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BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU OF AUTOMOTIVE REPAIR
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **JENNIFER LEA BILL** **DBA SMOG BUSTERS** 2246 Esplanade, Suite E Chico, CA 95926 **Automotive Repair Dealer Registration No. ARD 302423** **Smog Check, Test Only, Station License No. TC 302423** **JENNIFER LEA BILL** 3465 Columbia Avenue Oroville, CA 95966 **Smog Check Inspector License No. EO 642114** **ANDREA DAWN SILVA** 481 East 6th Avenue Chico, CA 95926 **Smog Check Repair Technician License No. EI 631702** **Smog Check Inspector License No. EO 631702** **DESTINY JEAN BILL** 2246 Esplanade, Suite E Chico, CA 95926 **Smog Check Inspector License No. EO 643302** Respondents.	Case No. 79/26-7391 **ACCUSATION**

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.

Smog Busters

2. On or about May 3, 2022, the Bureau issued Automotive Repair Dealer Registration Number ARD 302423 (registration) to Jennifer Lea Bill doing business as Smog Busters (Respondent Smog Busters). The registration was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2027, unless renewed.

3. On or about May 3, 2022, the Bureau issued Smog Check, Test Only, Station License Number TC 302423 (station license) to Respondent Smog Busters. The station license was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2027, unless renewed.

Jennifer Lea Bill

4. On or about July 15, 2019, the Bureau issued Smog Check Inspector License (inspector license) Number EO 642114 to Jennifer Lea Bill (Respondent J. Bill). The inspector 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.

Andrea Dawn Silva

5. On or about April 14, 2014, the Bureau issued Smog Check Repair Technician License (technician license) Number EI 631702 to Andrea Dawn Silva (Respondent Silva). The technician license expired on June 30, 2022, and has not been renewed.

6. On or about April 14, 2014, the Bureau issued Smog Check Inspector License Number EO 631702 to Respondent Silva. The inspector license was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2028, unless renewed.

Destiny Jean Bill

7. On or about September 22, 2021, the Bureau issued Smog Check Inspector License Number EO 643302 to Destiny Jean Bill (Respondent D. Bill). The inspector license was in full

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force and effect at all times relevant to the charges brought herein and will expire on November 30, 2027, unless renewed.

JURISDICTION

8. This Accusation is brought before the Director of the Department of Consumer Affairs (Director) for the Bureau under the authority of the following laws.

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

10. Code section 9884.7 provides, in pertinent part, that the Director may revoke an automotive repair dealer registration.

11. 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.

12. Health and Safety Code (Health & Saf. Code) section 44002 provides, in pertinent part, that the Director has all the powers and authority granted under the Automotive Repair Act for enforcing the Motor Vehicle Inspection Program.

13. Health & Saf. Code section 44072.4, states that "[t]he director may take disciplinary action against any licensee after a hearing as provided in this article by any of the following:

(a) Imposing probation upon terms and conditions to be set forth by the director.

(b) Suspending the license.

(c) Revoking the license."

14. 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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15. 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.

STATUTORY PROVISIONS

16. Code section 9884.7 states, in pertinent part:

> (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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> (1) Making or authorizing in any manner or by any means whatever any statement written or oral which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.
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> (2) Causing or allowing a customer to sign any work order that does not state the repairs requested by the customer or the automobile's odometer reading at the time of repair.
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> . . .
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> (4) Any other conduct that constitutes fraud.
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> . . .
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> (6) Failure in any material respect to comply with the provisions of this chapter or regulations adopted pursuant to it.
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> . . .
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> (b) Except as provided for in subdivision (c), if an automotive repair dealer operates more than one place of business in this state, the director pursuant to subdivision (a) shall only suspend, revoke, or place on probation the registration of the specific place of business which has violated any of the provisions of this chapter. This violation, or action by the director, shall not affect in any manner the right of the automotive repair dealer to operate the automotive repair dealer's other places of business.
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> (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 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 adopted pursuant to it.
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17. Code section 9884.11 states:

> Each automotive repair dealer shall maintain any records that are required by regulations adopted to carry out this chapter. Those records shall be open for reasonable inspection by the chief or other law enforcement officials. All of those records shall be maintained for at least three years

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

> The test at the smog check stations shall be performed in accordance with procedures prescribed by the department, pursuant to Section 44013, shall require, at a minimum, loaded mode dynamometer testing in enhanced areas, and two-speed testing in all other program areas, and shall ensure all of the following:
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> (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.
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> . . .
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> (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.
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> . . . .

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

20. 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.

21. 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:
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> (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.
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> . . .

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(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.

. . . .

22. Health & Saf. Code section 44072.10, subdivision (c) states:

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, clean plugging, clean glassing, clean tanking, or any other fraudulent inspection practice, 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.

REGULATORY PROVISIONS

23. California Code of Regulations, title 16 (CCR), section 3340.17, subdivision (c) states "[v]ehicle data and test results from the OBD Inspection System (OIS) shall be transmitted to the bureau's centralized database."

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

A smog check technician shall comply with the following requirements at all times while licensed.

(a) A licensed technician shall inspect, test and repair vehicles 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.

. . . .

25. CCR, section 3340.35, subdivision (c) states, in pertinent part, that 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".

26. CCR, section 3340.41, subdivision (c) states:

> 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.

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

28. CCR section 3358 states:

> Pursuant to Section 9884.11 of the Business and Professions Code, each automotive repair dealer shall maintain, in either written or electronic form, legible copies of the following records for at least three years:
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> (a) All invoices relating to automotive repair including invoices received from other sources for parts and/or labor.
>
> (b) All estimates pertaining to work performed, including all records created to obtain the authorization from the customer for the initial estimate.
>
> (c) All work orders and/or contracts for repairs, parts and labor, including all records supplementing the work order and created to obtain additional authorization from the customer for any additional repairs estimated.
>
> (d) All such records shall be open for reasonable inspection and/or reproduction by the Bureau or other law enforcement officials during normal business hours.
>
> (e) All records as specified in this section associated with an individual transaction shall have a unique identifier linking the records to that specific transaction.

29. CCR, section 3373 states:

> No automotive repair dealer or individual in charge shall, in filling out an estimate, invoice, or work order, or record required to be maintained by section 3340.15(f) 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

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

UPDATED SMOG CHECK PROGRAM – ON BOARD DIAGNOSTIC SYSTEM

31. On or about March 9, 2015, California's Smog Check Program was updated to keep pace with ever-advancing technology. The program update requires the use of an On-Board Diagnostic Inspection System (BAR-OIS). BAR-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.

32. The DAD is an On-Board Diagnostic (OBD) scan tool that, when requested by the California BAR-OIS software, retrieves OBD data from the vehicle. The DAD connects between the BAR-OIS computer and the vehicle's diagnostic link connector. The bar code scanner is used to input technician information, the vehicle identification number, and the Department of Motor Vehicle (DMV) renewal information. The vehicle identification number (VIN) that is physically present on all vehicles is required to be programmed into the vehicle's On-Board Diagnostics — Generation II (OBD II) on 2005 and newer vehicles, and on many occasions was programmed into the OBD II computer in earlier model-years. The electronically programmed VIN is referred to as the "eVIN", is captured by the Bureau during a smog check inspection and should match the physical VIN on the vehicle. The printer is used to provide a vehicle inspection report, which shows the inspection results and the Smog Check Certificate of Compliance Number for passing vehicles. Data retrieved and recorded during an OIS smog check includes the eVIN, the communication protocol[1], and the number of Parameter Identifications (PID)[2].

REVIEW OF OIS TEST DATA

33. Bureau representative J.B. reviewed BAR-OIS test data pertaining to smog inspections conducted at Respondent Smog Busters' facility. J.B. found that Respondent Smog Busters' had performed smog check inspections on 10 vehicles identified below using a method

[1] The OBD II communication protocol describes the specified communication "language" used by the OBD II computer to communication to scan tools and other devices such as the BAR-OIS. The communication protocol is programmed into the vehicle's on-board computer during manufacture and does not change.

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

known as "clean plugging,"[3] resulting in the issuance of fraudulent certificates of compliance for the vehicles.

Vehicle 1

34. The OIS test data showed that on July 31, 2023, Respondent J. Bill performed a smog inspection on a 2005 GMC Sierra C1500 (Vehicle 1), resulting in the issuance of electronic Smog Certificate of Compliance No. TM090115C. The OIS test details for Vehicle 1 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2005 GMC Sierra C1500 vehicles and found that the eVIN is reported during an inspection.

35. In addition, the OIS test data showed that Vehicle 1 had previously been inspected at Respondent Smog Busters and two different smog facilities on July 27, 2015, July 20, 2017, July 26, 2019, and July 23, 2021. During those inspections, the eVIN was reported.

36. Further, the OIS test data showed that Vehicle 1 received two subsequent smog inspections at another facility on February 14, 2024, and June 21, 2025. J.B. found that the eVIN was reported on those occasions. J.B. concluded that the DAD was not connected to Vehicle 1 during the smog inspection performed by Respondent J. Bill on July 31, 2023, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 2

37. The OIS test data showed that on November 20, 2023, Respondent Silva performed a smog inspection on a 2015 Ram 1500 SLT (Vehicle 2), resulting in the issuance of electronic Smog Certificate of Compliance No. TO965340C. The OIS test details for Vehicle 2 showed that the eVIN and dynamic[4] eVIN were not reported. J.B. reviewed the Comparative OIS Test Data for 2015 Ram 1500 SLT vehicles and found that the eVIN is reported during an inspection and the dynamic eVIN is only reported during an inspection when the test is prompted.

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[3] Clean plugging is the use of a vehicle's properly functioning OBD II system, or another source, to generate passing diagnostic readings for the purpose of issuing a fraudulent smog certificate of compliance to another vehicle that is not in compliance with the Smog Check Program and/or is not present for testing.

[4] Dynamic eVIN is collected by the BAR-OIS during the dynamic portion of the OBD II functional test. A dynamic test is only required when prompted by BAR-OIS and may not be performed on every OIS smog check inspection.

38. In addition, the OIS test data showed that Vehicle 2 received a subsequent smog inspection at Respondent Smog Busters' facility on November 8, 2025. J.B. found that the expected eVIN and dynamic eVIN were reported. J.B. concluded that the DAD was not connected to Vehicle 2 during the smog inspection performed by Respondent Silva on November 2, 2023, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 3

39. The OIS test data showed that on December 27, 2023, Respondent J. Bill performed a smog inspection on a 2011 Chevrolet Silverado K2500 Heavy Duty LT (Vehicle 3), resulting in the issuance of electronic Smog Certificate of Compliance No. TQ306216C. The OIS test details for Vehicle 3 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2011 Chevrolet Silverado K2500 Heavy Duty LT vehicles and found that the eVIN is reported during an inspection.

40. In addition, the OIS test data showed that Vehicle 3 had previously been inspected at two different smog facilities on November 18, 2015, November 7, 2017, October 31, 2019, and November 18, 2021. During those inspections, the eVIN was reported.

41. Further, the OIS test data showed that Vehicle 3 received a subsequent smog inspection at Respondent Smog Busters' facility on November 18, 2025. J.B. found that the expected eVIN was reported. J.B. concluded that the DAD was not connected to Vehicle 3 during the smog inspection performed by Respondent J. Bill on December 31, 2023, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 4

42. The OIS test data showed that on April 12, 2024, Respondent Silva performed a smog inspection on a 2016 Ford Transit T-250 (Vehicle 4), resulting in the issuance of electronic Smog Certificate of Compliance No. TW146309C. The OIS test details for Vehicle 4 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2016 Ford Transit T-250 vehicles and found that the eVIN is reported during an inspection.

43. In addition, the OIS test data showed that Vehicle 4 had previously been inspected at a different smog facility on April 5, 2018. During that inspection, the eVIN was reported.

44. Further, the OIS test data showed that Vehicle 4 received two subsequent smog inspections at Respondent Smog Busters' facility on March 12, 2026, and March 25, 2026. J.B. found that the expected eVIN was reported. J.B. concluded that the DAD was not connected to Vehicle 4 during the smog inspection performed by Respondent Silva on April 12, 2024, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 5

45. The OIS test data showed that on May 3, 2024, Respondent Silva performed a smog inspection on a 2008 Ford F350 Super Duty (Vehicle 5), resulting in the issuance of electronic Smog Certificate of Compliance No. TW730279C. The OIS test details for Vehicle 5 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2008 Ford F350 Super Duty vehicles and found that the eVIN is reported during an inspection.

46. In addition, the OIS test data showed that Vehicle 5 had previously been inspected at three different smog facilities on May 30, 2017, April 2, 2019, May 6, 2021, and May 9, 2023. During those inspections, the expected eVIN was reported. J.B. concluded that the DAD was not connected to Vehicle 5 during the smog inspection performed by Respondent Silva on May 3, 2024, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 6

47. The OIS test data showed that on June 6, 2024, Respondent J. Bill performed a smog inspection on a 2012 Jeep Wrangler (Vehicle 6), resulting in the issuance of electronic Smog Certificate of Compliance No. TY745184C. The OIS test details for Vehicle 6 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2012 Jeep Wrangler vehicles and found that the eVIN is reported during an inspection. J.B. also found that the PID count recorded during the inspection on Vehicle 6 was not consistent with the PID count for that make and model vehicle.

48. In addition, the OIS test data showed that Vehicle 6 had previously been inspected at six different smog facilities on February 1, 2019, August 30, 2019, April 6, 2020, July 14, 2020, December 8, 2021, and October 8, 2022. During those inspections, the eVIN and expected PID count were reported. J.B. concluded that the DAD was not connected to Vehicle 6 during the

smog inspection performed by Respondent J. Bill on June 6, 2024, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 7

49. The OIS test data showed that on November 4, 2024, Respondent J. Bill performed a smog inspection on a 2015 Ram 2500 Laramie (Vehicle 7), resulting in the issuance of electronic Smog Certificate of Compliance No. UG074080C. The OIS test details for Vehicle 7 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2015 Ram 2500 Laramie vehicles and found that the eVIN is reported during an inspection.

50. In addition, the OIS test data showed that Vehicle 7 had a previous failed inspection at a different smog facility on October 28, 2024. During that inspection, the eVIN was reported.

51. Further, the OIS test data showed that Vehicle 7 also had previously been inspected at two different smog facilities on March 11, 2016, January 18, 2019, August 14, 2020, and September 21, 2022. J.B. found that the expected eVIN was reported. J.B. concluded that the DAD was not connected to Vehicle 7 during the smog inspection performed by Respondent J. Bill on November 4, 2024, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 8

52. The OIS test data showed that on April 23, 2025, Respondent Silva performed a smog inspection on a 2009 Toyota Camry (Vehicle 8), resulting in the issuance of electronic Smog Certificate of Compliance No. UM837340C. The OIS test details for Vehicle 8 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2009 Toyota Camry vehicles and found that the eVIN is reported during an inspection.

53. In addition, the OIS test data showed that Vehicle 8 had previously been inspected at Respondent Smog Busters and two different smog facilities on May 14, 2015, May 19, 2017, April 12, 2019, May 25, 2021, and June 20, 2023. During those inspections, the expected eVIN was reported. J.B. concluded that the DAD was not connected to Vehicle 8 during the smog inspection performed by Respondent Silva on April 23, 2025, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 9

54. The OIS test data showed that on September 19, 2025, Respondent D. Bill performed a smog inspection on a 2007 GMC Sierra C2500 Heavy Duty (Vehicle 9), resulting in the issuance of electronic Smog Certificate of Compliance No. JH192375C. The OIS test details for Vehicle 9 showed that the eVIN was not reported and the dynamic eVIN was reported. J.B. reviewed the Comparative OIS Test Data for 2007 GMC Sierra C2500 Heavy Duty vehicles and found that the eVIN is reported during an inspection and the dynamic eVIN is only reported during an inspection when the test is prompted.

55. In addition, the OIS test data showed that Vehicle 9 had previously been inspected at six different smog facilities on April 29, 2015, March 13, 2017, May 16, 2019, May 30, 2019, June 10, 2020, September 2, 2022, September 13, 2022, September 29, 2022, and April 7, 2023. During those inspections, the expected eVIN was reported and the dynamic eVIN was not reported because the dynamic test was not prompted. J.B. concluded that the DAD was not connected to Vehicle 9 during the smog inspection performed by Respondent D. Bill on September 19, 2025, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

Vehicle 10

56. The OIS test data showed that on March 18, 2026, Respondent J. Bill performed a smog inspection on a 2016 Toyota Sienna LE (Vehicle 10), resulting in the issuance of electronic Smog Certificate of Compliance No. VC915970C. The OIS test details for Vehicle 10 showed that the eVIN was not reported. J.B. reviewed the Comparative OIS Test Data for 2016 Toyota Sienna LE vehicles and found that the eVIN is reported during an inspection.

57. In addition, the OIS test data showed that Vehicle 10 had previously been inspected at a different smog facility on January 31, 2024. During that inspection, the expected eVIN was reported. J.B. concluded that the DAD was not connected to Vehicle 10 during the smog inspection performed by Respondent J. Bill on March 18, 2026, resulting in the issuance of a fraudulent smog certification of compliance for the vehicle.

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Field Visit

58. On or about April 20, 2026, J.B. made a field visit to Respondent Smog Busters facility and met with Respondent J. Bill and Respondent D. Bill. J.B. requested all records related to Vehicles 1 through 10. Respondent J. Bill acknowledged that she could not locate the records for Vehicle 3 and provided J.B. with the records for Vehicles 1, 2, and 4 through 10. J.B. reviewed the records provided and found the following: (1) Respondent Smog Busters did not record an accurate odometer reading before having the customer sign the work order for Vehicle 9 in that the odometer reading was recorded as "0" on the Estimate No. 209124; and (2) Respondent Smog Busters did not record an accurate odometer reading for Vehicle 9 on Invoice No. 162570 and the vehicle's VIR in that odometer reading was recorded as "0".

FIRST CAUSE FOR DISCIPLINE

(Untrue and Misleading Statements – Automotive Repair Dealer Registration)

59. Respondent Smog Busters' registration is subject to disciplinary action under Code section 9884.7, subdivision (a)(1), in that Respondent Smog Busters made or authorized statements which it knew or in the exercise of reasonable care should have known to be untrue or misleading. Specifically, Respondent Smog Busters certified that Vehicles 1 through 10, identified in paragraphs 34 through 57 above, had passed inspection and were in compliance with applicable laws and regulations when, in fact, those vehicles had not been properly inspected.

SECOND CAUSE FOR DISCIPLINE

(Fraud – Automotive Repair Dealer Registration)

60. Respondent Smog Busters' registration is subject to disciplinary action under Code section 9884.7, subdivision (a)(4), in that Respondent Smog Busters committed acts which constitute fraud by issuing electronic smog certificates of compliance for Vehicles 1 through 10, identified in paragraphs 34 through 57 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

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THIRD CAUSE FOR DISCIPLINE

(Allowed or Caused a Customer to Sign a Work Order Without an Odometer Reading – Automotive Repair Dealer Registration)

61. Respondent Smog Busters' registration is subject to disciplinary action under Code section 9884.7, subdivision (a)(2), in that Respondent Smog Busters allowed or caused a customer to sign a work order without an odometer reading for Vehicle 9, as set forth above in paragraph 58 and incorporated herein by reference.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Maintain Records – Automotive Repair Dealer Registration)

62. Respondent Smog Busters' registration is subject to disciplinary action under Code sections 9884.7, subdivision (a)(6), 9884.11, and CCR section 3358, in that Respondent Smog Busters failed to maintain and make available for inspection the records relating to the smog check inspection performed on Vehicle 3, as set forth above in paragraph 58 and incorporated herein by reference.

FIFTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Motor Vehicle Inspection Program – Smog Check Station License)

63. Respondent Smog Busters' station license is subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (a), in that Smog Busters failed to comply with the following sections of that Code:

a. **Section 44012:** Respondent Smog Busters failed to ensure that emission control tests on Vehicles 1 through 10, identified in paragraphs 34 through 57 above, were performed in accordance with procedures prescribed by the department.

b. **Section 44015:** Respondent Smog Busters issued electronic smog certificates of compliance for Vehicles 1 through 10, identified in paragraphs 34 through 57 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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SIXTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program– Smog Check Station License)

64. Respondent Smog Busters' station license is subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (c), in that Respondent Smog Busters failed to comply with provisions of CCR, as follows:

a. **Section 3340.35, subdivision (c):** Respondent Smog Busters issued electronic smog certificates of compliance for Vehicles 1 through 10, identified in paragraphs 34 through 57 above, even though the vehicles had not been inspected in accordance with section 3340.42.

b. **Section 3340.42:** Respondent Smog Busters failed to ensure that the required smog tests were conducted on Vehicles 1 through 10, identified in paragraphs 34 through 57 above, in accordance with the Bureau's specifications.

SEVENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit – Smog Check Station License)

65. Respondent Smog Busters' station license is subject to disciplinary action under Health & Saf. Code sections 44072.2, subdivision (d), and 44072.10, subdivision (c), in that Respondent Smog Busters committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates of compliance for Vehicles 1 through 10, identified in paragraphs 34 through 57 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

EIGHTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Motor Vehicle Inspection Program - J. Bill's Smog Check Inspector License)

66. Respondent J. Bill's inspector license is subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (a), in that she failed to comply with section 44032 of that Code in a material respect. Specifically, Respondent J. Bill failed to perform the emission control

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tests on Vehicles 1, 3, 6, 7, and 10, identified in paragraphs 34, 35, 36, 39, 40, 41, 47, 48, 49, 50, 51, 56 and 57 above, in accordance with procedures prescribed by the department.

NINTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program- J. Bill's Smog Check Inspector License)

67. Respondent J. Bill's inspector license is subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (c), in that she failed to comply with provisions of CCR, as follows:

a. **Section 3340.30, subdivision (a):** Respondent J. Bill failed to inspect and test Vehicles 1, 3, 6, 7, and 10, identified in paragraphs 34, 35, 36, 39, 40, 41, 47, 48, 49, 50, 51, 56 and 57 above, in accordance with Health & Saf. Code sections 44012 and 44035, and CCR section 3340.42.

b. **Section 3340.42**: Respondent J. Bill failed to conduct the required smog tests on Vehicles 1, 3, 6, 7, and 10, identified in paragraphs 34, 35, 36, 39, 40, 41, 47, 48, 49, 50, 51, 56 and 57 above, in accordance with the Bureau's specifications.

TENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit – J. Bill's Smog Check Inspector License)

68. Respondent J. Bill's inspector license is subject to disciplinary action under Health & Saf. Code sections 44072.2, subdivision (d) and in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that Respondent J. Bill committed dishonest, fraudulent, or deceitful acts whereby another is injured by issuing electronic smog certificates of compliance for Vehicles 1, 3, 6, 7, and 10, identified in paragraphs 34, 35, 36, 39, 40, 41, 47, 48, 49, 50, 51, 56 and 57 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

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ELEVENTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Motor Vehicle Inspection Program – Silva's Smog Check Repair Technician License and Smog Check Inspector License)

69. Respondent Silva's technician and inspector licenses are subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (a), in that she failed to comply with section 44032 of that Code in a material respect. Specifically, Respondent Silva failed to perform the emission control tests on Vehicles 2, 4, 5, and 8, identified in paragraphs 37, 38, 42, 43, 44, 45, 46, 52 and 53 above, in accordance with procedures prescribed by the department.

TWELFTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations – Silva's Smog Check Repair Technician License and Smog Check Inspector License)

70. Respondent Silva's technician and inspector licenses are subject to disciplinary action under Code section Health & Saf. Code section 44072.2, subdivision (c), in that she failed to comply with provisions of CCR, as follows:

a. **Section 3340.30, subdivision (a):** Respondent Silva failed to inspect and test Vehicles 2, 4, 5, and 8, identified in paragraphs 37, 38, 42, 43, 44, 45, 46, 52 and 53 above, in accordance with Health & Saf. Code sections 44012 and 44035, and CCR section 3340.42.

b. **Section 3340.42:** Respondent Silva failed to conduct the required smog tests on Vehicles 2, 4, 5, and 8, identified in paragraphs 37, 38, 42, 43, 44, 45, 46, 52 and 53 above, in accordance with the Bureau's specifications.

THIRTEENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit – Silva's Smog Check Repair Technician License and Smog Check Inspector License)

71. Respondent Silva's technician and inspector licenses are subject to disciplinary action under Health & Saf. Code sections 44072.2, subdivision (d) and in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that Respondent Silva committed dishonest, fraudulent, or deceitful acts whereby another is injured by issuing electronic smog certificates of

compliance for Vehicles 2, 4, 5, and 8, identified in paragraphs 37, 38, 42, 43, 44, 45, 46, 52 and 53 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

FOURTEENTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Motor Vehicle Inspection Program – D. Bill's Smog Check Inspector License)

72. Respondent D. Bill's inspector license is subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (a), in that she failed to comply with section 44032 of that Code in a material respect. Specifically, Respondent D. Bill failed to perform the emission control tests on Vehicle 9, identified in paragraphs 54 and 55 above, in accordance with procedures prescribed by the department.

FIFTEENTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations – D. Bill's Smog Check Inspector License)

73. Respondent D. Bill's inspector license is subject to disciplinary action under Health & Saf. Code section 44072.2, subdivision (c), in that she failed to comply with provisions of CCR, as follows:

a. **Section 3340.30, subdivision (a):** Respondent D. Bill failed to inspect and test Vehicle 9, identified in paragraphs 54 and 55 above, in accordance with Health & Saf. Code sections 44012 and 44035, and CCR section 3340.42.

b. **Section 3340.42:** Respondent D. Bill failed to conduct the required smog tests on Vehicle 9, identified in paragraphs 54 and 55 above, in accordance with the Bureau's specifications.

SIXTEENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit – D. Bill's Smog Check Inspector's License)

74. Respondent D. Bill's inspector license is subject to disciplinary action under Health & Saf. Code sections 44072.2, subdivision (d) and in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that Respondent D. Bill committed dishonest, fraudulent, or

deceitful acts whereby another is injured by issuing electronic smog certificates of compliance for Vehicle 9, identified in paragraphs 54 and 55 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

DISCIPLINARY CONSIDERATION

75. To determine the degree of discipline, if any, to be imposed, Complainant alleges that on or about October 21, 2025, a Bureau representative held a Proactive Conference with Respondent Smog Busters. The conference was held following a station inspection, in which specific laws and regulations were discussed to address compliance concerns related to proper invoicing, false or misleading statements and records, fraud, and correct smog check procedures. Respondent Smog Busters was informed that the conference was held in an attempt to obtain future compliance and to make Respondent Smog Busters aware of the seriousness of the Bureau's warnings in their efforts to obtain compliance. Respondent Smog Busters was advised to follow all laws and regulations of the Automotive Repair Act. Respondent was also advised that future violations of the Automotive Repair Act could result in disciplinary action, which could jeopardize registration number ARD 302423 and station license number TC 302423.

OTHER MATTERS

76. Pursuant to Business and Professions Code section 9884.7, subdivision (c), the Director may suspend, revoke or place on probation the registration for all places of business operated in this state by Respondent J. Bill doing business as Smog Busters, upon a finding that Respondent Smog Busters have, or is, engaged in a course of repeated and willful violations of the laws and regulations pertaining to an automotive repair dealer.

77. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Station License Number TC 302423, issued to Respondent J. Bill doing business as Smog Busters, is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the Director.

78. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License Number EO 642114 issued to Respondent J. Bill is revoked or suspended, any additional license

issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the Director.

79. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Repair Technician License Number EI 631702 or Smog Check Inspector License Number EO 631702 issued to Respondent Silva is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the Director.

80. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License Number EO 643302 issued to Respondent D. Bill is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said 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 302423, issued to Jennifer Lea Bill doing business as Smog Busters;

2. Revoking or suspending Smog Check, Test Only, Station License Number TC 302423, issued to Jennifer Lea Bill doing business as Smog Busters;

3. Revoking or suspending any other automotive repair dealer registrations issued to Jennifer Lea Bill doing business as Smog Busters;

4. Revoking or suspending Smog Check Inspector License Number EO 642114, issued to Jennifer Lea Bill;

5. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Jennifer Lea Bill;

6. Revoking or suspending Smog Check Repair Technician License Number EI 631702, issued to Andrea Dawn Silva;

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7. Revoking or suspending Smog Check Inspector License Number EO 631702, issued to Andrea Dawn Silva;

8. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Andrea Dawn Silva;

9. Revoking or suspending Smog Check Inspector License Number EO 643302, issued to Destiny Jean Bill;

10. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Destiny Jean Bill;

11. Ordering Respondent Smog Busters, Respondent J. Bill, Respondent Silva and Respondent D. Bill to pay the Bureau the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3 and if placed on probation, the costs of probation monitoring; and,

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

DATED: As of Digital Signature Date

Dorais, Patrick@DCA
Digitally signed by Dorais, Patrick@DCA
Date: 2026.09.10 15:53:40 -07'00'

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

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