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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. 79/25-2323

13 **Maurilio Alexander Martinez,**
14 **DBA Bear Valley Smog**

ACCUSATION

15 Station Address:
16 16349 Bear Valley Rd, Ste C
Hesperia, CA 92345

17 Mailing Address:
18 1686 Alberhill St.
Perris, CA 92571

19 **Automotive Repair Dealer Registration No.**
20 **ARD 305336**
Smog Check Test Only Station License No.
TC 305336
Smog Check Inspector License No.
EO 644162

21 Respondent.

22 **PARTIES**

23
24 1. Patrick Dorais (complainant) brings this Accusation solely in his official capacity as
25 the Chief of the Bureau of Automotive Repair (bureau), Department of Consumer Affairs.

26 2. On or about March 21, 2023, the bureau issued Automotive Repair Dealer
27 Registration number ARD 305336 to Maurilio Alexander Martinez, doing business as Bear
28 Valley Smog (respondent or Bear Valley Smog). The Automotive Repair Dealer Registration was

1 in full force and effect at all times relevant to the charges brought herein and will expire on
2 March 31, 2026, unless renewed.

3 3. On or about May 22, 2023, respondent Bear Valley Smog was issued Smog Check
4 Test Only Station License number TC 305336. The Smog Check Test Only Station License was
5 in full force and effect at all times relevant to the charges brought herein and will expire on
6 March 31, 2026, unless renewed.

7 4. On or about October 4, 2023, the bureau certified respondent Bear Valley Smog as a
8 STAR Station. The STAR Station Certification will remain active unless the Automotive Repair
9 Dealer Registration or Smog Check Test Only Station License is revoked, cancelled, becomes
10 delinquent, or the certification is suspended.

11 5. On or about February 15, 2023, the bureau issued Smog Check Inspector License
12 number EO 644162 to respondent. The Smog Check Inspector License was in full force and
13 effect at all times relevant to the charges brought herein and will expire on June 30, 2027, unless
14 renewed.

15 **JURISDICTION**

16 6. This Accusation is brought before the Director of the Department of Consumer
17 Affairs (director) for the Bureau of Automotive Repair, under the authority of the following laws.

18 7. Business and Professions Code section 118, subdivision (b), provides that suspension,
19 expiration, surrender, or cancellation of a license shall not deprive the director of jurisdiction to
20 proceed with a disciplinary action during the period within which the license may be renewed,
21 restored, reissued or reinstated.

22 8. Business and Professions Code section 9884.7 provides that the director may revoke
23 an automotive repair dealer registration.

24 9. Business and Professions Code section 9884.13 provides, in pertinent part, that the
25 expiration of a valid registration shall not deprive the director of jurisdiction to proceed with a
26 disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or
27 permanently invalidating (suspending or revoking) a registration.

28 10. Health and Safety Code section 44002 provides, in pertinent part, that the director has

1 all the powers and authority granted under the Automotive Repair Act for enforcing the Motor
2 Vehicle Inspection Program.

3 11. Health and Safety Code section 44072.6 provides, in pertinent part, that the expiration
4 or suspension of a license by operation of law, or by order or decision of the director of Consumer
5 Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the director of
6 jurisdiction to proceed with disciplinary action.

7 **STATUTORY PROVISIONS**

8 12. Business and Professions Code section 9884.7 states, in pertinent part:

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

15 (1) Making or authorizing in any manner or by any means whatever any
16 statement written or oral which is untrue or misleading, and which is known, or which
17 by the exercise of reasonable care should be known, to be untrue or misleading.

18

19 (4) Any other conduct that constitutes fraud.

20

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

23

24 (c) Notwithstanding subdivision (b), the director may suspend, revoke, or place
25 on probation the registration for all places of business operated in this state by an
26 automotive repair dealer upon a finding that the automotive repair dealer has, or is,
27 engaged in a course of repeated and willful violations of this chapter, or regulations
28 adopted pursuant to it.

. . . .

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

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

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

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

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

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

4 13. Business and Professions Code section 477 provides, in pertinent part, that “board”
5 includes “bureau,” “commission,” “committee,” “department,” “division,” “examining
6 committee,” “program,” and “agency.” “License” includes certificate, registration or other means
7 to engage in a business or profession regulated by the Business and Professions Code.

8 14. Health and Safety Code section 44012 provides, in pertinent part, that tests at smog
9 check stations shall be performed in accordance with procedures prescribed by the department.

10 15. Health and Safety Code section 44015, subdivision (b), provides that a certificate of
11 compliance shall be issued if a vehicle meets the requirements of Health and Safety Code section
12 44012.

13 16. Health and Safety Code section 44032 provides that qualified technicians shall
14 perform tests of emissions control devices and systems in accordance with Health and Safety
15 Code section 44012.

16 17. Health and Safety Code section 44072.2 states, in pertinent part:

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

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

21 ...

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

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

25 18. Health and Safety Code section 44072.10 states, in pertinent part:

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

1 (1) Clean piping, as defined by the department.

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

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

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

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

9 **REGULATORY PROVISIONS**

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

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

15 21. CCR, title 16, section 3340.30, subdivision (a), states that a licensed smog technician
16 shall at all times “[i]nspect, test and repair vehicles, as applicable, in accordance with section
17 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code, and section
18 3340.42 of this article.”

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

24 23. CCR, title 16, section 3340.41 states, in pertinent part:

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

28 (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

1 the EIS or OIS. Nor shall any person enter into the EIS or OIS any false information
2 about the vehicle being tested

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

5 **COST RECOVERY**

6 25. Business and Professions Code section 125.3 provides, in pertinent part, that the
7 board may request the administrative law judge to direct a licentiate found to have committed a
8 violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the
9 investigation and enforcement of the case.

10 **CALIFORNIA'S SMOG CHECK PROGRAM**

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

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

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

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

27 30. An On-Board Diagnostics (OBD II) functional test is also performed on most 1996 to
28 1999 model year vehicles. The EIS retrieves information through the Diagnostic Link Connector

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

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

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

33. Beginning March 9, 2015, California's Smog Check Program was updated to require 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. The system consists of a certified Data Acquisition Device (DAD), computer, bar code scanner, and printer. The DAD is an OBD scan tool that, when requested by the BAR-OIS software, retrieves OBD data from the vehicle. All OBD data that the vehicle indicates it supports is requested by the BAR-OIS software and will be retrieved. The DAD connects between the BAR-OIS computer and the vehicle's DLC. The bar code scanner is used to input inspector information, the vehicle identification number (VIN), and Department of Motor Vehicles 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.

34. During an OIS inspection, engine operating parameters are retrieved from the

vehicle's OBD II system and recorded to the VID. This is accomplished during the functional portion of the OIS Smog Check inspection by plugging the DAD into the vehicle's DLC when prompted by the OIS analyzer screen prompt.

35. Some of the parameters recorded are:

- a. *RPM*: Engine speed in revolutions per minute (RPM);
- b. *TPS*: Throttle position as measured by a throttle position sensor (TPS) mounted onto the throttle shaft, measured in a percentage of opening from 0% at idle and near or up to 100% at full throttle;
- c. *MAP*: Manifold absolute pressure as measured by a manifold air pressure sensor (MAP) connected to an intake manifold source, measured in kilo pascals (kpa), with typical readings for a normally aspirated vehicle being as follows: 0 kpa being absolute vacuum, 25 to 45 kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at sea level;
- d. *MAF*: Mass air flow as measured by a mass air flow sensor (MAF) mounted in the engine's air intake tract, measured in grams per second (gps); and
- e. *BTDC*: Ignition timing, which is set by the vehicle PCM based on engine speed and load, measured in degrees Before Top Dead Center (BTDC).

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

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

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

38. The Bureau has become aware of methods that some Smog Check stations and Smog Check inspectors use to fraudulently issue smog certificates to vehicles that may not pass a smog check test on their own, or in some instances, are not even present during the time the test is performed. “Clean plugging” is a method by which another vehicle’s OBD II system, or another source such as defeat devices, are used to generate passing data readings or diagnostic information for the purpose of fraudulently issuing smog certificates to vehicles that are not in smog compliance, and or not present for testing. Defeat devices attempt to simulate engine operation during a smog check inspection by transmitting OBD II data to the VID which has been modified or replaced entirely for the purportedly inspected vehicle during the functional portion of the OIS inspection.

FACTUAL ALLEGATIONS

39. On or about February 4, 2025 a bureau representative conducted a detailed review of the VID data for Smog Check inspections performed at Bear Valley Smog, which showed a pattern of vehicles being certified with engine operating parameters that did not correspond to normal engine operation, confirming the vehicles receiving smog certifications were not tested during the OBD II functional test, which constitutes clean plugging. The bureau's review of the smog check activities at Bear Valley Smog confirmed 15 Smog Check Certificates of Compliance were fraudulently issued by Bear Valley Smog to vehicles that were inspected by respondent.

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Fraudulent Inspection Number 1 — 2002 BMW 325 CI

40. OIS Test Data for Bear Valley Smog indicates that on or about June 27, 2023, a 2002 BMW 325 CI, California license number 7EVV146 (2002 BMW 325 CI), was tested and Smog Certificate of Compliance number TI413647C was issued under respondent's Smog Check Inspector License.

41. The Dynamic Data Charts for the 2002 BMW 325 CI shows that between time stamp .862 and 31.001, the engine RPM was between 787 RPM and 845 RPM. During this time, the data shows that the throttle is fixed at 6.3% opening, MAF is fixed at 0.0 gps, and the ignition timing advance for #1 cylinder is fixed at 6 degrees BTDC. After time stamp 31.001, the data shows that the engine RPM ultimately increases to between 1744 RPM and 1813 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the data shows that the throttle continues to stay fixed at the same 6.3% opening, the MAF continues to stay fixed at the same 0.0 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the same 6 degrees BTDC.

42. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the Data Acquisition Device was not connected to the 2002 BMW 325 CI being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Fraudulent Inspection Number 2 — 2004 Toyota Camry LE

43. OIS Test Data for Bear Valley Smog indicates that on or about September 28, 2023, a 2004 Toyota Camry LE, California license number 5JRG620 (2004 Toyota Camry LE), was tested and Smog Certificate of Compliance number IV531622C was issued under respondent's Smog Check Inspector License.

44. The Dynamic Data Charts for the 2004 Toyota Camry LE shows that between time stamp .859 and 22.259, the engine RPM was between 839 RPM and 898 RPM. During this time, the data shows that the throttle is fixed at 15.7% opening, MAF is fixed at .5 gps, and the ignition

1 timing advance for #1 cylinder is fixed at 5 degrees BTDC. After time stamp 22.259, the data
2 shows that the engine RPM ultimately increases to between 1417 RPM and 1465 RPM. From the
3 time the engine RPM increases from off idle to the higher RPMs, the data shows that the throttle
4 continues to stay fixed at the same 15.7% opening, the MAF continues to stay fixed at the same .5
5 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the same 5 degrees
6 BTDC.

7 45. During the entire period the dynamic data was collected, the only parameter that
8 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
9 remained unchanged even though the engine RPM was increased. These readings are not
10 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
11 prove the Data Acquisition Device was not connected to the 2004 Toyota Camry LE being
12 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

13 **Fraudulent Inspection #3 — 2003 Toyota Celica GT**

14 46. OIS Test Data for Bear Valley Smog indicates that on or about December 15, 2023, a
15 2003 Toyota Celica GT, California license number 5ATB588 (2003 Toyota Celica GT), was
16 tested and Smog Certificate of Compliance number IX766327C was issued under respondent's
17 Smog Check Inspector License.

18 47. The Dynamic Data Charts for the 2003 Toyota Celica GT shows that between time
19 stamp .851 and 19.733, the engine RPM was between 806 RPM and 864 RPM. During this time,
20 the data shows that the throttle is fixed at 12.5% opening, MAF is fixed at 2.53 gps, and the
21 ignition timing advance for #1 cylinder is fixed at 11.5 degrees BTDC. After time stamp 19.733,
22 the data shows that the engine RPM ultimately increases to between 1646 RPM and 1706 RPM.
23 From the time the engine RPM increases from off idle to the higher RPMs, the data shows that
24 the throttle continues to stay fixed at the same 12.5% opening, the MAF continues to stay fixed at
25 the same 2.53 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the
26 same 11.5 degrees BTDC.

27 48. During the entire period the dynamic data was collected, the only parameter that
28 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings

1 remained unchanged even though the engine RPM was increased. These readings are not
2 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
3 prove the Data Acquisition Device was not connected to the 2003 Toyota Celica GT being
4 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

5 **Fraudulent Inspection #4 — 2001 Toyota Tundra Access Cab SR5**

6 49. OIS Test Data for Bear Valley Smog indicates that on or about March 1, 2024, a 2001
7 Toyota Tundra Access Cab SR5, California license number 7R02902 (2001 Toyota Tundra
8 Access Cab SR5), was tested and Smog Certificate of Compliance number IZ222030C was issued
9 under respondent's Smog Check Inspector License.

10 50. The Dynamic Data Charts for the 2001 Toyota Tundra Access Cab SR5 shows that
11 between time stamp .840 and 28.347, the engine RPM was between 698 RPM and 754 RPM.
12 During this time, the data shows that the throttle is fixed at 10.2% opening, MAF is fixed at 7.58
13 gps, and the ignition timing advance for #1 cylinder is fixed at 12.5 degrees BTDC. After time
14 stamp 28.347, the data shows that the engine RPM ultimately increases to between 1396 RPM
15 and 1444 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the
16 data shows that the throttle continues to stay fixed at the same 10.2% opening, the MAF
17 continues to stay fixed at the same 7.58 gps, and the ignition timing advance for #1 cylinder
18 continues to stay fixed at the same 12.5 degrees BTDC.

19 51. During the entire period the dynamic data was collected, the only parameter that
20 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
21 remained unchanged even though the engine RPM was increased. These readings are not
22 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
23 prove the Data Acquisition Device was not connected to the 2001 Toyota Tundra Access Cab
24 SR5 being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

25 **Fraudulent Inspection #5 — 2001 Volkswagen Jetta GLS**

26 52. OIS Test Data for Bear Valley Smog indicates that on or about June 3, 2024, a 2001
27 Volkswagen Jetta GLS, California license number 4YDL585 (2001 Volkswagen Jetta GLS), was
28 tested and Smog Certificate of Compliance number TY553331C was issued under respondent's

1 Smog Check Inspector License.

2 53. The Dynamic Data Charts for the 2001 Volkswagen Jetta GLS shows that between
3 time stamp .855 and 24.058, the engine RPM was between 774 RPM and 840 RPM. During this
4 time, the data shows that the throttle is fixed at 2.7% opening, MAF is fixed at 2.75 gps, and the
5 ignition timing advance for #1 cylinder is fixed at 10.5 degrees BTDC. After time stamp 24.058,
6 the data shows that the engine RPM ultimately increases to between 1550 RPM and 1647 RPM.
7 From the time the engine RPM increases from off idle to the higher RPMs, the throttle continues
8 to stay fixed at the same 2.7% opening, the MAF continues to stay fixed at the same 2.75 gps, and
9 the ignition timing advance for #1 cylinder continues to stay fixed at the same 10.5 degrees
10 BTDC.

11 54. During the entire period the dynamic data was collected, the only parameter that
12 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
13 remained unchanged even though the engine RPM was increased. These readings are not
14 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
15 prove the Data Acquisition Device was not connected to the 2001 Volkswagen Jetta GLS being
16 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

17 **Fraudulent Inspection #6 — 2002 Toyota 4Runner SR5**

18 55. OIS Test Data for Bear Valley Smog indicates that on or about September 3, 2024, a
19 2002 Toyota 4Runner SR5, California license number 7CDR272 (2002 Toyota 4Runner SR5),
20 was tested and Smog Certificate of Compliance number UC608505C was issued under
21 respondent's Smog Check Inspector License.

22 56. The Dynamic Data Charts for the 2002 Toyota 4Runner SR5 shows that between time
23 stamp .851 and 40.431, the engine RPM was between 706 RPM and 763 RPM. During this time,
24 the data shows that the throttle is fixed at 13.7% opening, MAF is fixed at 3.54 gps, and the
25 ignition timing advance for #1 cylinder is fixed at 20 degrees BTDC. After time stamp 40.431,
26 the data shows that the engine RPM ultimately increases to between 1675 RPM and 1734 RPM.
27 From the time the engine RPM increases from off idle to the higher RPMs, the data shows that
28 the throttle continues to stay fixed at the same 13.7% opening, the MAF continues to stay fixed at

1 the same 3.54 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the
2 same 20 degrees BTDC.

3 57. During the entire period the dynamic data was collected, the only parameter that
4 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
5 remained unchanged even though the engine RPM was increased. These readings are not
6 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
7 prove the Data Acquisition Device was not connected to the 2002 Toyota 4Runner SR5 being
8 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

9 **Fraudulent Inspection #7 — 2001 Toyota Tundra Access Cab Limited**

10 58. OIS Test Data for Bear Valley Smog indicates that on or about December 6, 2024, a
11 2001 Toyota Tundra Access Cab Limited, California license number 30265R3 (2001 Toyota
12 Tundra Access Cab Limited), was tested and Smog Certificate of Compliance number
13 UG795844C was issued under respondent's Smog Check Inspector License.

14 59. The Dynamic Data Charts for the 2001 Toyota Tundra Access Cab Limited shows
15 that between time stamp .842 and 20.517, the engine RPM was between 666 RPM and 719 RPM.
16 During this time, the data shows that the throttle is fixed at 14.5% opening, MAF is fixed at 4.87
17 gps, and the ignition timing advance for #1 cylinder is fixed at 11 degrees BTDC. After time
18 stamp 20.517, the data shows that the engine RPM ultimately increases to between 1739 RPM
19 and 1810 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the
20 data shows that the throttle continues to stay fixed at the same 14.5% opening, the MAF
21 continues to stay fixed at the same 4.87 gps, and the ignition timing advance for #1 cylinder
22 continues to stay fixed at the same 11 degrees BTDC.

23 60. During the entire period the dynamic data was collected, the only parameter that
24 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
25 remained unchanged even though the engine RPM was increased. These readings are not
26 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
27 prove the Data Acquisition Device was not connected to the 2001 Toyota Tundra Access Cab
28 Limited being certified, causing the issuance of a fraudulent Smog Check Certificate of

1 Compliance.

2 **Fraudulent Inspection #8 — 2002 Toyota Tacoma Double Cab Prerunner**

3 61. OIS Test Data for Bear Valley Smog indicates that on or about December 9, 2024, a
4 2002 Toyota Tacoma Double Cab Prerunner, California license number 6Y69322 (2002 Toyota
5 Tacoma Double Cab Prerunner), was tested and Smog Certificate of Compliance number
6 UG978201C was issued under respondent's Smog Check Inspector License.

7 62. The Dynamic Data Charts for the 2002 Toyota Tacoma Double Cab Prerunner shows
8 that between time stamp .858 and 21.458, the engine RPM was between 651 RPM and 705 RPM.
9 During this time, the data shows that the throttle is fixed at 11% opening, MAF is fixed at 0.31
10 gps, and the ignition timing advance for #1 cylinder is fixed at 5 degrees BTDC. After time stamp
11 21.458, the data shows that the engine RPM ultimately increases to between 1739 RPM and 1791
12 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the data shows
13 that the throttle continues to stay fixed at the same 11% opening, the MAF continues to stay fixed
14 at the same 0.31 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the
15 same 5 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, and ignition timing advance readings
18 remained unchanged even though the engine RPM was increased. These readings are not
19 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
20 prove the Data Acquisition Device was not connected to the 2002 Toyota Tacoma Double Cab
21 Prerunner being certified, causing the issuance of a fraudulent Smog Check Certificate of
22 Compliance.

23 **Fraudulent Inspection #9 — 2000 Toyota MR2 Spyder**

24 64. OIS Test Data for Bear Valley Smog indicates that on or about December 9, 2024, a
25 2002 Toyota MR2 Spyder (2000 Toyota MR2 Spyder), was tested and Smog Certificate of
26 Compliance number UG978202C was issued under licensed respondent's Smog Check Inspector
27 License.

28 65. The Dynamic Data Charts for the 2000 Toyota MR2 Spyder shows that between time

1 stamp .851 and 22.322, the engine RPM was between 731 RPM and 799 RPM. During this time,
2 the data shows that the throttle is fixed at 12.5% opening, MAF is fixed at 0.45 gps, and the
3 ignition timing advance for #1 cylinder is fixed at 5 degrees BTDC. After time stamp 22.322, the
4 data shows that the engine RPM ultimately increases to between 1609 RPM and 1747 RPM.
5 From the time the engine RPM increases from off idle to the higher RPMs, the data shows that
6 the throttle continues to stay fixed at the same 12.5% opening, the MAF continues to stay fixed at
7 the same 0.45 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the
8 same 5 degrees BTDC.

9 66. During the entire period the dynamic data was collected, the only parameter that
10 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
11 remained unchanged even though the engine RPM was increased. These readings are not
12 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
13 prove the Data Acquisition Device was not connected to the 2000 Toyota MR2 Spyder being
14 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

15 **Fraudulent Inspection #10 — 2001 Nissan Frontier King Cab XE**

16 67. OIS Test Data for Bear Valley Smog indicates that on or about December 12, 2024, a
17 2001 Nissan Frontier King Cab XE, California license number 6R41628 (2001 Nissan Frontier
18 King Cab XE), was tested and Smog Certificate of Compliance number UG978221C was issued
19 under respondent's Smog Check Inspector License.

20 68. The Dynamic Data Charts for the 2001 Nissan Frontier King Cab XE shows that
21 between time stamp .971 and 21.431, the engine RPM was between 815 RPM and 873 RPM.
22 During this time, the data shows that the throttle is fixed at 0% opening, MAF is fixed at 1.01
23 gps, and the ignition timing advance for #1 cylinder is fixed at 63.5 degrees BTDC. After time
24 stamp 21.431, the data shows that the engine RPM ultimately increases to between 1684 RPM
25 and 1754 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the
26 data shows that the throttle continues to stay fixed at the same 0% opening, the MAF continues to
27 stay fixed at the same 1.01 gps, and the ignition timing advance for #1 cylinder continues to stay
28 fixed at the same 63.5 degrees BTDC.

69. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the Data Acquisition Device was not connected to the 2001 Nissan Frontier King Cab XE being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Fraudulent Inspection #11 — 2000 Toyota Camry Solara SE

70. OIS Test Data for Bear Valley Smog indicates that on or about December 12, 2024, a 2000 Toyota Camry Solara SE, California license number 7HYJ548 (2000 Toyota Camry Solara SE), was tested and Smog Certificate of Compliance number UG978222C was issued under respondent's Smog Check Inspector License.

71. The Dynamic Data Charts for the 2000 Toyota Camry Solara SE shows that between time stamp .858 and 19.737, the engine RPM was between 735 RPM and 799 RPM. During this time, the data shows that the throttle is fixed at 11.8% opening, MAF is fixed at 0.24 gps, and the ignition timing advance for #1 cylinder is fixed at 5 degrees BTDC. After time stamp 19.737, the data shows that the engine RPM ultimately increases to between 1934 RPM and 2013 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the data shows that the throttle continues to stay fixed at the same 11.8% opening, the MAF continues to stay fixed at the same 0.24 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the same 5 degrees BTDC.

72. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the Data Acquisition Device was not connected to the 2000 Toyota Camry Solara SE being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

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Fraudulent Inspection #12 — 2003 Toyota Rav4

73. OIS Test Data for Bear Valley Smog indicates that on or about December 13, 2024, a 2003 Toyota Rav4, California license number 8JNW449 (2003 Toyota Rav4), was tested and Smog Certificate of Compliance number UG978226C was issued under respondent's Smog Check Inspector License.

74. The Dynamic Data Charts for the 2003 Toyota RAV4 shows that between time stamp .852 and 20.667, the engine RPM was between 725 RPM and 783 RPM. During this time, the data shows that the throttle is fixed at 11% opening, MAF is fixed at 0.31 gps, and the ignition timing advance for #1 cylinder is fixed at 5 degrees BTDC. After time stamp 20.667, the data shows that the engine RPM ultimately increases to between 1717 RPM and 1768 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the data shows that the throttle continues to stay fixed at the same 11% opening, the MAF continues to stay fixed at the same 0.31 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the same 5 degrees BTDC.

75. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine RPM was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the Data Acquisition Device was not connected to the 2003 Toyota RAV4 being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Fraudulent Inspection #13 — 2000 Toyota Tundra Access Cab

76. OIS Test Data for Bear Valley Smog indicates that on or about December 13, 2024, a 2000 Toyota Tundra Access Cab, California license number 6D20188 (2000 Toyota Tundra Access Cab), was tested and Smog Certificate of Compliance number UG978228C was issued under respondent's Smog Check Inspector License.

77. The Dynamic Data Charts for the 2000 Toyota Tundra Access Cab shows that between time stamp .847 and 20.674, the engine RPM was between 602 RPM and 660 RPM. During this time, the data shows that the throttle is fixed at 17.3% opening, MAF is fixed at 19.37

1 gps, and the ignition timing advance for #1 cylinder is fixed at 15 degrees BTDC. After time
2 stamp 20.674, the data shows the engine RPM ultimately increases to between 2211 RPM and
3 2275 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the data
4 shows that the throttle continues to stay fixed at the same 17.3% opening, the MAF continues to
5 stay fixed at the same 19.37 gps, and the ignition timing advance for #1 cylinder continues to stay
6 fixed at the same 15 degrees BTDC.

7 78. During the entire period the dynamic data was collected, the only parameter that
8 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
9 remained unchanged even though the engine RPM was increased. These readings are not
10 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
11 prove the Data Acquisition Device was not connected to the 2000 Toyota Tundra Access Cab
12 being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

13 **Fraudulent Inspection #14 — 2000 Mazda MPV Wagon**

14 79. OIS Test Data for Bear Valley Smog indicates that on or about December 13, 2024, a
15 2000 Mazda MPV Wagon, California license number 4NDC554 (2000 Mazda MPV Wagon), was
16 tested and Smog Certificate of Compliance number UG978229C was issued under respondent's
17 Smog Check Inspector License.

18 80. The Dynamic Data Charts for the 2000 Mazda MPV Wagon shows that
19 between time stamp .856 and 22.347, the engine RPM was between 695 RPM and 752 RPM.
20 During this time, the data shows that the throttle is fixed at 0.0% opening, the MAF is fixed at
21 8.87 gps, and the ignition timing advance for #1 cylinder is fixed at 8.5 degrees BTDC. After time
22 stamp 22.347, the data shows the engine RPM ultimately increases to between 2038 RPM and
23 2257 RPM. From the time the engine RPM increases from off idle to the higher RPMs, the data
24 shows that the throttle continues to stay fixed at the same 0.0% opening, the MAF continues to
25 stay fixed at the same 8.87 gps, and the ignition timing advance for #1 cylinder continues to stay
26 fixed at the same 8.5 degrees BTDC.

27 81. During the entire period the dynamic data was collected, the only parameter
28 that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings

1 remained unchanged even though the engine RPM was increased. These readings are not
2 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
3 prove the Data Acquisition Device was not connected to the 2000 Mazda MPV Wagon being
4 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

5 **Fraudulent Inspection #15 — 2004 Nissan Murano SL**

6 82. OIS Test Data for Bear Valley Smog indicates that on or about December 16, 2024, a
7 2004 Nissan Murano SL, California license number 9EXC352 (2004 Nissan Murano SL), was
8 tested and Smog Certificate of Compliance number UG978242C was issued under respondent's
9 Smog Check Inspector License.

10 83. The Dynamic Data Charts for the 2004 Nissan Murano SL shows that between time
11 stamp .968 and 24.435, the engine RPM was between 626 RPM and 750 RPM. During this time,
12 the data shows that the throttle is fixed at 0.4% opening, the MAF is fixed at 4.2 gps, and the
13 ignition timing advance for #1 cylinder is fixed at 15 degrees BTDC. After time stamp 24.435,
14 the data shows the RPM ultimately is increased to between 1560 RPM and 1683 RPM. From the
15 time the engine RPM increases from off idle to the higher RPMs, the data shows that the throttle
16 continues to stay fixed at the same 0.4% opening, the MAF continues to stay fixed at the same 4.2
17 gps, and the ignition timing advance for #1 cylinder continues to stay fixed at the same 15
18 degrees BTDC.

19 84. During the entire period the dynamic data was collected, the only parameter that
20 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
21 remained unchanged even though the engine RPM was increased. These readings are not
22 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
23 prove the Data Acquisition Device was not connected to the 2004 Nissan Murano SL being
24 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

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1 **Respondent Interview**

2 85. On or about March 4, 2025, respondent admitted in an interview with a bureau
3 representative that the Certificates of Compliance issued to the 15 vehicles set forth in paragraphs
4 39–85 above were issued under his Smog Check Inspector License, and further, that all 15
5 Vehicle Inspection Reports bore his signature.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Untrue of Misleading Statements)**

8 86. Respondent’s Automotive Repair Dealer Registration is subject to disciplinary action
9 pursuant to Business and Professions Code section 9884.7, subdivision (a)(1), in that he made
10 statements which were known to be untrue or misleading or, which by exercise of reasonable care
11 should have been known to be untrue or misleading, by issuing electronic smog certificates of
12 compliance for the 15 vehicles set forth in paragraphs 39–85 above, certifying that those vehicles
13 were in compliance with applicable laws and regulations when, in fact, those vehicles had not
14 been so inspected. Complainant realleges paragraphs 39–85 above.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Fraud)**

17 87. Respondent’s Automotive Repair Dealer Registration is subject to disciplinary action
18 pursuant to Business and Professions Code section 9884.7, subdivision (a)(4), in that he
19 committed acts that constitute fraud by issuing electronic certificates of compliance to the 15
20 vehicles set forth in paragraphs 39–85 above without performing bone fide inspections of the
21 emission control devices and systems on those vehicles, thereby depriving the People of the State
22 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
23 realleges paragraphs 39–85 above.

24 **THIRD CAUSE FOR DISCIPLINE**

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

26 88. Respondent’s Automotive Repair Dealer Registration is subject to disciplinary action
27 pursuant to Business and Professions Code section 9884.7, subdivision (a)(6), in that he failed in
28 a material respect to comply with the provisions of this chapter or regulations adopted pursuant to

1 it when he issued electronic certificates of compliance for the 15 vehicles set forth in paragraphs
2 39–85 above without performing bona fide inspections of the emission control devices and
3 systems on those vehicles, thereby depriving the People of the State of California of the
4 protection afforded by the Motor Vehicle Inspection Program. Complainant realleges paragraphs
5 39–85 above.

6 **FOURTH CAUSE FOR DISCIPLINE**

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

8 89. Respondent’s Smog Check Test Only Station License is subject to disciplinary action
9 pursuant to Health and Safety Code section 44072.2, subdivision (a), in that he failed to comply
10 with the following sections of that Code:

11 a. **Section 44012:** Respondent failed to ensure that the emission control tests were
12 performed on the 15 vehicles identified in paragraphs 39–85 above in accordance with procedures
13 prescribed by the department.

14 b. **Section 44015, subdivision (b):** Respondent issued electronic smog certificates of
15 compliance to the 15 vehicles identified in paragraphs 39–85 above without properly testing and
16 inspecting those vehicles to determine if they were in compliance with Health and Safety Code
17 section 44012.

18 Complainant realleges paragraphs 39–85 above.

19 **FIFTH CAUSE FOR DISCIPLINE**

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

22 90. Respondent’s Smog Check Test Only Station License is subject to disciplinary action
23 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that he failed to comply
24 with provisions of California Code of Regulations, title 16, as follows:

25 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued
26 electronic smog certificates of compliance for the 15 vehicles identified in paragraphs 39–85
27 above.

28 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the 15

vehicles identified in paragraphs 39–85 above in accordance with Health and Safety Code sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

c. **Section 3340.35, subdivision (c):** Respondent issued electronic smog certificates of compliance 15 vehicles identified in paragraphs 39–85 above even though those vehicles had not been inspected in accordance with section 3340.42.

d. **Section 3340.42:** Respondent failed to ensure that the smog inspections conducted on the 15 vehicles identified in paragraphs 39–85 above were done in accordance with the Bureau’s specifications.

Complainant realleges paragraphs 39–85 above.

SIXTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

91. Respondent’s Smog Check Test Only Station License is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates of compliance for the 15 vehicles described in paragraphs 39–85 above without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant realleges paragraphs 39–85 above.

SEVENTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

92. Respondent’s Smog Check Inspector License is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (a), in that he failed to comply with the following sections of that code:

a. **Section 44032:** Respondent failed to perform tests of emission control devices and systems of the 15 vehicles identified in paragraphs 39–85 above in accordance with Health and Safety Code section 44012.

b. **Section 44015, subdivision (b):** Respondent caused electronic smog certificates of

1 compliance to be issued for the 15 vehicles identified in paragraphs 39–85 above without
2 ensuring that they were properly tested and inspected to determine if they were in compliance
3 with Health and Safety Code section 44012.

4 Complainant realleges paragraphs 39–85 above.

5 **EIGHTH CAUSE FOR DISCIPLINE**
6 **(Failure to Comply with Regulations Pursuant**
7 **to the Motor Vehicle Inspection Program)**

8 93. Respondent’s Smog Check Inspector License is subject to disciplinary action
9 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that he failed to comply
10 with provisions of California Code of Regulations, title 16, as follows:

11 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued
12 electronic smog certificates of compliance for the 15 vehicles identified in paragraphs 40–69
13 above.

14 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the 15
15 vehicles identified in paragraphs 39–85 above in accordance with Health and Safety Code
16 sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

17 c. **Section 3340.41, subdivision (c):** Respondent knowingly entered false information
18 into the emissions inspection system for the 15 vehicles identified in paragraphs 39–85 above.

19 d. **Section 3340.42:** Respondent failed to ensure that the smog inspections conducted on
20 the 15 vehicles identified in paragraphs 39–85 above were done in accordance with the bureau’s
21 specifications.

22 Complainant realleges paragraphs 39–85 above.

23 **NINTH CAUSE FOR DISCIPLINE**
24 **(Dishonesty, Fraud or Deceit)**

25 94. Respondent’s Smog Check Inspector License is subject to disciplinary action
26 pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
27 and Safety Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or
28 deceitful acts whereby another was injured by issuing electronic smog certificates of compliance

1 for the 15 vehicles identified in paragraphs 39–85 above without performing bona fide
2 inspections of the emission control devices and systems on those vehicles, thereby depriving the
3 People of the State of California of the protection afforded by the Motor Vehicle Inspection
4 Program. Complainant realleges paragraphs 39–85 above.

5 **OTHER MATTERS**

6 95. Pursuant to Business and Professions Code section 9884.7, subdivision (c), the
7 director of the Department of Consumer Affairs (director) may suspend, revoke, or place on
8 probation the registration for all places of business operated in this state by respondent upon a
9 finding that he has, or is, engaged in a course of repeated and willful violations of the laws and
10 regulations pertaining to an automotive repair dealer.

11 96. Pursuant to Health and Safety Code section 44072.8, if Smog Check Test Only
12 Station License No. TC 305336, issued to respondent, is revoked or suspended, any additional
13 license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name
14 of said licensee may be likewise revoked or suspended by the director.

15 97. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
16 License No. EO 644162, issued to respondent, is revoked or suspended, any additional license
17 issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of said
18 licensee may be likewise revoked or suspended by the director.

19 **PRAYER**

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

23 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
24 305336, issued to Maurilio Alexander Martinez, doing business as Bear Valley Smog;

25 2. Revoking or suspending any other automotive repair dealer registration issued to
26 Maurilio Alexander Martinez, pursuant to Business and Professions Code section 9884.7,
27 subdivision (c);

28 ///

1 3. Revoking or suspending Smog Check Test Only Station License Number TC 305336,
2 issued to Maurilio Alexander Martinez, doing business as Bear Valley Smog;

3 4. Revoking or suspending Smog Check Inspector License Number EO 644162, issued
4 to Maurilio Alexander Martinez;

5 5. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
6 Division 26 of the Health and Safety Code in the name of Maurilio Alexander Martinez;

7 6. Ordering Maurilio Alexander Martinez, doing business as Bear Valley Smog, to pay
8 the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of
9 this case, pursuant to Business and Professions Code section 125.3 and if placed on probation, the
10 costs of probation monitoring; and,

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

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15 DATED: As of digital signature date

Dorais,
Patrick@DCA Digitally signed by
Dorais, Patrick@DCA Date: 2025.07.23
14:33:39 -07'00'

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

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