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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. 79/14-03

13 **ABBETTER SMOG + LUBE**
TROY DEAN GREESON, OWNER
7070 Fruitridge Road
14 Sacramento, California 95820-5940

ACCUSATION

(SMOG CHECK)

15 **Automotive Repair Dealer Registration**
No. ARD 180191
16 **Smog Check-Test Only Station License**
No. TC 180191
17 **Advanced Emission Specialist Technician**
License No. EA 305945 (to be redesignated
18 **upon renewal as EO 305945 and/or E1 305945)**

19 Respondent.

20
21 Patrick Dorais ("Complainant") alleges:

22 **PARTIES**

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

25 **Automotive Repair Dealer Registration**

26 2. On or about September 27, 1994, the Bureau issued Automotive Repair Dealer
27 Registration Number ARD 180191 to Troy Dean Greeson ("Respondent"), owner of Abbetter
28 Smog + Lube. The Automotive Repair Dealer Registration expired on September 30, 2010.

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1 No. C2010-1211 to Respondent against his station license for violations of Health and Safety
2 Code section 44012, subdivision (f) (failure to perform a visual/functional check of emission
3 control devices), and California Code of Regulations, title 16, section 3340.35, subdivision (c)
4 (issuing a certificate of compliance to a vehicle improperly tested). On July 15, 2010, the Bureau
5 personally served Respondent with the citation. The Bureau assessed an administrative fine in the
6 amount of \$1,000. Respondent failed to file a timely appeal and the citation became effective on
7 August 15, 2010. Respondent has yet to pay the administrative fine for this citation.

8 **SECOND CAUSE FOR DISCIPLINE**

9 **(Failure to Complete Training)**

10 15. Respondent's technician license is subject to discipline pursuant to Health and Safety
11 Code section 44045.6, subdivision (c), in that on or about May 28, 2010, the Bureau issued
12 Citation No. M2010-1212 to Respondent against his technician license for violations of Health
13 and Safety Code section 44032, (qualified technicians shall perform tests of emission control
14 systems and devices in accordance with Health and Safety Code section 44012) and California
15 Code of Regulations, title 16 "(Regulations)", section 3340.30, subdivision (a) (qualified
16 technicians shall inspect, test, and repair vehicles in accordance with Health and Safety Code
17 sections 44012 and 44035, and Regulation section 3340.42). On July 15, 2010, the Bureau
18 personally served Respondent with the citation, which required Respondent to complete an eight
19 hour training course. Respondent failed to file a timely appeal and the citation was deemed final
20 on August 15, 2010. Respondent has yet to submit proof of completion of remedial training
21 prescribed by the citation.

22 **OTHER MATTERS**

23 16. Pursuant to Health and Safety Code section 44072.8, if Smog Check-Test Only
24 Station License Number TC 180191, issued to Troy Dean Greeson, owner of Abbetter Smog +
25 Lube is revoked or suspended, any additional license issued under this chapter in the name of
26 Troy Dean Greeson may be likewise revoked or suspended by the Director.

27 17. Pursuant to Health and Safety Code section 44072.8, if the Advanced Emission
28 Specialist Technician License issued to Troy Dean Greeson, currently designated as EA 305945,

1 but upon renewal will be redesignated as EO 305945 and/or E1 305945, is revoked or suspended,
2 any additional license issued under this chapter in the name of said licensee may be likewise
3 revoked or suspended by the Director.

4 **PRAYER**

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

7 1. Revoking or suspending Smog Check-Test Only Station License Number TC 180191,
8 issued to Troy Dean Greeson, owner of Abbetter Smog + Lube;

9 2. Revoking or suspending any additional license issued under Chapter 5 of the Health
10 and Safety Code in the name of Troy Dean Greeson;

11 3. Revoking or suspending Advanced Emission Specialist Technician License issued to
12 Troy Dean Greeson, License Number EA 305945, and if renewed, redesignated License Number
13 EO 305945 and/or E1-305945;

14 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
15 and Safety Code in the name of Troy Dean Greeson;

16 5. Ordering Troy Dean Greeson, to pay the Bureau of Automotive Repair the reasonable
17 costs of the investigation and enforcement of this case, pursuant to Business and Professions
18 Code section 125.3; and,

19 6. Taking such other and further action as deemed necessary and proper.

20 DATED: 7/10/13

PAT DORAIS
PATRICK DORAIS
Interim Chief
Bureau of Automotive Repair - (I/M Smog)
Department of Consumer Affairs
State of California
Complainant

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