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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. 79/26-9387

13 **JESSE RODRIGO CARREON**
14 **DBA CHERRY SMOG TEST ONLY**
15 **14596 Arrow Blvd**
16 **Fontana, CA 92335**

ACCUSATION

17 **Automotive Repair Dealer Registration No.**
18 **ARD 290186**
19 **Smog Check Test Only Station License No.**
20 **TC 290186**
21 **Smog Check Inspector License No.**
22 **EO 640610**

23 **ALBERTO MORA**
24 **1008 W Evans St**
25 **San Bernardino, CA 92411**

26 **Smog check Inspector License No.**
27 **EO 643441**

28 **JOSE BERNABE RODRIGUEZ**
350 E San Jacinto Ave Spc #166
Perris, CA 92571

Smog check Inspector License No.
EO 637762

and

ROY LOPEZ
16694 Miller Ave Apt A
Fontana, CA 92336

Smog Check Inspector License No.
EO 644795

Respondents.

PARTIES

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

2. On or about April 16, 2018, the Bureau issued Automotive Repair Dealer Registration Number ARD 290186 to Jesse Rodrigo Carreon dba Cherry Smog Test Only (Respondent Carreon). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2027, unless renewed.

3. On or about October 3, 2018, the Bureau issued Smog Check Test Only Station License Number TC 290186 to Respondent Carreon. 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 April 30, 2027, unless renewed.

4. On or about November 1, 2018, the Bureau Certified Cherry Smog Test Only as a STAR Station. The certification will remain active unless the ARD registration and/or Smog Check station license is revoked, cancelled, licenses become delinquent, or certification is suspended.

5. On or about September 25, 2017, the Bureau issued Smog Check Inspector License Number EO 640610 to Respondent Carreon. The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on February 29, 2028, unless renewed.

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6. On or about December 17, 2021, the Bureau issued Smog Check Inspector License Number EO 643441 to Alberto Mora (Respondent Mora). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2028, unless renewed.

7. On or about January 20, 2015, the Bureau issued Smog Check Inspector License Number EO 637762 to Jose Bernabe Rodriguez (Respondent Rodriguez). The Smog Check Inspector 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.

8. On or about January 22, 2024, the Bureau issued Smog Check Inspector License Number EO 644795 to Roy Lopez (Respondent Lopez). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2027, unless renewed.

ADDITIONAL LICENSES

9. On or about July 15, 2021, the Bureau issued Automotive Repair Dealer Registration Number ARD 300342 to Respondent Carreon. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2027, unless renewed.

10. On or about February 24, 2022, the Bureau issued Smog Check Test Only Station License Number TC 300342 to Respondent Carreon. 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 July 31, 2027, unless renewed.

11. On or about April 18, 2022, the Bureau Certified Cherry Smog Test Only (TC 300342) as a STAR Station. The certification will remain active unless the ARD registration and/or Smog Check station license is revoked, cancelled, licenses become delinquent, or certification is suspended.

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13. Business and Professions Code (Bus. & Prof. Code) section 118, subdivision (b), provides that suspension, expiration, surrender, or cancellation of a license shall not deprive the Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

15. 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 disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or permanently invalidating (suspending or revoking) a registration.

17. Health & Saf. Code section 44072.6 provides, in pertinent part, that the expiration or suspension of a license by operation of law, or by order or decision of the Director of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with disciplinary action.

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(a) The director, if the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer:

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2 (4) Any other conduct that constitutes fraud.

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

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6 (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
7 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
8 adopted pursuant to it.

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10 (e) For purposes of this section, "fraud" includes, but is not limited to,
violations of this chapter involving misrepresentations and all of the following:

11 (1) Any act or omission that is included within the definition of either "actual
12 fraud" or "constructive fraud," as those terms are defined in Sections 1572 and 1573
of the Civil Code.

13 (2) A misrepresentation in any manner, whether intentionally false or due to
14 gross negligence, of a material fact.

15 (3) A promise or representation not made honestly and in good faith.

16 (4) An intentional failure to disclose a material fact.

17 (5) Any act in violation of Section 484 of the Penal Code.

18 19. Bus. & Prof. Code section 477 provides, in pertinent part, that "Board" includes
19 "bureau," "commission," "committee," "department," "division," "examining committee,"
20 "program," and "agency." "License" includes certificate, registration or other means to engage in
21 a business or profession regulated by the Bus. & Prof. Code.

22 20. Health & Saf. Code section 44012 provides, in pertinent part, that tests at smog check
23 stations shall be performed in accordance with procedures prescribed by the department.

24 21. Health & Saf. Code section 44015, subdivision (b), provides that a certificate of
25 compliance shall be issued if a vehicle meets the requirements of Health & Saf. Code section
26 44012.

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22. Health & Saf. Code section 44032 provides that qualified technicians shall perform tests of emissions control devices and systems in accordance with Health & Saf. Code section 44012.

23. 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 . . .

24. 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.

(2) Tampering with a vehicle emission control system or test analyzer system.

(3) Tampering with a vehicle in a manner that would cause the vehicle to falsely pass or falsely fail an inspection.

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

25. 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.

REGULATORY PROVISIONS

26. California Code of Regulations (CCR), title 16, section 3340.24, subdivision (c), states:

1 “The bureau may suspend or revoke the license of or pursue other legal action against a
2 licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a
3 certificate of noncompliance.”

4 27. CCR, title 16, section 3340.30, subdivision (a), states that a licensed smog technician
5 shall at all times “[i]nspect, test and repair vehicles, as applicable, in accordance with section
6 44012 of the Health & Saf. Code, section 44035 of the Health & Saf. Code, and section 3340.42
7 of this article.”

8 28. CCR, title 16, section 3340.35, subdivision (c), states that a licensed smog check
9 station “shall issue a certificate of compliance or noncompliance to the owner or operator of any
10 vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of
11 this article and has all the required emission control equipment and devices installed and
12 functioning correctly.”

13 29. CCR, title 16, section 3340.41 states, in pertinent part:

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15 (b) No person shall enter any access or qualification number other than as
16 authorized by the Bureau into the EIS or OIS, nor in any way tamper with the EIS or
OIS.

17 (c) No person shall enter any vehicle identification information or emission
18 control system identification data for any vehicle other than the one being tested into
the EIS or OIS. Nor shall any person enter into the EIS or OIS any false information
19 about the vehicle being tested

20 30. CCR, title 16, section 3340.42, sets forth specific emissions test methods and
21 procedures which apply to all vehicles inspected in the State of California.

22 **COST RECOVERY**

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

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CALIFORNIA'S SMOG CHECK PROGRAM

32. California's Smog Check Program requires most vehicles in the State to undergo a smog check inspection every two years or when the vehicle's title is transferred.

33. A smog check inspection in certain Enhanced areas of the State is an Acceleration Simulation Mode (ASM) test performed using an Emission Inspection System (EIS), also known as a BAR 97. This is a computer based five-gas analyzer that measures Hydrocarbons (HC), Carbon Monoxide (CO), Oxides of Nitrogen (NO_x), Carbon Dioxide (CO₂) and Oxygen (O₂). The first part of the test is a loaded mode test of the vehicle's tailpipe emissions on a dynamometer. The vehicle's drive wheels are placed on rollers, and the vehicle is driven to simulate driving conditions while the emissions are sampled by the EIS.

34. In Basic areas of the State, or depending on a vehicle's configuration, a similar test called a Two Speed Idle test is performed, but instead of applying a load to the vehicle's drive wheels with a dynamometer, the EIS measures the emissions of HC, CO, O₂, and CO₂ at idle as well as 2500 revolutions per minute (rpm).

35. In the visual portion of a smog check, the technician inspects the emission control components to verify that the required emission control devices are present and properly connected.

36. An On-Board Diagnostics (OBD II) functional test is also performed on most 1996 to 1999 model year vehicles. The EIS retrieves information through the Diagnostic Link Connector (DLC) from the vehicle's on-board computer about its ability to communicate, the status of the I/M readiness monitors and the MIL light command. The I/M readiness monitors tell whether or not the OBD II system has run a sufficient number of self-tests on the vehicle's emission and engine control systems. A failure of one or more of the OBD II functional criteria, depending on model year, will result in the vehicle failing its smog check inspection. In addition to reporting the outcome of the OBD II functional test, the smog check inspection results also show Diagnostic Trouble Codes (DTC) if there are any in the vehicle's on-board computer memory.

37. The inspector enters the results of the visual and functional inspections into the EIS. The EIS unit makes the determination whether or not the vehicle passes the inspection based on

1 the results of the tailpipe, visual and functional tests.

2 38. The EIS is connected by internet connection to Bureau's Vehicle Information
3 Database (VID). If the vehicle passes the visual, functional and tailpipe tests, it passes the overall
4 inspection. A Certificate of Compliance is issued and transmitted electronically to the VID.
5 Additionally, all data gathered during a Smog Check inspection, regardless of the type of
6 inspection, is transmitted to and retained in the VID.

7 39. Beginning March 9, 2015, California's Smog Check Program was updated to require
8 the use of an On-Board Diagnostic Inspection System (BAR-OIS). BAR-OIS is the smog check
9 equipment required in all areas of the State when inspecting most model-year 2000 and newer
10 gasoline and hybrid vehicles. The system consists of a certified Data Acquisition Device (DAD),
11 computer, bar code scanner, and printer. The DAD is an OBD scan tool that, when requested by
12 the BAR-OIS software, retrieves OBD data from the vehicle. All OBD data that the vehicle
13 indicates it supports is requested by the BAR-OIS software and will be retrieved. The DAD
14 connects between the BAR-OIS computer and the vehicle's DLC. The bar code scanner is used to
15 input inspector information, the vehicle identification number (VIN), and Department of Motor
16 Vehicles renewal information. The printer provides a Vehicle Inspection Report (VIR)
17 containing inspection results for motorists and a Smog Check Certificate of Compliance number
18 for passing vehicles.

19 40. During an OIS inspection, engine operating parameters are retrieved from the
20 vehicle's OBD II system and recorded to the VID. This is accomplished during the functional
21 portion of the OIS Smog Check inspection by plugging the DAD into the vehicle's DLC when
22 prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

- 23 • Engine speed in revolutions per minute (RPM)
- 24 • Throttle position as measured by a throttle position sensor (TPS) mounted onto the
25 throttle shaft. Measured in a percentage of opening from 0% at idle and near or up to 100% at full
26 throttle.
- 27 • Manifold absolute pressure as measured by a manifold air pressure sensor (MAP)
28 connected to an intake manifold source, measured in kilo pascals (kpa). Typical readings for a

normally aspirated vehicle as follows: 0 kpa being absolute vacuum, 25 to 45 kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at sea level.

- Mass air flow as measured by a mass air flow sensor (MAF) mounted in the engine's air intake tract. Measured in grams per second (gps).
- Ignition timing is set by the vehicle PCM based on engine speed and load, and is measured in degrees Before Top Dead Center (BTDC).

Not all vehicles include both MAP and MAF parameters. Many vehicles will have either MAP or MAF parameters separately.

41. During normal engine operation at idle, engine speed is relatively steady around its target idle speed. With the engine idling, the TPS is steady and at or near 0%. The MAP and/or MAF readings are also steady. For the engine speed to increase, the throttle would have to be opened in order to increase airflow through the engine. The engine's management systems supply fuel and spark timing appropriate to any changes in throttle position and engine speed. An increase in throttle, measured by the TPS, which increases engine RPM, would result in a corresponding increase in MAF as well as a change in MAP. Any movement in the throttle from the idle position will result in an increase of airflow through the engine with corresponding increases RPM and MAF along with changes in MAP.

42. During an OIS Smog Check inspection, along with other visual and functional inspections, there is an OBD II query portion of the inspection. The OBD II query is performed with the engine idling and, when requested by the OIS analyzer, and an elevated or increased engine speed. The increase in engine speed is performed by the inspector by stepping on the throttle pedal or manually opening the throttle resulting in a corresponding increase in engine RPMs by allowing an increase in airflow into the engine.

43. The Bureau has become aware of methods that some Smog Check stations and Smog Check inspectors use to fraudulently issue smog certificates to vehicles that may not pass a smog check test on their own, or in some instances, are not even present during the time the test is performed. "Clean plugging" is a method by which another vehicle's OBD II system, or another source such as defeat devices, are used to generate passing data readings or diagnostic

1 information for the purpose of fraudulently issuing smog certificates to vehicles that are not in
2 smog compliance, and or not present for testing. Defeat devices attempt to simulate engine
3 operation during a smog check inspection by transmitting OBD II data to the VID which has been
4 modified or replaced entirely for the purportedly inspected vehicle during the functional portion
5 of the OIS inspection.

6 **FACTUAL ALLEGATIONS**

7 ***Station Inspection***

8 44. On or about November 17, 2021, a Bureau representative conducted a station
9 inspection at Cherry Smog Test Only and met with Respondent Carreon. During the station
10 inspection, the Bureau representative advised Respondent Carreon to perform complete Smog
11 Check inspections following the Bureau's most current Smog Check Procedures manual; to
12 ensure proper connection between the vehicle being tested and the analyzer OBDII cable; that no
13 devices were to be connected between the analyzer cable and the vehicle; that inspections were to
14 be performed by licensed inspectors assigned to the station using their own licenses and access
15 codes; and that failure to properly perform Smog Check inspections might lead disciplinary
16 action.

17 ***Investigation***

18 45. On or about May 7, 2026, the Bureau began a detailed review of the VID data for
19 Smog Check inspections performed at Cherry Smog Test Only which showed a pattern of
20 vehicles being certified with engine operating parameters that did not correspond to normal
21 engine operation, confirming the vehicles receiving smog certifications were not tested during the
22 OBD II functional test, which constitutes clean plugging. The Bureau's review of the Smog
23 Check activities at Cherry Smog Test Only confirmed nine (9) Smog Check Certificates of
24 Compliance were fraudulently issued by Cherry Smog Test Only to six (6) vehicles that were
25 inspected by Respondent Mora, one (1) vehicle that was inspected by Respondent Rodriguez, one
26 (1) vehicle that was inspected by Respondent Carreon, and one (1) vehicle that was inspected by
27 Respondent Lopez.

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Fraudulent Inspection Number 1 – 2000 Volkswagen GTI GLX

46. OIS Test Data for Cherry Smog Test Only indicated that on January 19, 2024, a 2000 Volkswagen GTI GLX, no license plate entered, VIN #WVWDE21J3YW466875, (2000 GTI GLX), was tested and Smog Certificate of Compliance #TQ917085C was issued by Cherry Smog Test Only, under Respondent Mora's Smog Check Inspector License. The OIS Test Data also show that between time stamps 369 and 17724, the engine RPM is relatively steady at around 640 RPM. During this time, the data show that the throttle is fixed at 1.2 % opening and the MAF is fixed at 0 gram/sec. After time stamp 17724, the data show that the engine RPM is increased and then ultimately held steady at around 1740 RPM. From the time the engine RPM increases off idle to the higher RPMs, the data show that the throttle continues to stay fixed at the same 1.2 % opening and the MAF continues to stay fixed at the same 0 gram/sec.

47. During the entire period the dynamic data was collected, the only parameter that changed was the engine RPM. The throttle position and MAF readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation as both readings should increase with the increase in engine RPM. These discrepancies confirm that the OIS DAD was not connected to the 2000 GTI GLX during the certification process as required, thereby confirming this as a fraudulent inspection by way of Clean Plugging.

Fraudulent Inspection Number 2 – 2000 Ford Expedition Eddie Bauer

48. OIS Test Data for Cherry Smog Test Only indicated that on January 26, 2024, a 2000 Ford Expedition Eddie Bauer, no license plate entered, VIN #1FMPU18L6YLB60896 (2000 Expedition Eddie Bauer), was tested and smog certificate #TS089080C was issued by Cherry Smog Test Only, under Respondent Mora's Smog Check Inspector License. The OIS Test Data also show that between time stamps 65 and 38831, the engine RPM is relatively steady at around 685 RPM. During this time, the data show that the throttle is fixed at 19.2 % opening and the MAF is fixed at 6.09 gram/sec. After time stamp 38831, the data show that the engine RPM decreased to 0 RPM before it increased and then ultimately held steady at around 1625 RPM. From the time the engine RPM increases off idle to the higher RPMs, the data show that the

1 throttle continues to stay fixed at the same 19.2 % opening and the MAF continues to stay fixed at
2 the same 6.09 gram/sec.

3 49. During the entire period the dynamic data was collected, the only parameter that
4 changed was the engine RPM. The throttle position and MAF readings remained unchanged even
5 though the engine RPM was increased. These readings are not characteristic or expected for
6 normal engine operation as both readings should increase with the increase in engine RPM.
7 These discrepancies confirm that the OIS DAD was not connected to the 2000 Expedition Eddie
8 Bauer during the certification process as required, thereby confirming this as a fraudulent
9 inspection by way of Clean Plugging.

10 **Fraudulent Inspection Number 3 – 2002 Mitsubishi Lancer OZ Rally**

11 50. OIS Test Data for Cherry Smog Test Only indicated that on April 6, 2024, a 2002
12 Mitsubishi Lancer OZ Rally, no license plate entered, VIN #JA3AJ86E62U036580 (2002 Lancer
13 OZ Rally), was tested and smog certificate #TU782789C was issued by Cherry Smog Test Only,
14 under Respondent Mora's Smog Check Inspector License. The OIS Test Data also show that
15 between time stamps 117 and 17075, the engine RPM is relatively steady at around 835 RPM.
16 During this time, the data shows that the throttle is fixed at 0 % opening and the MAF is fixed at
17 2.57 gram/sec. After time stamp 17075, the data show that the engine RPM is increased and is
18 then ultimately held steady at around 1500 RPM. From the time the engine RPM increases off
19 idle to the higher RPMs, the data show that the throttle continues to stay fixed at the same 0 %
20 opening and the MAF continues to stay fixed at the same 2.57 gram/sec.

21 51. During the entire period the dynamic data was collected, the only parameter that
22 changed was the engine RPM. The throttle position and MAF readings remained unchanged even
23 though the engine RPM was increased. These readings are not characteristic or expected for
24 normal engine operation as both readings should increase with the increase in engine RPM.
25 These discrepancies confirm that the OIS DAD was not connected to the 2002 Lancer OZ Rally
26 during the certification process as required, thereby confirming this as a fraudulent inspection by
27 way of Clean Plugging.

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Fraudulent Inspection Number 4 – 2005 Hyundai Accent GS

52. OIS Test Data for Cherry Smog Test Only indicated that on June 1, 2024, a 2005 Hyundai Accent GS, CA license # 5NPH592, VIN #KMHC35C65U328385 (2005 Accent GS), was tested and smog certificate # TY488572C was issued by Cherry Smog Test Only, under Respondent Rodriguez's Smog Check Inspector License. The OIS Test Data also show that between time stamps 203 and 20070, the engine RPM is relatively steady at around 830 RPM. During this time, the data show that the throttle is fixed at 5.9 % opening and the MAP is fixed at 29 kPa. After time stamp 20070, the data show that the engine RPM is increased and then is ultimately held steady at around 1450 RPM. From the time the engine RPM increases off idle to the higher RPMs, the data show that the throttle continues to stay fixed at the same 5.9 % opening and the MAP continues to stay fixed at the same 29 kPa.

53. During the entire period the dynamic data was collected, the only parameter that changed was the engine RPM. The throttle position and MAP readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation as when there is an increase in engine RPM, the throttle position readings should increase, and the MAP readings should decrease. These discrepancies confirm that the OIS DAD was not connected to the 2005 Accent GS during the certification process as required, thereby confirming this as a fraudulent inspection by way of Clean Plugging.

Fraudulent Inspection Number 5 – 2004 Mitsubishi Endeavor XLS

54. OIS Test Data for Cherry Smog Test Only indicated that on June 30, 2024 a 2004 Mitsubishi Endeavor XLS, no license plate entered, VIN # 4A4MN31S64E009310 (2004 Endeavor XLS), was tested and smog certificate # IZ739689C was issued by Cherry Smog Test Only, under Respondent Mora's Smog Check Inspector License. The OIS Test Data also show that between time stamps stamp 201 and 26034, the engine RPM is relatively steady at around 640 RPM. During this time, the data show that the throttle is fixed at 3.9 % opening, the MAF is fixed at 3.54 gram/sec, and the MAP is fixed at 25 kPa. After time stamp 26034, the data show that the engine RPM is increased and then ultimately held steady at around 1560 RPM. During this time, the data show that the throttle drops from 5.5 % opening to 2.4 % opening, rises to

1 3.9 % opening and then ultimately drops to 1.2 % opening, the MAF rises from 3.99 gram/sec to
2 4.88 gram/sec and then ultimately drops to 2.78 gram/sec, and the MAP is fluctuating between 18
3 kPa and 28 kPa.

4 55. The anomalous throttle position, MAF, and MAP readings that were produced during
5 the elevated engine RPMs are not characteristic or expected for normal engine operation. The
6 throttle position, MAF, and MAP readings are expected to be stable at idle and at the elevated
7 engine RPM, not drop and rise unexpectedly. Additionally, with the elevated engine RPM, the
8 throttle position and MAF readings are expected to increase, not decrease to values lower than
9 idle readings, and the MAP readings are expected to decrease, not increase to above idle readings.
10 These discrepancies confirm that the OIS DAD was not connected to the 2004 Endeavor XLS
11 during the certification process as required, thereby confirming this as a fraudulent inspection by
12 way of Clean Plugging.

13 **Fraudulent Inspection Number 6 – 2004 Toyota Corolla CE**

14 56. OIS Test Data for Cherry Smog Test Only indicated that on July 17, 2024, a 2004
15 Toyota Corolla CE, no license plate entered, VIN # 1NXBR32E74Z219993 (2004 Corolla CE),
16 was tested and smog certificate # UA352632C was issued by Cherry Smog Test Only, under
17 Respondent Mora's Smog Check Inspector License. The OIS Test Data also show that between
18 time stamps 146 and 18606, the engine RPM is relatively steady at around 650 RPM. During this
19 time, the data show that the throttle is fixed at 10.6 % opening and the MAF is fixed at 1.9
20 gram/sec. After time stamp 18606, the data show that the engine RPM is increased and is then
21 ultimately held steady at around 1475 RPM. From the time the engine RPM increases off idle to
22 the higher RPMs, the data show that the throttle continues to stay fixed at the same 10.6 %
23 opening and the MAF continues to stay fixed at the same 1.9 gram/sec.

24 57. During the entire period the dynamic data was collected, the only parameter that
25 changed was the engine RPM. The throttle position and MAF readings remained unchanged even
26 though the engine RPM was increased. These readings are not characteristic or expected for
27 normal engine operation as both readings should increase with the increase in engine RPM.
28 These discrepancies confirm that the OIS DAD was not connected to the 2004 Corolla CE during

1 the certification process as required, thereby confirming this as a fraudulent inspection by way of
2 Clean Plugging.

3 **Fraudulent Inspection Number 7 – 2006 Honda Odyssey LX**

4 58. OIS Test Data for Cherry Smog Test Only indicated that on July 18, 2024, a 2006
5 Honda Odyssey LX, no license plate entered, VIN # 5FNRL382X6B027271 (2006 Odyssey LX),
6 was tested and smog certificate # UA352643C was issued by Cherry Smog Test Only, under
7 Respondent Mora's Smog Check Inspector License. The OIS Test Data also show that between
8 time stamps 129 and 16674, the engine RPM is relatively steady at around 635 RPM. During this
9 time, the data show that the throttle is fixed at 14.9 % opening and the MAP is fixed at 29 kPa.
10 After stamp 16674, the data show that the engine RPM is increased and is then ultimately held
11 steady at around 1350 RPM. From the time the engine RPM increases off idle to the higher
12 RPMs, the data show that the throttle continues to stay fixed at the same 14.9 % opening and the
13 MAP continues to stay fixed at the same 29 kPa.

14 59. During the entire period the dynamic data was collected, the only parameter that
15 changed was the engine RPM. The throttle position and MAP readings remained unchanged even
16 though the engine RPM was increased. These readings are not characteristic or expected for
17 normal engine operation as when there is an increase in engine RPM, the throttle position
18 readings should increase, and the MAP readings should decrease. These discrepancies confirm
19 that the OIS DAD was not connected to the 2006 Odyssey LX during the certification process as
20 required, thereby confirming this as a fraudulent inspection by way of Clean Plugging.

21 **Clean Plug Number 8 – 2004 Nissan Xterra XE**

22 60. OIS Test Data for a Cherry Smog Test Only indicated that on August 16, 2024, a
23 2004 Nissan Xterra XE, CA license # 5JQS188, VIN # 5N1ED28T44C643553 (2004 Xterra XE),
24 was tested and smog certificate # UC365088C was issued by Cherry Smog Test Only, under
25 Respondent Carreon's Smog Check Inspector License. The OIS Test Data also show that
26 between time stamps 177 and 25234, the engine RPM is relatively steady at around 730 RPM.
27 During this time, the data show that the throttle is fixed at 0 % opening and the MAF is fixed at
28 4.34 gram/sec. After stamp 25234, the data show that the engine RPM is increased and is then

ultimately held steady at around 1665 RPM. From the time the engine RPM increases off idle to the higher RPMs, the data show that the throttle continues to stay fixed at the same 0 % opening and the MAF continues to stay fixed at the same 4.34 gram/sec.

61. During the entire period the dynamic data was collected, the only parameter that changed was the engine RPM. The throttle position and MAF readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation as both readings should increase with the increase in engine RPM. These discrepancies confirm that the OIS DAD was not connected to the 2004 Xterra XE during the certification process as required, thereby confirming this as a fraudulent inspection by way of Clean Plugging.

Clean Plug Number 9 – 2015 Chevrolet Cruz LS

62. OIS Test Data for Cherry Smog Test Only indicated that on December 8, 2025, a 2015 Chevrolet Cruz LS, CA license # 7MFG250, VIN # 1G1PB5SG0F7226516 (2015 Cruz LS), was tested and smog certificate # UY310113C was issued by Cherry Smog Test Only, under Respondent Lopez's Smog Check Inspector License. The OIS Test Data also show that between time stamps 92 and 18806, the engine RPM is relatively steady at around 775 RPM. During this time, the data show that the throttle is varying between 24.3 % opening and 25.1 % opening, the MAF is varying between 3.75 gram/sec and 4.15 gram/sec, and the MAP is varying between 62 kPa and 64 kPa. After time stamp 18806, the data show that the engine RPM is increased and is then ultimately held at no less than 1422 RPM. During this time, the data show that the throttle is varying abnormally between 23.5 % opening and 25.5 % opening, the MAF is fluctuating between 3.72 gram/sec and 4.94 gram/sec, and the MAP ultimately rises from 27 kPa to a fixed 35 kPa.

63. The anomalous throttle position and MAF readings that were produced during the elevated engine RPMs are not characteristic or expected for normal engine operation. The throttle position and MAF readings are expected to be stable at idle and at the elevated engine RPM, not drop and rise unexpectedly. Additionally, with elevated engine RPM, the throttle position and MAF readings are expected to increase, not decrease to values lower than idle

1 readings. These discrepancies confirm that the OIS DAD was not connected to the 2015 Cruz LS
2 during the certification process as required, thereby confirming this as a fraudulent inspection by
3 way of Clean Plugging.

4 ***Respondent Carreon***

5 **FIRST CAUSE FOR DISCIPLINE**

6 **(Untrue of Misleading Statements)**

7 64. Respondent Carreon's Automotive Repair Dealer Registration is subject to
8 disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that he
9 made statements which were known to be untrue or misleading or, which by exercise of
10 reasonable care should have been known to be untrue or misleading, by issuing electronic smog
11 certificates of compliance for the nine (9) vehicles set forth in paragraphs 46-63 above, certifying
12 that those vehicles were in compliance with applicable laws and regulations when, in fact, those
13 vehicles had not been so inspected. Complainant refers to, and by this reference incorporates, the
14 allegations contained in paragraphs 45-63, above, as though set forth fully herein.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Fraud)**

17 65. Respondent Carreon's Automotive Repair Dealer Registration is subject to
18 disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that he
19 committed acts that constitute fraud by issuing electronic certificates of compliance to the nine
20 (9) vehicles set forth in paragraphs 46-63, above, without performing bone fide inspections of the
21 emission control devices and systems on those vehicles, thereby depriving the People of the State
22 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
23 refers to, and by this reference incorporates, the allegations contained in paragraphs 45-63, above,
24 as though set forth fully herein.

25 **THIRD CAUSE FOR DISCIPLINE**

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

27 66. Respondent Carreon's Automotive Repair Dealer Registration is subject to
28 disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(6), in that he

1 failed in a material respect to comply with the provisions of this chapter or regulations adopted
2 pursuant to it when he issued electronic certificates of compliance for the nine (9) vehicles set
3 forth in paragraphs 46-63, above, without performing bona fide inspections of the emission
4 control devices and systems on those vehicles, thereby depriving the People of the State of
5 California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
6 refers to, and by this reference incorporates, the allegations contained in paragraphs 45-63, above,
7 as though set forth fully herein.

8 **FOURTH CAUSE FOR DISCIPLINE**

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

10 67. Respondent Carreon's Smog Check Test Only Station License is subject to
11 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that he
12 failed to comply with the following sections of that Code:

13 a. **Section 44012:** Respondent failed to ensure that the emission control tests were
14 performed on the nine (9) vehicles identified in paragraphs 46-63, above, in accordance with
15 procedures prescribed by the department.

16 b. **Section 44015, subdivision (b):** Respondent issued electronic smog certificates of
17 compliance to the nine (9) vehicles identified in paragraphs 46-63, above, without properly
18 testing and inspecting those vehicles to determine if they were in compliance with Health & Saf.
19 Code section 44012.

20 Complainant refers to, and by this reference incorporates, the allegations contained in
21 paragraphs 46-63, above, as though set forth fully herein.

22 **FIFTH CAUSE FOR DISCIPLINE**

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

25 68. Respondent Carreon's Smog Check Test Only Station License is subject to
26 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that he
27 failed to comply with provisions of California Code of Regulations, title 16, as follows:

28 ///

a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued electronic smog certificates of compliance for the nine (9) vehicles identified in paragraphs 46-63, above.

b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the nine (9) vehicles identified in paragraphs 46-63, above, in accordance with Health & Saf. Code sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

c. **Section 3340.35, subdivision (c):** Respondent issued electronic smog certificates of compliance for the nine (9) vehicles identified in paragraphs 46-63, above, even though those vehicles had not been inspected in accordance with section 3340.42.

d. **Section 3340.42:** Respondent failed to ensure that the smog inspections conducted on the nine (9) vehicles identified in paragraphs 46-63 above, were done in accordance with the Bureau's specifications.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 45-63, above, as though set forth fully herein.

SIXTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

69. Respondent Carreon's Smog Check Test Only Station License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates of compliance for the nine (9) vehicles described in paragraphs 46-63, above, without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 45-63, above, as though set forth fully herein.

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1 **SEVENTH CAUSE FOR DISCIPLINE**

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

3 70. Respondent Carreon's Smog Check Inspector License is subject to disciplinary action
4 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that he failed to comply with
5 the following sections of that code:

6 a. **Section 44032:** Respondent failed to perform tests of emission control devices and
7 systems of the one (1) vehicle identified in paragraphs 60-61, above, in accordance with Health &
8 Saf. Code section 44012.

9 b. **Section 44015, subdivision (b):** Respondent caused an electronic smog certificate of
10 compliance to be issued for the one (1) vehicle identified in paragraphs 60-61, above, without
11 ensuring that it was properly tested and inspected to determine if it was in compliance with
12 Health & Saf. Code section 44012.

13 **EIGHTH CAUSE FOR DISCIPLINE**

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

16 71. Respondent Carreon's Smog Check Inspector License is subject to disciplinary action
17 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that he failed to comply with
18 provisions of California Code of Regulations, title 16, as follows:

19 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued an
20 electronic smog certificate of compliance for the one (1) vehicle identified in paragraphs 60-61,
21 above.

22 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the one (1)
23 vehicle identified in paragraphs 60-61, above, in accordance with Health & Saf. Code sections
24 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

25 c. **Section 3340.41, subdivision (c):** Respondent knowingly entered false information
26 into the on-board diagnostic inspection system for the one (1) vehicle identified in paragraphs 60-
27 61, above.

28 ///

d. **Section 3340.42:** Respondent failed to ensure that the smog inspection conducted on the one (1) vehicle identified in paragraphs 60-61, above, was done in accordance with the Bureau's specifications.

NINTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

72. Respondent Carreon's Smog Check Inspector License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing an electronic smog certificate of compliance for the one (1) vehicle identified in paragraphs 60-61, above, without performing bona fide inspections of the emission control devices and systems on that vehicle, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

Respondent Mora

TENTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

73. Respondent Mora's Smog Check Inspector License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that he failed to comply with the following sections of that code:

a. **Section 44032:** Respondent failed to perform tests of emission control devices and systems of the six (6) vehicles identified in paragraphs 46-51 and 54-59, above, in accordance with Health & Saf. Code section 44012.

b. **Section 44015, subdivision (b):** Respondent caused electronic smog certificates of compliance to be issued for the six (6) vehicles identified in paragraphs 46-51 and 54-59, above, without ensuring that they were properly tested and inspected to determine if they were in compliance with Health & Saf. Code section 44012.

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ELEVENTH CAUSE FOR DISCIPLINE

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

74. Respondent Mora's Smog Check Inspector License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that he 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 electronic smog certificates of compliance for the six (6) vehicles identified in paragraphs 46-51 and 54-59, above.

b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the six (6) vehicles identified in paragraphs 46-51 and 54-59, 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 knowingly entered false information into the on-board diagnostic inspection system for the six (6) vehicles identified in paragraphs 46-51 and 54-59, above.

d. **Section 3340.42:** Respondent failed to ensure that the smog inspections conducted on the six (6) vehicles identified in paragraphs 46-51 and 54-59, above, were done in accordance with the Bureau's specifications.

TWELFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

75. Respondent Mora's Smog Check Inspector License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates of compliance for the six (6) vehicles identified in paragraphs 46-51 and 54-59, above, without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

1 *Respondent Rodriguez*

2 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

4 76. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary
5 action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that he failed to
6 comply with the following sections of that code:

7 a. **Section 44032:** Respondent failed to perform tests of emission control devices and
8 systems of the one (1) vehicle identified in paragraphs 52-53, above, in accordance with Health &
9 Saf. Code section 44012.

10 b. **Section 44015, subdivision (b):** Respondent caused an electronic smog certificate of
11 compliance to be issued for the one (1) vehicle identified in paragraphs 52-53, above, without
12 ensuring that it was properly tested and inspected to determine if it was in compliance with
13 Health & Saf. Code section 44012.

14 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

17 77. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary
18 action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that he failed to
19 comply with provisions of California Code of Regulations, title 16, as follows:

20 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued an
21 electronic smog certificate of compliance for the one (1) vehicle identified in paragraphs 52-53,
22 above.

23 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the one (1)
24 vehicle identified in paragraphs 52-53, above, in accordance with Health & Saf. Code sections
25 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

26 c. **Section 3340.41, subdivision (c):** Respondent knowingly entered false information
27 into the on-board diagnostic inspection system for the one (1) vehicle identified in paragraphs 52-
28 53, above.

d. **Section 3340.42:** Respondent failed to ensure that the smog inspection conducted on the one (1) vehicle identified in paragraphs 52-53, above, was done in accordance with the Bureau's specifications.

FIFTEENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

78. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing an electronic smog certificate of compliance for the one (1) vehicle identified in paragraphs 52-53, above, without performing bona fide inspections of the emission control devices and systems on that vehicle, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

Respondent Lopez

SIXTEENTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

79. Respondent Lopez's Smog Check Inspector License is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that he failed to comply with the following sections of that code:

a. **Section 44032:** Respondent failed to perform tests of emission control devices and systems of the one (1) vehicle identified in paragraphs 62-63, above, in accordance with Health & Saf. Code section 44012.

b. **Section 44015, subdivision (b):** Respondent caused an electronic smog certificate of compliance to be issued for the one (1) vehicle identified in paragraphs 62-63, above, without ensuring that it was properly tested and inspected to determine if it was in compliance with Health & Saf. Code section 44012.

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1 **SEVENTEENTH CAUSE FOR DISCIPLINE**

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

4 80. Respondent Lopez's Smog Check Inspector License is subject to disciplinary action
5 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that he failed to comply with
6 provisions of California Code of Regulations, title 16, as follows:

7 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued an
8 electronic smog certificate of compliance for the one (1) vehicle identified in paragraphs 62-63,
9 above.

10 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the one (1)
11 vehicle identified in paragraphs 62-63, above, in accordance with Health & Saf. Code sections
12 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

13 c. **Section 3340.41, subdivision (c):** Respondent knowingly entered false information
14 into the on-board diagnostic inspection system for the one (1) vehicle identified in paragraphs 62-
15 63, above.

16 d. **Section 3340.42:** Respondent failed to ensure that the smog inspection conducted on
17 the one (1) vehicle identified in paragraphs 62-63, above, was done in accordance with the
18 Bureau's specifications.

19 **EIGHTEENTH CAUSE FOR DISCIPLINE**

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

21 81. Respondent Lopez's Smog Check Inspector License is subject to disciplinary action
22 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health &
23 Saf. Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or
24 deceitful acts whereby another was injured by issuing an electronic smog certificate of
25 compliance for the one (1) vehicle identified in paragraphs 62-63, above, without performing
26 bona fide inspections of the emission control devices and systems on that vehicle, thereby
27 depriving the People of the State of California of the protection afforded by the Motor Vehicle
28 Inspection Program.

1 **DISCIPLINE CONSIDERATIONS**

2 82. To determine the degree of discipline, if any, to be imposed on Respondent Carreon,
3 Complainant alleges that on or about November 17, 2021, Respondent Carreon was warned by a
4 Bureau representative to perform complete and accurate Smog Check inspections in accordance
5 with laws and regulations. Complainant refers to, and by this reference incorporates, the
6 allegations contained in paragraph 44, above, as though set forth fully herein.

7 **OTHER MATTERS**

8 83. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
9 suspend, revoke, or place on probation the registration for all places of business operated in this
10 state by Respondent Carreon, upon a finding that he has, or is, engaged in a course of repeated
11 and willful violations of the laws and regulations pertaining to an automotive repair dealer.

12 84. Pursuant to Health & Saf. Code section 44072.8, if either Smog Check Test Only
13 Station License No. TC 290186 or Smog Check Inspector License No. EO 640610, issued to
14 Respondent Carreon, is revoked or suspended, any additional license issued under Chapter 5 of
15 Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise
16 revoked or suspended by the director.

17 85. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
18 No. EO 643441, issued to Respondent Mora, is revoked or suspended, any additional license
19 issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said
20 licensee may be likewise revoked or suspended by the director.

21 86. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
22 No. EO 637762, issued to Respondent Rodriguez, is revoked or suspended, any additional license
23 issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said
24 licensee may be likewise revoked or suspended by the director.

25 87. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
26 No. EO 644795, issued to Respondent Lopez, is revoked or suspended, any additional license
27 issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said
28 licensee may be likewise revoked or suspended by the director.

PRAYER

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 290186, issued to Jesse Rodrigo Carreon dba Cherry Smog Test Only;
2. Revoking or suspending any other automotive repair dealer registration issued to Jesse Rodrigo Carreon;
3. Revoking or suspending Smog Check Test Only Station License Number TC 290186, issued to Jesse Rodrigo Carreon dba Cherry Smog Test Only;
4. Revoking or suspending Smog Check Inspector License Number EO 640610, issued to Jesse Rodrigo Carreon;
5. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of Jesse Rodrigo Carreon;
6. Revoking or suspending Smog Check Inspector License Number EO 643441, issued to Alberto Mora;
7. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of Alberto Mora;
8. Revoking or suspending Smog Check Inspector License Number EO 637762, issued to Jose Bernabe Rodriguez;
9. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of Jose Bernabe Rodriguez;
10. Revoking or suspending Smog Check Inspector License Number EO 644795, issued to Roy Lopez;
11. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of Roy Lopez;

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1 12. Ordering Jesse Rodrigo Carreon, Alberto Mora, Jose Bernabe Rodriguez, and Roy
2 Lopez to pay the Bureau of Automotive Repair the reasonable costs of the investigation and
3 enforcement of this case, pursuant to Business and Professions Code section 125.3 and if placed
4 on probation, the costs of probation monitoring; and,

5 13. Taking such other and further action as deemed necessary and proper.

6
7 DATED: As of digital signature date

Dorais,
Patrick@DCA

Digitally signed by Dorais,
Patrick@DCA
Date: 2026.10.14 12:03:44
-07'00'

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

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