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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. 79/24-8572

13 **GABRIELA PRIETO, DBA WATERMAN**  
14 **SMOG 1**  
395 N Waterman Ave  
San Bernardino, CA 92410

**ACCUSATION**

15 **Mailing:**  
16 **24250 Dracaea Ave., Apt 114**  
**Moreno Valley, CA 92553**

17 **Automotive Repair Dealer Registration No.**  
18 **ARD 294660**  
**Smog Check, Test-Only, Station License No.**  
19 **TC 294660,**

20 **and**

21 **GABRIELA PRIETO**  
22 **24250 Dracaea Ave #114**  
**Moreno Valley, CA 92553**

23 **Smog Check Inspector License No. EO**  
24 **641956**

Respondents.

25 **PARTIES**

26  
27 1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as  
28 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.

2. On or about June 20, 2019, Bureau of Automotive Repair issued Automotive Repair Dealer Registration Number ARD 294660 to Gabriela Prieto, dba Waterman Smog 1 (Respondent Waterman Smog 1). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2025, unless renewed.

3. On or about July 2, 2019, Bureau of Automotive Repair issued Smog Check, Test-Only, Station License Number TC 294660 to Respondent Waterman Smog 1. 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 June 30, 2025, unless renewed.

4. On or about May 20, 2019, Bureau of Automotive Repair issued Smog Check Inspector License Number EO 641956 to Gabriela Prieto (Respondent Prieto). 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, 2025, unless renewed.

### **JURISDICTION**

5. This Accusation is brought before the Director of the Department of Consumer Affairs (Director) for the Bureau of Automotive Repair, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

6. Section 118, subdivision (b), of the Code 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.

7. Section 9884.7 of the Code provides that the Director may revoke an automotive repair dealer registration.

8. Section 9884.13 of the Code 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.

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onboard diagnostic systems, in lieu of loaded mode dynamometer or two-speed idle testing, on model year 2000 and newer vehicles only, beginning no earlier than January 1, 2013, and on model-year 1996-99, inclusive, vehicles only, beginning no earlier than January 1, 2025. However, the department, in consultation with the state board, may prescribe alternative test procedures that include loaded mode dynamometer or two-speed idle testing for vehicles with onboard diagnostic systems that the department and the state board determine exhibit operational problems. The department shall ensure, as appropriate to the test method, the following:

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

(b) Motor vehicles are preconditioned to ensure representative and stabilized operation of the vehicle's emission control system.

(c) For other than diesel-powered vehicles, the vehicle's exhaust emissions of hydrocarbons, carbon monoxide, carbon dioxide, and oxides of nitrogen in an idle mode or loaded mode are tested in accordance with procedures prescribed by the department. In determining how loaded mode and evaporative emissions testing shall be conducted, the department shall ensure that the emission reduction targets for the enhanced program are met.

(d) For other than diesel-powered vehicles, the vehicle's fuel evaporative system and crankcase ventilation system are tested to reduce any nonexhaust sources of volatile organic compound emissions, in accordance with procedures prescribed by the department.

(e) For diesel-powered vehicles, a visual inspection is made of emission control devices and the vehicle's exhaust emissions are tested in accordance with procedures prescribed by the department, that may include, but are not limited to, onboard diagnostic testing. The test may include testing of emissions of any or all of the pollutants specified in subdivision (c) and, upon the adoption of applicable standards, measurement of emissions of smoke or particulates, or both.

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

(g) A determination as to whether the motor vehicle complies with the emission standards for that vehicle's class and model-year as prescribed by the department.

(h) An analysis of pass and fail rates of vehicles subject to an onboard diagnostic test and a tailpipe test to assess whether any vehicles passing their onboard diagnostic test have, or would have, failed a tailpipe test, and whether any vehicles failing their onboard diagnostic test have or would have passed a tailpipe test.

(i) The test procedures may authorize smog check stations to refuse the testing of a vehicle that would be unsafe to test, or that cannot physically be inspected, as specified by the department by regulation. The refusal to test a vehicle for those reasons shall not excuse or exempt the vehicle from compliance with all applicable requirements of this chapter.

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1 14. Health and Safety Code section 44014 provides, in pertinent part:

2 (a) Except as otherwise provided in this chapter, the testing and repair portion  
3 of the program shall be conducted by smog check stations licensed by the department,  
and by smog check technicians who have qualified pursuant to this chapter.

4 . . .

5 (2) The department may adopt regulations to establish qualification standards  
6 and any special administrative, operational, and licensure standards that the  
department determines to be necessary for the provision of referee services.

7 . . .

8 15. Health and Safety Code section 44015 provides, in pertinent part:

9 (a) A licensed smog check station shall not issue a certificate of compliance,  
10 except as authorized by this chapter, to any vehicle that meets the following criteria:

11 (1) A vehicle that has been tampered with.

12 (2) A vehicle identified pursuant to subparagraph (K) of paragraph (3) of  
subdivision (b) of Section 44036. A vehicle identified pursuant to subparagraph (K)  
13 of paragraph (3) of subdivision (b) of Section 44036 shall be directed to the  
department to determine whether an inadvertent error can explain the irregularity, or  
14 whether the vehicle otherwise meets smog check requirements, allowing the  
certificate for compliance to be issued, or the vehicle shall be reinspected by a referee  
or another smog check station.

15 (3) A vehicle that, prior to repairs, has been initially identified by the smog  
16 check station as a gross polluter. Certification of a gross polluting vehicle shall be  
conducted by a designated test-only facility, or a test-and-repair station that is both  
17 licensed and certified pursuant to Sections 44014 and 44014.2.

18 (4) A vehicle described in subdivision (c).

19 (b) If a vehicle meets the requirements of Section 44012, a smog check station  
20 licensed to issue certificates shall issue a certificate of compliance or a certificate of  
noncompliance.

21 . . .

22 16. Health and Safety Code section 44032 provides:

23 No person shall perform, for compensation, tests or repairs of emission control  
24 devices or systems of motor vehicles required by this chapter unless the person  
performing the test or repair is a qualified smog check technician and the test or  
25 repair is performed at a licensed smog check station. Qualified smog check  
technicians shall perform tests of emission control devices and systems in accordance  
26 with Section 44012.

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1           17.       Health and Safety Code section 44059 provides:

2               The willful making of any false statement or entry with regard to a material  
3               matter in any oath, affidavit, certificate of compliance or noncompliance, or  
4               application form which is required by this chapter or Chapter 20.3 (commencing with  
              Section 9880) of Division 3 of the Business and Professions Code, constitutes perjury  
              and is punishable as provided in the Penal Code.

5           18.       Health and Safety Code section 44072.2 states, in pertinent part:

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

8               (a) Violates any section of this chapter and the regulations adopted pursuant to  
9               it, which related to the licensed activities.

10              ...

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

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

14              ...

15              (h) Violates or attempts to violate the provisions of this chapter relating to the  
              particular activity for which he or she is licensed.

16           19.       Health and Safety Code section 44072.8 states that when a license has been revoked  
17           or suspended following a hearing under this article, any additional license issued under this  
18           chapter in the name of the licensee may be likewise revoked or suspended by the Director.

19           20.       Health and Safety Code section 44072.10 states, in pertinent part:

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

23               (1) Clean piping, clean plugging, clean glassing, clean tanking, or any other  
              fraudulent inspection practice, as defined by the department.

24              ...

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

27              ...

28       ///

**REGULATORY PROVISIONS**

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

(c) The bureau may suspend or revoke the license of or pursue other legal action against a licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a certificate of noncompliance.

22. California Code of Regulations, title 16, section 3340.30 provides, 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.

...

23. California Code of Regulations, title 16, section 3340.35, subdivision (c), 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. . .

24. California Code of Regulations, title 16, section 3340.41, subdivision (c), provides:

...

(c) No person shall enter any vehicle identification information or emission 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 about the vehicle being tested.

...

25. California Code of Regulations, title 16, section 3340.42, sets forth specific emissions test methods and procedures which apply to all vehicles inspected in the State of California.

26. California Code of Regulations, title 16, section 3340.45 provides:

All Smog Check inspections shall be performed in accordance with requirements and procedures prescribed in the Smog Check Manual, dated January 2021, which is hereby incorporated by reference.

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27. California Code of Regulations, title 16, 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

28. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licensee 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.

## FACTUAL ALLEGATIONS

29. Beginning March 9, 2015, California's Smog Check Program was updated to require the use of an On-Board Diagnostic Inspection System (OIS). OIS is the Smog Check equipment required in all areas of the State when inspecting most model-year 2000 and newer gasoline and hybrid vehicles and most 1998 and newer diesel vehicles. The system consists of a certified Data Acquisition Device (DAD), computer, bar code scanner, and printer. The DAD is an On Board Diagnostic (OBD) scan tool that, when requested by the California OIS software, retrieves OBD data from the vehicle. All OBD data that the vehicle indicates it supports is requested by the California OIS software and will be retrieved. The DAD connects between the OIS computer and the vehicle's Data Link Connector (DLC). The California OIS software requires a continuous Internet connection when performing a Smog Check inspection and the OIS software communicates with Bureau's central database through the Internet connection. The bar code scanner is used to input technician information, the vehicles identification number (VIN), and Department of Motor Vehicles (DMV) renewal information. The printer provides a Vehicle Inspection Report (VIR) containing inspection results for motorists and a Smog Check Certificate of Compliance number for passing vehicles.



1           30. Data retrieved and recorded during an OIS smog check includes: the eVIN, which is  
2 the digitally stored VIN programmed into the vehicle's Powertrain Control Module (PCM); the  
3 communication protocol, which is the manufacturer/vehicle specific language the PCM uses to  
4 relay information; and the number of Parameter Identifications (PIDs), which is the number of  
5 specific data values each PCM uses related to emissions controls.

6           31. During an OIS inspection, engine operating parameters are retrieved from the  
7 vehicle's OBD system and recorded to the VID. This is accomplished during the functional  
8 portion of the OIS Smog Check inspection by plugging the DAD into the vehicle's DLC when  
9 prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

10           (1) Engine speed in revolutions per minute (RPM).

11           (2) Throttle position as measured by a throttle position sensor (TPS) mounted onto the  
12 throttle shaft, measured in a percentage of opening from 0% at idle and near or up to 100%  
13 at full throttle.

14           (3) Manifold absolute pressure as measured by a manifold absolute pressure sensor  
15 (MAP) connected to an intake manifold source, measured in kilo pascals (kpa). Typical  
16 readings for a normally aspirated vehicle are: 0 kpa being absolute vacuum, 25kpa to 45kpa  
17 at idle, 101 kpa at full throttle, same as atmospheric pressure at sea level.

18           (4) Mass air flow as measured by a mass air flow sensor (MAF) mounted in the engine's  
19 air intake tract, measured in grams per second (gps).

20           (5) Ignition timing is set by the vehicle PCM based on engine speed and load and is  
21 measured in degrees Before Top Dead Center (BTDC).

22           32. During normal engine operation at idle, engine speed is relatively steady around its  
23 target idle speed. With the engine idling, the TPS is steady and at or near 0%. The MAP and/or  
24 MAF readings are also steady. In order for the engine speed to increase, the throttle would have  
25 to be opened in order to increase airflow through the engine. The engine's management systems  
26 supply fuel and spark timing appropriate to any changes in throttle position and engine speed. An  
27 increase in throttle, measured by the TPS, which increases engine RPM, would result in  
28 corresponding increases in MAF, as well as a change in MAP. Stated another way, any

1 movement in the throttle from the idle position will result in an increase of airflow through the  
2 engine with corresponding increases RPM and MAF along with changes in MAP.

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

9 34. If the vehicle passes the visual, functional and tailpipe tests, it passes the overall  
10 inspection and a Certificate of Compliance is issued and transmitted electronically to the VID.  
11 Each Certificate of Compliance has a unique control number so that it can be tracked to determine  
12 which Smog Check Station purchased the Certificate of Compliance and to which vehicle it  
13 was issued.

14 35. The VID contains registration data from DMV, plus emission standards, vehicle smog  
15 check inspections, smog check stations and technicians, and Certificates of Compliance. The  
16 VID receives the passing smog check results immediately following the inspection. During the  
17 vehicle registration process, the DMV accesses the VID to verify that the vehicle has been tested  
18 and certified. The Bureau can also access the VID to view test data on smog check inspections  
19 performed at any Smog Check Station, or search for, retrieve, and print a test record for a  
20 particular vehicle which has been tested. The EIS or OIS, depending on the test type, also prints a  
21 VIR, which is a physical record of the test results and shows the Certificate of Compliance  
22 number that was issued if the vehicle passed the smog inspection.

23 36. The smog check technician must sign the VIR under penalty of perjury to indicate  
24 that the inspection was done within Bureau guidelines. Smog Check Stations are required by law  
25 to maintain a copy of the VIR along with a copy of the repair invoice for three years. The  
26 consumer's VIR serves as a receipt and proof that the VID was updated and a Certificate of  
27 Compliance was issued. Licensed Smog Check Technicians are the only persons authorized by  
28 the Bureau to perform official inspections. They are issued a personal access code and a license,

1 which are used to gain access to the EIS and OIS to perform smog check inspections.

2 Unauthorized use of another technician's access code or license is prohibited.

3 37. The Bureau has become aware of methods some Smog Check stations and Smog  
4 Check inspectors use to fraudulently issue smog certificates to vehicles that will not pass a Smog  
5 Check test on their own, or in some instances, are not even present during the time the test is  
6 performed. One method is known as "clean plugging." "Clean plugging" is a method by which  
7 another vehicle's properly functioning OBD system, or another source such as defeat devices, are  
8 used to generate passing data readings or diagnostic information for the purpose of fraudulently  
9 issuing smog certificates to vehicles that are not in smog compliance and or not present for  
10 testing. Defeat devices attempt to simulate engine operation during a Smog Check inspection by  
11 transmitting OBD data to the VID which has been modified or replaced entirely for the  
12 purportedly inspected vehicle during the functional portion of the OIS inspection. The use of a  
13 defeat device during a Smog Check inspection is clean plugging and is strictly prohibited.

14 **Station Inspection – January 27, 2022**

15 38. On or about January 27, 2022, a Bureau representative conducted an inspection at  
16 Respondent Waterman Smog 1. When the Bureau representative arrived at the station, an  
17 inspection on a 1999 Toyota Tacoma had just been completed and the vehicle was still in the  
18 testing bay. Bureau records indicated the test was performed under the license of Smog Check  
19 Inspector No. EO 641956, Respondent Prieto. However, Respondent Prieto was not present at  
20 the station. The Bureau representative identified an employee who admitted to using Respondent  
21 Prieto's license and access code to perform the inspection. Respondent Prieto was contacted and  
22 arrived at the station shortly thereafter. The Bureau representative informed Respondent Prieto  
23 that it was unlawful to use another inspector's license or allow another person to use their license  
24 to inspect vehicles. Respondent Prieto was also informed that she was required to keep her  
25 passwords private and she was to change her inspector passwords immediately. Respondent  
26 Prieto was further informed that failure to properly inspect vehicles was grounds for disciplinary  
27 action against her station and inspector licenses.

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1                   **Station Inspection – April 20, 2023**

2                   39. On or about April 20, 2023, a Bureau representative conducted an inspection at  
3 Respondent Waterman Smog 1. The Bureau representative reviewed the station testing records  
4 and found that the station did not have any records for vehicles failed for Data Check on March  
5 20, 2023 or April 1, 2023. The Bureau representative reviewed estimate and invoice retention  
6 requirements with Respondent Prieto. The Bureau representative informed Respondent Prieto  
7 that no devices were to be connected between the analyzer OBD II interface and the vehicle being  
8 tested and that failure to properly test vehicles was grounds for disciplinary action against her  
9 station and inspector licenses.

10                   **Station Data Review**

11                   40. A Bureau representative reviewed OIS test data for the smog check inspections  
12 performed at Respondent Waterman Smog 1. The investigation revealed that data related to  
13 certain vehicles certified by Respondents contained a pattern of unmistakable discrepancies  
14 between the information transmitted during the inspections and known similar data for the  
15 vehicles being tested. Specifically, the Bureau representative observed a pattern of vehicles being  
16 certified with engine operating parameters not corresponding to normal engine operation,  
17 confirming the vehicles receiving smog certificates were not tested during the OBD functional  
18 test, which constitutes clean plugging, as follows:

19                   **Clean Plug No. 1**

20                   41. On or about March 30, 2023, a 2005 Mercedes-Benz E320, CA License No.  
21 8UGY499, VIN No. WDBUF65J25A698504 (2005 E 320) was tested and Smog Certificate No.  
22 TE947665C was issued by Respondent Waterman Smog 1 under the license of Smog Check  
23 Inspector No. EO641956, Respondent Prieto.

24                   42. The Dynamic PID Chart for the 2005 E 320 shows between time stamp 172 and  
25 18593, engine speed is steady at approximately 700 RPM. During this time, the throttle is fixed  
26 at 2% opening, the MAF is fixed at 4.58 gps, MAP is fixed at 32 kPa, and the ignition timing  
27 advance for the No. 1 cylinder is fixed at -15 degrees BTDC. After time stamp 18593, the engine  
28 speed accelerates to approximately 1750 RPM. From the time the engine RPM increases off idle

1 to the higher RPMs, the throttle is fixed at the same 2% opening, the MAF is fixed at the same  
2 4.58 gps, the MAP is fixed at the same 32 kPa, and the ignition timing advance for the No. 1  
3 cylinder is also still fixed at the same -15 degrees BTDC.

4 43. During the entire period the dynamic data was collected, the only parameter that  
5 changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance  
6 readings remained unchanged even though the engine speed was increased. These readings are  
7 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test  
8 Data prove the Data Acquisition Device (DAD) was not connected to the 2005 E 320 being  
9 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

10 44. A failing test was performed on the 2005 E 320 at another station on August 2,  
11 2022. During this test, the 2005 E 320 failed the inspection for incomplete OBD II readiness  
12 monitors.

13 **Clean Plug No. 2**

14 45. On or about March 31, 2023, a 2006 Toyota Camry LE, no plate, VIN No.  
15 4T1BE32K36U160672 (2006 Camry) was tested and Smog Certificate No. TE947680C was  
16 issued by Respondent Waterman Smog 1 under the license of Smog Check Inspector No.  
17 EO641956, Respondent Prieto.

18 46. The Dynamic PID Chart for the 2006 Camry shows between time stamp 218 and  
19 17509, engine speed is steady at approximately 700 RPM. During this time the throttle is fixed at  
20 16.5% opening, the MAF is fixed at 2.48 gps, and the ignition timing advance for the No. 1  
21 cylinder is fixed at 15 degrees BTDC. After time stamp 17509, the engine speed accelerates to  
22 approximately 1550 RPM. From the time the engine RPM increases off idle to the higher RPMs,  
23 the throttle is fixed at the same 16.5% opening, the MAF is fixed at the same 2.48 gps, and the  
24 ignition timing advance for the No. 1 cylinder is also still fixed at the same 15 degrees BTDC.

25 47. During the entire period the dynamic data was collected, the only parameter that  
26 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings  
27 remained unchanged even though the engine speed was increased. These readings are not  
28 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data

1 prove the DAD was not connected to the 2006 Camry being certified, causing the issuance of a  
2 fraudulent Smog Check Certificate of Compliance.

3 **Clean Plug No. 3**

4 48. On or about April 1, 2023, a 2001 Ford Ranger, CA License No. 40067C3, VIN No.  
5 1FTYR10D81TA72839 (2001 Ranger), was tested and Smog Certificate No. TE947684C was  
6 issued by Respondent Waterman Smog 1 under the license of Smog Check Inspector No.  
7 EO641956, Respondent Prieto.

8 49. The Dynamic PID Chart for the 2001 Ranger shows between time stamp 75 and  
9 42537, engine speed is steady at approximately 675 RPM. During this time the throttle is fixed at  
10 16.5% opening, the MAF is fixed at 1.93 gps, and the ignition timing advance for the No. 1  
11 cylinder is fixed at 6 degrees BTDC. After time stamp 42537, the engine speed accelerates to  
12 approximately 1475 RPM. From the time the engine RPM increases off idle to the higher RPMs,  
13 the throttle is fixed at the same 16.5% opening, the MAF is fixed at the same 1.93 gps, and the  
14 ignition timing advance for the No. 1 cylinder is also still fixed at the same 6 degrees BTDC.

15 50. During the entire period the dynamic data was collected, the only parameter that  
16 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings  
17 remained unchanged even though the engine speed was increased. These readings are not  
18 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data  
19 prove the DAD was not connected to the 2001 Ranger being certified, causing the issuance of a  
20 fraudulent Smog Check Certificate of Compliance.

21 **Clean Plug No. 4**

22 51. On or about July 11, 2023, a 2001 Chevrolet Cavalier Base, CA License No.  
23 6HSJ230, VIN No. 1G1JC524417145827 (2001 Cavalier), was tested and Smog Certificate No.  
24 TK301718C was issued by Respondent Waterman Smog 1 under the license of Smog Check  
25 Inspector No. EO641956, Respondent Prieto.

26 52. The Dynamic PID Chart for the 2001 Cavalier shows between time stamp 494 and  
27 19697, engine speed is steady at approximately 700 RPM. During this time, the throttle is fixed  
28 at 0% opening, the MAP is fixed at 32 kPa, and the ignition timing advance for the No. 1 cylinder

1 is fixed at 19.5 degrees BTDC. After time stamp 19697, the engine speed accelerates to  
2 approximately 1650 RPM. From the time the engine RPM increases off idle to the higher RPMs,  
3 the throttle is fixed at the same 0% opening, the MAP is fixed at the same 32 kPa, and the ignition  
4 timing advance for the No. 1 cylinder is also still fixed at the same 19.5 degrees BTDC.

5 53. During the entire period the dynamic data was collected, the only parameter that  
6 changed was engine RPM. The throttle position, MAP, and ignition timing advance readings  
7 remained unchanged even though the engine speed was increased. These readings are not  
8 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data  
9 prove the DAD was not connected to the 2001 Cavalier being certified, causing the issuance of a  
10 fraudulent Smog Check Certificate of Compliance.

11 **Clean Plug No. 5**

12 54. On or about July 12, 2023 a 2003 Ford Taurus SES, CA License No. 5CET571, VIN  
13 No. 1FAFP55UX3A256598 (2003 Taurus), was tested and Smog Certificate No. TK301723C  
14 was issued by Respondent Waterman Smog 1 under the license of Smog Check Inspector No.  
15 EO641956, Respondent Prieto.

16 55. The Dynamic PID Chart for the 2003 Taurus shows at time stamp 141, engine speed  
17 is approximately 625 RPM. Engine speed increases to approximately 800 RPM between time  
18 stamp 940 and 1732, before decreasing to approximately 550 RPM between time stamp 2260 and  
19 17931. During this time, the throttle is fixed at 17.3% opening, the MAF is fixed at 4.26 gps, and  
20 the ignition timing advance for the No. 1 cylinder is fixed at 21 degrees BTDC. After time stamp  
21 17931, the engine speed accelerates to approximately 1650 RPM. From the time the engine RPM  
22 increases off idle to the higher RPMs, the throttle is fixed at the same 17.3% opening, the MAF is  
23 fixed at the same 4.26 gps, and the ignition timing advance for the No. 1 cylinder is also still  
24 fixed at the same 21 degrees BTDC.

25 56. During the entire period the dynamic data was collected, the only parameter that  
26 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings  
27 remained unchanged even though the engine speed was increased. These readings are not  
28 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data

1 prove the DAD was not connected to the 2003 Taurus being certified, causing the issuance of a  
2 fraudulent Smog Check Certificate of Compliance.

3 57. Two previous failing tests were performed on the 2003 Taurus. The most recent test  
4 was performed on June 30, 2023 at Respondent Waterman Smog 1 by Respondent Prieto. During  
5 this test, the 2003 Taurus failed the inspection for incomplete OBDII readiness monitors. The  
6 Dynamic PID Chart for the data collected during the June 30, 2023 inspection on the 2003 Taurus  
7 shows the vehicle idled at approximately 700 RPMs before engine speed was raised to  
8 approximately 1875 RPMs and then approximately 2175 RPM by opening the throttle. This  
9 represents the expected change in the throttle, MAF, and ignition timing advance parameters as  
10 characteristic or expected for normal engine operation. The earlier failing test for the 2003  
11 Taurus was performed on May 30, 2023 at another station. During this test, the 2003 Taurus  
12 failed the inspection for incomplete OBDII readiness monitors.

13 **Clean Plug No. 6**

14 58. On or about July 26, 2023, a 2003 Ford Expedition XLT, CA License No. 4YUM146,  
15 VIN No. 1FMRU15W43LA08292 (2003 Expedition), was tested and Smog Certificate No.  
16 TK823808C was issued by Respondent Waterman Smog 1 under the license of Smog Check  
17 Inspector No. EO641956, Respondent Prieto.

18 59. The Dynamic PID Chart for the 2003 Expedition shows between time stamp 68 and  
19 16591, engine speed is steady at approximately 700 RPM. During this time, the throttle is fixed  
20 at 19.2% opening, the MAF is fixed at 7.25 gps, and the ignition timing advance for the No. 1  
21 cylinder is fixed at 14.5 degrees BTDC. After time stamp 16591, the engine speed accelerates to  
22 approximately 1800 RPM. From the time the engine RPM increases off idle to the higher RPMs,  
23 the throttle is fixed at the same 19.2% opening, the MAF is fixed at the same 7.25 gps, and the  
24 ignition timing advance for the No. 1 cylinder is also still fixed at the same 14.5 degrees BTDC.

25 60. During the entire period the dynamic data was collected, the only parameter that  
26 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings  
27 remained unchanged even though the engine speed was increased. These readings are not  
28 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data



1 prove the DAD was not connected to the 2003 Expedition being certified, causing the issuance of  
2 a fraudulent Smog Check Certificate of Compliance.

3 **Clean Plug No. 7**

4 61. On or about July 26, 2023, a 2003 Cadillac Escalade Luxury, CA License No.  
5 5EXF477, VIN No. 1GYEK63N13R299471 (2003 Escalade), was tested and Smog Certificate  
6 No. TK823809C was issued by Respondent Waterman Smog 1 under the license of Smog Check  
7 Inspector No. EO641956, Respondent Prieto.

8 62. The Dynamic PID Chart for the 2003 Escalade shows between time stamp 112 and  
9 17915, engine speed is steady at approximately 575 RPM. During this time the throttle is fixed at  
10 11.4% opening, the MAF is fixed at 5.5 gps, the MAP is fixed at 35 kPa, and the ignition timing  
11 advance for the No. 1 cylinder is fixed at 16 degrees BTDC. After time stamp 17915, the engine  
12 speed accelerates to approximately 1550 RPM. From the time the engine RPM increases off idle  
13 to the higher RPMs, the throttle is fixed at the same 11.4% opening, the MAF is fixed at the same  
14 5.5 gps, the MAP is fixed at the same 35 kPa and the ignition timing advance for the No. 1  
15 cylinder is also still fixed at the same 16 degrees BTDC.

16 63. During the entire period the dynamic data was collected, the only parameter that  
17 changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance  
18 readings remained unchanged even though the engine speed was increased. These readings are  
19 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test  
20 Data prove the DAD was not connected to the 2003 Escalade being certified, causing the issuance  
21 of a fraudulent Smog Check Certificate of Compliance.

22 **Clean Plug No. 8**

23 64. On or about August 2, 2023, a 2003 Chevrolet Tahoe C1500, CA License No.  
24 8XXY616, VIN No. 1GNEC13V03R224497 (2003 Tahoe), was tested and Smog Certificate No.  
25 TK823836C was issued by Respondent Waterman Smog 1 under the license of Smog Check  
26 Inspector No. EO641956, Respondent Prieto.

27 65. The Dynamic PID Chart for the 2003 Tahoe shows between time stamp 111 and  
28 17278, engine speed is steady at approximately 700 RPM. During this time, the throttle is fixed

1 at 7.5% opening, the MAF is fixed at 4.78 gps, the MAP is fixed at 35 kPa, and the ignition  
2 timing advance for the No. 1 cylinder is fixed at 20.5 degrees BTDC. After time stamp 17278,  
3 the engine speed accelerates to approximately 2100 RPM. From the time the engine RPM  
4 increases off idle to the higher RPMs, the throttle is fixed at the same 7.5% opening, the MAF is  
5 fixed at the same 4.78 gps, the MAP is fixed at the same 35 kPa and the ignition timing advance  
6 for the No. 1 cylinder is also still fixed at the same 20.5 degrees BTDC.

7 66. During the entire period the dynamic data was collected, the only parameter that  
8 changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance  
9 readings remained unchanged even though the engine speed was increased. These readings are  
10 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test  
11 Data prove the DAD was not connected to the 2003 Tahoe being certified, causing the issuance of  
12 a fraudulent Smog Check Certificate of Compliance.

13 **Clean Plug No. 9**

14 67. On or about August 8, 2023, a 2003 Chevrolet Silverado C2500 Heavy Duty, CA  
15 License No. 8E16159, VIN No. 1GCHC29U83E307886 (2003 Silverado), was tested and Smog  
16 Certificate No. IV238613C was issued by Respondent Waterman Smog 1 under the license of  
17 Smog Check Inspector No. EO641956, Respondent Prieto.

18 68. The Dynamic PID Chart for the 2003 Silverado shows between time stamp 146 and  
19 17426, engine speed is steady at approximately 675 RPM. During this time the throttle is fixed at  
20 13.7% opening, the MAF is fixed at 6.92 gps, the MAP is fixed at 38 kPa, and the ignition timing  
21 advance for the No. 1 cylinder is fixed at 15.5 degrees BTDC. After time stamp 17426, the  
22 engine speed accelerates to approximately 1950 RPM. From the time the engine RPM increases  
23 off idle to the higher RPMs, the throttle is fixed at the same 13.7% opening, the MAF is fixed at  
24 the same 6.92 gps, the MAP is fixed at the same 38 kPa and the ignition timing advance for the  
25 No. 1 cylinder is also still fixed at the same 15.5 degrees BTDC.

26 69. During the entire period the dynamic data was collected, the only parameter that  
27 changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance  
28 readings remained unchanged even though the engine speed was increased. These readings are

1 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test  
2 Data prove the DAD was not connected to the 2003 Silverado being certified, causing the  
3 issuance of a fraudulent Smog Check Certificate of Compliance.

4 **Clean Plug No. 10**

5 70. On or about September 9, 2023, a 2006 Chevrolet Express G3500, CA License No.  
6 8Z99972, VIN No. 1GBHG31U761270397 (2006 Express), was tested and Smog Certificate No.  
7 TO009713C was issued by Respondent Waterman Smog 1 under the license of Smog Check  
8 Inspector No. EO641956, Respondent Prieto.

9 71. The Dynamic PID Chart for the 2006 Express shows between time stamp 94 and  
10 17535, engine speed is steady at approximately 675 RPM. During this time, the throttle is fixed  
11 at 0% opening, the MAF is fixed at 5.55 gps, the MAP is fixed at 35 kPa, and the ignition timing  
12 advance for #1 cylinder is fixed at 14 degrees BTDC. After time stamp 17535, the engine speed  
13 accelerates to approximately 1700 RPM. From the time the engine RPM increases off idle to the  
14 higher RPMs, the throttle is fixed at the same 0% opening, the MAF is fixed at the same 5.55 gps,  
15 the MAP is fixed at the same 35 kPa and the ignition timing advance for the No. 1 cylinder is also  
16 still fixed at the same 14 degrees BTDC.

17 72. During the entire period the dynamic data was collected, the only parameter that  
18 changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance  
19 readings remained unchanged even though the engine speed was increased. These readings are  
20 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test  
21 Data prove the DAD was not connected to the 2006 Express being certified, causing the issuance  
22 of a fraudulent Smog Check Certificate of Compliance.

23 **FIRST CAUSE FOR DISCIPLINE**

24 **(Untrue or Misleading Statements – Respondent Waterman Smog 1)**

25 73. Respondent Waterman Smog 1's Automotive Repair Dealer Registration is subject to  
26 disciplinary action under Code section 9884.7, subdivision (a)(1), in that, with respect to the 10  
27 vehicles identified above, Respondent Waterman Smog 1 made or authorized statements which  
28 they knew, or in the exercise of reasonable care should have known to be untrue or misleading, as

1 follows: Respondent Waterman Smog 1 certified that these vehicles had passed inspection and  
2 were in compliance with applicable laws and regulations, when in fact, Respondent Waterman  
3 Smog 1 conducted the inspections on the vehicles using the clean plugging method in order to  
4 issue smog certificates of compliance for the vehicles. Complainant refers to, and by this  
5 reference incorporates, the allegations set forth above in paragraphs 41-72, as though fully set  
6 forth herein.

## 7 **SECOND CAUSE FOR DISCIPLINE**

### 8 **(Fraud – Respondent Waterman Smog 1)**

9 74. Respondent Waterman Smog 1's Automotive Repair Dealer Registration is subject to  
10 disciplinary action under Code section 9884.7, subdivision (a)(4), in that, with respect to the 10  
11 vehicles identified above, Respondent Waterman Smog 1 committed acts which constitute fraud  
12 by issuing electronic smog certificates of compliance for these vehicles without performing bona  
13 fide inspections of the emissions control devices and systems on those vehicles, thereby depriving  
14 the People of the State of California of the protection afforded by the Motor Vehicle Inspection  
15 Program. Complainant refers to, and by this reference incorporates, the allegations set forth  
16 above in paragraphs 41-72, as though fully set forth herein.

## 17 **THIRD CAUSE FOR DISCIPLINE**

### 18 **(Material Violation of Automotive Repair Act – Respondent Waterman Smog 1)**

19 75. Respondent Waterman Smog 1's Automotive Repair Dealer Registration is subject to  
20 disciplinary action under Code section 9884.7, subdivision (a)(6), in that, with respect to the 10  
21 vehicles identified above, Respondent Waterman Smog 1 failed in a material respect to comply  
22 with the provisions of this chapter or regulations adopted pursuant to it by issuing electronic smog  
23 certificates of compliance for these vehicles without performing bona fide inspections of the  
24 emissions control devices and systems on those vehicles, thereby depriving the People of the  
25 State of California of the protection afforded by the Motor Vehicle Inspection Program.  
26 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
27 paragraphs 41-72, as though fully set forth herein.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Violations of the Motor Vehicle Inspection Program – Respondent Waterman Smog 1)**

3 76. Respondent Waterman Smog 1's Smog Check, Test-Only, Station License is subject  
4 to disciplinary action under Health and Safety Code section 44072.2, subdivision (a), in  
5 that, with respect to the 10 vehicles identified above, Respondent Waterman Smog 1 failed to  
6 comply with the following sections of the Health and Safety Code:

7 a. **Section 44012:** Respondent Waterman Smog 1 failed to ensure that the emission  
8 control tests were performed on the vehicles in accordance with procedures prescribed by the  
9 Bureau.

10 b. **Section 44015, subdivision (b):** Respondent Waterman Smog 1 issued electronic  
11 smog certificates of compliance for the vehicles without ensuring that the vehicles were properly  
12 tested and inspected to determine if they were in compliance with Health and Safety Code section  
13 44012.

14 c. **Section 44059:** Respondent Waterman Smog 1 willfully made false entries for the  
15 electronic smog certificates of compliance for the vehicles by certifying that the vehicles had  
16 been inspected as required when, in fact, they had not.

17 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
18 paragraphs 41-72, as though fully set forth herein.

19 **FIFTH CAUSE FOR DISCIPLINE**

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

21 **Program – Respondent Waterman Smog 1)**

22 77. Respondent Waterman Smog 1's Smog Check, Test-Only, Station License is subject  
23 to disciplinary action under Health and Safety Code section 44072.2, subdivision (c), in that, with  
24 respect to the 10 vehicles identified above, Respondent Waterman Smog 1 failed to comply with  
25 provisions of the California Code of Regulations, title 16, as follows:

26 a. **Section 3340.24, subdivision (c):** Respondent Waterman Smog 1 issued false or  
27 fraudulent certificates of compliance for the vehicles.

28 ///

1           b.     **Section 3340.35, subdivision (c):** Respondent Waterman Smog 1 issued electronic  
2 smog certificates of compliance for the vehicles even though the vehicles had not been inspected  
3 in accordance with section 3340.42 of the California Code of Regulations, title 16.

4           c.     **Section 3340.41, subdivision (c):** Respondent Waterman Smog 1 knowingly entered  
5 false information into the emissions inspection system for the vehicles.

6           d.     **Section 3340.42:** Respondent Waterman Smog 1 failed to ensure that the required  
7 smog tests were conducted on the vehicles in accordance with the Bureau's specifications.

8           e.     **Section 3373:** Respondent Waterman Smog 1 withheld or inserted statements or  
9 information in an estimate, invoice, work order, or record required to be maintained by California  
10 Code of Regulations, title 16, section 3340.15, subdivision (e), which caused the document to be  
11 false or misleading for the vehicles.

12           Complainant refers to, and by this reference incorporates, the allegations set forth above in  
13 paragraphs 41-72, as though fully set forth herein.

#### 14                                   **SIXTH CAUSE FOR DISCIPLINE**

#### 15                           **(Dishonesty, Fraud, or Deceit – Respondent Waterman Smog 1)**

16           78.   Respondent Waterman Smog 1's Smog Check, Test-Only, Station License is subject  
17 to disciplinary action under Health and Safety Code section 44072.2, subdivision (d), in  
18 conjunction with Health and Safety Code section 44072.10, subdivision (c), in that, with respect  
19 to the 10 vehicles identified above, Respondent Waterman Smog 1 committed dishonest,  
20 fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates  
21 of compliance for the vehicles without performing bona fide inspections of the emission control  
22 devices and systems on those vehicles, thereby depriving the People of the State of California of  
23 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by  
24 this reference incorporates, the allegations set forth above in paragraphs 41-72, as though fully set  
25 forth herein.

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1 **SEVENTH CAUSE FOR DISCIPLINE**

2 **(Violations of the Motor Vehicle Inspection Program – Respondent Prieto)**

3 79. Respondent Prieto's Smog Check Inspector License is subject to disciplinary action  
4 under Health and Safety Code section 44072.2, subdivision (a), in that, with respect to the 10  
5 vehicles identified above, Respondent Prieto violated the following Health and Safety Code  
6 sections:

7 a. **Section 44012, subdivision (a):** Respondent Prieto failed to determine that all  
8 emission control devices and systems required by law were installed and functioning correctly on  
9 the vehicles in accordance with test procedures prescribed by the Bureau.

10 b. **Section 44012, subdivision (f):** Respondent Prieto failed to perform emission  
11 control tests on the vehicles in accordance with procedures prescribed by the Bureau.

12 c. **Section 44032:** Respondent Prieto failed to perform tests of the emission control  
13 devices and systems on the vehicles identified above in accordance with section 44012 of the  
14 Health and Safety Code, in that the vehicles had been clean plugged.

15 d. **Section 44059:** Respondent Prieto willfully made false entries for the electronic  
16 certificates of compliance by certifying that the vehicles had been inspected as required when, in  
17 fact, they had not.

18 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
19 paragraphs 41-72, as though fully set forth herein.

20 **EIGHTH CAUSE FOR DISCIPLINE**

21 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection**  
22 **Program – Respondent Prieto)**

23 80. Respondent Prieto's Smog Check Inspector License is subject to disciplinary action  
24 under Health and Safety Code section 44072.2, subdivision (c), in that, with respect to the 10  
25 vehicles identified above, Respondent Prieto failed to comply with provisions of the California  
26 Code of Regulations, title 16, as follows:

27 a. **Section 3340.24, subdivision (c):** Respondent Prieto issued false or fraudulent  
28 electronic smog certificates of compliance for the vehicles.

1           b.     **Section 3340.30, subdivision (a):** Respondent Prieto failed to inspect and test the  
2 vehicles in accordance with Health and Safety Code sections 44012 and 44035 and California  
3 Code of Regulations, title 16, section 3340.42.

4           c.     **Section 3340.41, subdivision (c):** Respondent Prieto knowingly entered false  
5 information into the emissions inspection system for the vehicles.

6           d.     **Section 3340.42:** Respondent Prieto failed to ensure that the required smog tests  
7 were conducted on the vehicles identified above in accordance with the Bureau's specifications.

8           Complainant refers to, and by this reference incorporates, the allegations set forth above in  
9 paragraphs 41-72, as though fully set forth herein.

#### 10                                   **NINTH CAUSE FOR DISCIPLINE**

#### 11                                   **(Dishonesty, Fraud, or Deceit – Respondent Prieto)**

12           81.   Respondent Prieto's Smog Check Inspector License is subject to disciplinary  
13 action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with  
14 Health and Safety Code section 44072.10, subdivision (c), in that, with respect to the 10 vehicles  
15 identified above, Respondent Prieto committed acts involving dishonesty, fraud, or deceit  
16 when she issued electronic smog certificates of compliance for the vehicles without performing  
17 bona fide inspections of the emission control devices and systems on those vehicles, thereby  
18 depriving the People of the State of California of the protection afforded by the Motor Vehicle  
19 Inspection Program. Complainant refers to, and by this reference incorporates, the allegations  
20 set forth above in paragraphs 41-72, as though fully set forth herein.

#### 21                                   **OTHER MATTERS**

22           82.   Pursuant to Business and Professions Code section 9884.7, subdivision (c), the  
23 Director may suspend, revoke, or place on probation the registration for all places of business  
24 operated in this state by Respondent Waterman Smog 1, upon a finding that it has, or is, engaged  
25 in a course of repeated and willful violations of the laws and regulations pertaining to an  
26 automotive repair dealer.

27           83.   Pursuant to Health and Safety Code section 44072.8, if Smog Check, Test-Only,  
28 Station License No. RC 294660, issued to Respondent Waterman Smog 1, is revoked or



1 suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health  
2 and Safety Code in the name of said licensee may be likewise revoked or suspended by the  
3 director.

4 84. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector  
5 License Number EO 641956, issued to Respondent Prieto, is revoked or suspended, any  
6 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code  
7 in the name of said licensee may be likewise revoked or suspended by the director.

8 **PRAYER**

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

12 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD  
13 294660, issued to Gabriela Prieto, dba Waterman Smog 1;

14 2. Revoking or suspending any other automotive repair dealer registration issued to  
15 Gabriela Prieto;

16 3. Revoking or suspending Smog Check, Test-Only, Station License Number TC  
17 294660, issued to Gabriela Prieto, dba Waterman Smog 1;

18 4. Revoking or suspending Smog Check Inspector License Number EO 641956, issued  
19 to Gabriela Prieto;

20 5. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of  
21 Division 26 of the Health and Safety Code in the name of Gabriela Prieto;

22 6. Ordering Gabriela Prieto, dba Waterman Smog 1 and Gabriela Prieto to pay the  
23 Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this  
24 case, pursuant to Business and Professions Code section 125.3 and if placed on probation, the  
25 costs of probation monitoring; and,

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

DATED: As of digital signature date

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

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