through 77, in accordance with procedures prescribed
2 by the department.

3 **SEVENTEENTH CAUSE FOR DISCIPLINE**

4 **(Failure to Comply with Regulations)**

5 94. Respondent Singh's smog check inspector license and smog check repair technician
6 license are subject to discipline pursuant to Health & Saf. Code section 44072.2, subdivision (c),
7 in that regarding Vehicles 10 and 12, identified above in paragraphs 69 through 71 and 75
8 through 77, Respondent Singh failed to comply with provisions of the CCR, as follows:

9 a. **CCR, section 3340.30, subdivision (a)**: Respondent Singh failed to inspect
10 and test Vehicles 10 and 12 in accordance with Health & Saf. Code section 44012 and CCR
11 section 3340.42.

12 b. **CCR, section 3340.41, subdivision (c)**: Respondent Singh entered false
13 information into the OIS by entering vehicle identification information for a vehicle other than
14 the one being tested.

15 **EIGHTEENTH CAUSE FOR DISCIPLINE**

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

17 95. Respondent Singh's smog check inspector license and smog check repair technician
18 license are subject to disciplinary action pursuant to Health & Saf. Code section 44072.2,
19 subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that
20 Respondent Singh committed dishonest, fraudulent, or deceitful acts whereby another was injured
21 by issuing electronic smog certificates of compliance for Vehicles 10 and 12, identified above in
22 paragraphs 69 through 71 and 75 through 77, without performing bona fide inspections of the
23 emission control devices and systems on those vehicles, thereby depriving the People of the State
24 of California of the protection afforded by the Motor Vehicle Inspection Program.

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1 **DISCIPLINARY CONSIDERATIONS**

2 96. To determine the degree of discipline, if any, to be imposed, Complainant alleges as
3 follows:

4 **Respondent Bains**

5 97. On or about June 11, 2015, the Bureau issued Citation No. M2015-1021 with an
6 Order of Abatement against Respondent Bains for issuing a Certificate of Compliance using a
7 BAR97 EIS when an OIS test was required. The Citation became effective on or about September
8 4, 2017.

9 **Sam’s Auto Repair & Service**

10 98. On or about June 11, 2015, the Bureau issued Citation No. C2015-1019 against
11 Respondent Bains as owner of Sam’s Auto Repair & Auto for issuing a Certificate of Compliance
12 using a BAR97 EIS when an OIS test was required. The Bureau directed Respondent Bains to
13 pay a \$,1500.00 fine. Respondent Bains complied with the Citation on or about August 29, 2017.

14 **Respondent Martin**

15 99. On or about August 17, 2015, the Bureau issued Citation No. M2015-1940 with an
16 Order of Abatement against Respondent Martin. The Citation became effective on or about
17 October 17, 2015.

18 **OTHER MATTERS**

19 100. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
20 suspend, revoke, or place on probation the registration for all places of business operated in this
21 state by Respondent Smog, upon a finding that Respondent Smog has, or is, engaged in a course
22 of repeated and willful violations of the laws and regulations pertaining to an automotive repair
23 dealer.

24 101. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test-Only Station
25 License Number TC 262049, issued to Respondent Smog, is revoked or suspended, any
26 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in
27 the name of said licensee may be likewise revoked or suspended by the Director.

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1 262049, issued to Smog N Tag Inc. doing business as Smog N Tag;

2 4. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
3 Division 26 of the Health & Saf. Code in the name of Smog N Tag Inc.;

4 5. Revoking or suspending Smog Check Inspector License Number EO 030353, issued
5 to Major Singh Bains;

6 6. Revoking or suspending Smog Check Repair Technician License Number EI 030353,
7 issued to Major Singh Bains;

8 7. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
9 Division 26 of the Health & Saf. Code in the name of Major Singh Bains;

10 8. Revoking or suspending Smog Check Inspector License Number EO 129149, issued
11 to David Joseph Martin;

12 9. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
13 Division 26 of the Health & Saf. Code in the name of David Joseph Martin;

14 10. Revoking or suspending Smog Check Inspector License Number EO 641639, issued
15 to Rajinesh Chand;

16 11. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
17 Division 26 of the Health & Saf. Code in the name of Rajinesh Chand;

18 12. Revoking or suspending Smog Check Inspector License Number EO 632967, issued
19 to Chamkaur Singh;

20 13. Revoking or suspending Smog Check Repair Technician License Number EI 632967,
21 issued to Chamkaur Singh;

22 14. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
23 Division 26 of the Health & Saf. Code in the name of Chamkaur Singh;

24 15. Ordering Major Singh Bains, David Joseph Martin, Rajinesh Chand, and Chamkaur
25 Singh to pay the Bureau of Automotive Repair the reasonable costs of the investigation and
26 enforcement of this case, pursuant to Business and Professions Code section 125.3 and if placed
27 on probation, the costs of probation monitoring; and,

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16. Taking such other and further action as deemed necessary and proper.

DATED: As of Digital Signature Date

PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

SA2026301138
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