

**BEFORE THE DIRECTOR OF THE
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF AUTOMOTIVE REPAIR
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

ABEL RIVAS SANTAMARIA dba AR SMOG CHECK TEST ONLY

11035 Atlantic Avenue

Lynwood, CA 90262

Automotive Repair Dealer Registration No. ARD 301313

Smog Check Test Only Station License No. TC 301313

ABEL RIVAS SANTAMARIA

8316 Comstock Ave.

Whittier, CA 90602

Smog Check Inspector License No. EO 644002

and

KEVIN EMMANUEL VELASQUEZ CHACON

5450 N. Paramount Bl. Spc #68

Long Beach, CA 90805

Smog Check Inspector License No. EO 644423

Case No. 79/25-7676

OAH No. 2025120240

DECISION

The attached Stipulated Settlement and Disciplinary Order as to Abel Rivas Santamaria only is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on June 30, 2026.

IT IS SO ORDERED May 18, 2026.

Signature on File

GRACE ARUPO RODRIGUEZ

Assistant Deputy Director

Legal Affairs Division

Department of Consumer Affairs

1 ROB BONTA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 WILLIAM D. GARDNER
Deputy Attorney General
4 State Bar No. 244817
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6292
6 Facsimile: (916) 731-2126
E-mail: William.Gardner@doj.ca.gov
7 *Attorneys for Complainant*

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:

13 **ABEL RIVAS SANTAMARIA**
14 **dba AR SMOG CHECK TEST ONLY**
11035 Atlantic Avenue
Lynwood, CA 90262

15 **Automotive Repair Dealer Registration No.**
16 **ARD 301313**
17 **Smog Check, Test Only, Station License No.**
TC 301313

18 **ABEL RIVAS SANTAMARIA**
19 8316 Comstock Ave
Whittier, CA 90602

20 **Smog Check Inspector No. EO 644002**

21 **and**

22 **KEVIN EMMANUEL VELASQUEZ**
23 **CHACON**
5450 N Paramount Bl Spc #68
24 Long Beach, CA 90805

25 **Smog Check Inspector No. EO 644423**

26 Respondents.
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Case No. 79/25-7676

OAH No. 2025120240

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

(As to Abel Rivas Santamaria Only)

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
2 entitled proceedings that the following matters are true:

3 **PARTIES**

4 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair
5 (Bureau). He brought this action solely in his official capacity and is represented in this matter by
6 Rob Bonta, Attorney General of the State of California, by William D. Gardner, Deputy Attorney
7 General.

8 2. Respondent Abel Rivas-Santamaria, dba AR Smog Check Test Only (Respondent) is
9 representing himself in this proceeding and has chosen not to exercise his right to be represented
10 by counsel.

11 3. On or about December 15, 2021, Bureau of Automotive Repair issued Automotive
12 Repair Dealer Registration Number ARD 301313 to Abel Rivas-Santamaria (Respondent), dba
13 AR Smog Check Test Only. The Automotive Repair Dealer Registration was in full force and
14 effect at all times relevant to the charges brought in Accusation No. 79/25-7676, was due to
15 expire on December 31, 2025, but was cancelled on March 3, 2025.

16 4. On or about February 24, 2022, Bureau of Automotive Repair issued Smog Check,
17 Test-Only, Station License Number TC 301313 to Respondent dba AR Smog Check Test Only.
18 The Smog Check, Test-Only, Station License was in full force and effect at all times relevant to
19 the charges brought in Accusation No. 79/25-7676, was due to expire on December 31, 2025, but
20 was cancelled on March 3, 2025.

21 5. On or about November 7, 2022, Bureau of Automotive Repair issued Smog Check
22 Inspector License Number EO 644002 to Respondent. The Smog Check Inspector License was in
23 full force and effect at all times relevant to the charges brought herein and will expire on July 31,
24 2026, unless renewed.

25 **JURISDICTION**

26 6. Accusation No. 79/25-7676 was filed before the Director of the Department of
27 Consumer Affairs (Director), and is currently pending against Respondent. The Accusation and

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1 all other statutorily required documents were properly served on Respondent on October 27,
2 2025. Respondent timely filed Respondent's Notice of Defense contesting the Accusation.

3 7. A copy of Accusation No. 79/25-7676 is attached as Exhibit A and incorporated
4 herein by reference.

5 **ADVISEMENT AND WAIVERS**

6 8. Respondent has carefully read and understands the charges and allegations in
7 Accusation No. 79/25-7676. Respondent has also carefully read and understands the effects of
8 this Stipulated Settlement and Disciplinary Order.

9 9. Respondent is fully aware of his legal rights in this matter, including the right to a
10 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
11 his own expense; the right to confront and cross-examine the witnesses against him; the right to
12 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
13 the attendance of witnesses and the production of documents; the right to reconsideration and
14 court review of an adverse decision; and all other rights accorded by the California
15 Administrative Procedure Act and other applicable laws.

16 10. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
17 every right set forth above.

18 **CULPABILITY**

19 11. Respondent understands and agrees that the charges and allegations in Accusation
20 No. 79/25-7676, if proven at a hearing, constitute cause for imposing discipline upon his
21 Automotive Repair Dealer Registration his Smog Check, Test-Only, Station License and his
22 Smog Check Inspector License.

23 12. For the purpose of resolving the Accusation without the expense and uncertainty of
24 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
25 basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest
26 those charges.

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13. Respondent agrees that his Automotive Repair Dealer Registration, Smog Check, Test-Only, Station License and his Smog Check Inspector License are subject to discipline and agrees to be bound by the Director's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

14. This stipulation shall be subject to approval by the Director or the Director's designee. Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of Automotive Repair may communicate directly with the Director and staff of the Department of Consumer Affairs regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that Respondent may not withdraw his agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall not be disqualified from further action by having considered this matter.

15. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

16. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

17. In consideration of the foregoing admissions and stipulations, the parties agree that the Director may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 301313 and Smog Check, Test-Only, Station License No. TC 301313 issued to Respondent Abel Rivas Santamaria are voluntarily revoked by Respondent and accepted by the Director of Consumer Affairs:

1. The voluntary revocation of Respondent's licenses and the acceptance of the revoked licenses by the Bureau, shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Bureau of Automotive Repair.

2. Respondent shall lose all rights and privileges under Automotive Repair Dealer Registration No. ARD 301313 and Smog Check, Test-Only, Station License No. TC 301313 in the State of California as of the effective date of the Director's Decision and Order.

3. Respondent shall cause to be delivered to the Bureau his pocket licenses and, if issued, his wall certificates related to Automotive Repair Dealer Registration No. ARD 301313 and Smog Check, Test-Only, Station License No. TC 301313 on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or petitions for reinstatement in the State of California, the Bureau shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 79/25-7676 shall be deemed to be true, correct and admitted by Respondents when the Director determines whether to grant or deny any such petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$4,822.70 prior to application for a new or reinstated license.

IT IS FURTHER HEREBY ORDERED that Smog Check Inspector License Number EO 644002 issued to Respondent Abel Rivas-Santamaria is revoked. However, the revocation is stayed and Respondent is placed on probation for four (4) years on the following terms and conditions:

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2 1. **Obey All Laws.** During the period of probation, Respondent shall comply with all
3 federal and state statutes, regulations and rules governing all BAR registrations and licenses held
4 by Respondent.

5 2. **Quarterly Reporting.** During the period of probation, Respondent shall report either
6 by personal appearance or in writing as determined by BAR on a schedule set by BAR, but no
7 more frequently than once each calendar quarter, on the methods used and success achieved in
8 maintaining compliance with the terms and conditions of probation.

9 3. **Report Financial Interests.** Respondent shall, within 30 days of the effective date
10 of the decision and within 30 days from the date of any request by BAR during the period of
11 probation, report any financial interest which any Respondent or any partners, officers, or owners
12 of any Respondent facility may have in any other business required to be registered pursuant to
13 Section 9884.6 of the Business and Professions Code.

14 4. **Tolling of Probation.** If, during probation, Respondent leaves the jurisdiction of
15 California to reside or do business elsewhere or otherwise ceases to do business in the jurisdiction
16 of California, Respondent shall notify BAR in writing within 10 days of the dates of departure
17 and return, and of the dates of cessation and resumption of business in California. All provisions
18 of probation other than cost reimbursement requirements, restitution requirements, training
19 requirements, and that Respondent obey all laws, shall be held in abeyance during any period of
20 time of 30 days or more in which Respondent is not residing or engaging in business within the
21 jurisdiction of California. All provisions of probation shall recommence on the effective date of
22 resumption of business in California. Any period of time of 30 days or more in which Respondent
23 is not residing or engaging in business within the jurisdiction of California shall not apply to the
24 reduction of this probationary period or to any period of actual suspension not previously
25 completed. Tolling is not available if business or work relevant to the probationary license or
26 registration is conducted or performed during the tolling period.

27 5. **Notification to Employer.** When performing services that fall within the scope of
28 his or her license, Respondent shall provide each of his or her current or future employers a copy

1 of the decision and the underlying Accusation or Statement of Issues before commencing
2 employment. Notification to Respondent's current employer shall occur no later than the effective
3 date of the decision. Respondent shall submit to BAR, upon request, satisfactory evidence of
4 compliance with this term of probation.

5 **6. Violation of Probation.** If Respondent violates or fails to comply with the terms and
6 conditions of probation in any respect, the Director, after giving notice and opportunity to be
7 heard may set aside the stay order and carry out the disciplinary order provided in the decision.
8 Once Respondent is served notice of BAR's intent to set aside the stay, the Director shall maintain
9 jurisdiction, and the period of probation shall be extended until final resolution of the matter.

10 **7. Maintain Valid License.** Respondent shall, at all times while on probation, maintain
11 a current and active registration and/or license(s) with BAR, including any period during which
12 suspension or probation is tolled. If Respondent's registration or license is expired at the time the
13 decision becomes effective, the registration or license must be renewed by Respondent within 30
14 days of that date. If Respondent's registration or license expires during a term of probation, by
15 operation of law or otherwise, then upon renewal Respondent's registration or license shall be
16 subject to any and all terms and conditions of probation not previously satisfied. Failure to
17 maintain a current and active registration and/or license during the period of probation shall also
18 constitute a violation of probation.

19 **8. Cost Recovery.** Respondent shall pay the Bureau of Automotive Repair \$ 1,608.00
20 for the reasonable costs of the investigation and enforcement of case No. 79/25-7676. Respondent
21 shall make such payment as follows: Respondent shall make thirty (30) consecutive equal
22 monthly payments of \$53.60, with the first monthly payment due on the effective date of the
23 Director's Decision and Order. Respondent shall make payment by check or money order payable
24 to the Bureau of Automotive Repair and shall indicate on the check or money order that it is for
25 cost recovery payment for case No. 79/25-7676. Full payment to be completed no later than
26 twelve (12) months before probation terminates. Any order for payment of cost recovery shall
27 remain in effect whether or not probation is tolled. Probation shall not terminate until full cost
28 recovery payment has been made. BAR reserves the right to pursue any other lawful measures in

1 collecting on the costs ordered and past due, in addition to taking action based upon the violation
2 of probation.

3 **9. Completion of Probation.** Upon successful completion of probation, Respondent's
4 affected registration and/or license will be fully restored or issued without restriction, if
5 Respondent meets all current requirements for registration or licensure and has paid all
6 outstanding fees, monetary penalties, or cost recovery owed to BAR.

7 **10. License Surrender.** Following the effective date of a decision that orders a stay of
8 invalidation or revocation, if Respondent ceases business operations or is otherwise unable to
9 satisfy the terms and conditions of probation, Respondent may request that the stay be vacated.
10 Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right
11 to evaluate the Respondent's request and to exercise discretion whether to grant the request or
12 take any other action deemed appropriate or reasonable under the circumstances. Upon formal
13 granting of the request, the Director will vacate the stay order and carry out the disciplinary order
14 provided in the decision. Respondent may not petition the Director for reinstatement of the
15 surrendered registration and/or license, or apply for a new registration or license under the
16 jurisdiction of BAR at any time before the date of the originally scheduled completion of
17 probation. If Respondent applies to BAR for a registration or license at any time after that date,
18 Respondent must meet all current requirements for registration or licensure and pay all
19 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration, my Smog Check, Test-Only, Station License, and my Smog Check Inspector License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

DATED:	<u>March 26, 2026</u>	<u>Signed copy on file</u>
		ABEL RIVAS-SANTAMARIA
		<i>Respondent</i>

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Director of the Department of Consumer Affairs.

DATED:	<u>March 26, 2026</u>	Respectfully submitted,
		ROB BONTA
		Attorney General of California
		ARMANDO ZAMBRANO
		Supervising Deputy Attorney General
		<i>Signed copy on file</i>
		WILLIAM D. GARDNER
		Deputy Attorney General
		<i>Attorneys for Complainant</i>

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