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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. 79/21-6703

13 **NICHOLAS STEVEN JAURE DBA**
14 **ROUTE 66 SMOG CHECK**
15 **17855 Foothill Blvd, Unit #2**
Fontana, CA 92335

ACCUSATION

16 **Automotive Repair Dealer Registration No.**
ARD 294139
17 **Smog Check, Test Only Station License No.**
TC 294139,

18 **and**

19 **ARMANDO EMMANUEL MORALES**
20 **34992 Acacia Ave**
Yucaipa, CA 92399

21 **Smog Check Inspector License No. EO**
22 **637315**

23 Respondents.
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1 **PARTIES**

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

4 **Nicholas Steven Jaure dba Route 66 Smog Check**

5 2. On or about May 7, 2019, the Bureau of Automotive Repair issued Automotive
6 Repair Dealer Registration Number ARD 294139 to Nicholas Steven Jaure dba Route 66 Smog
7 Check (Respondent Jaure). The Automotive Repair Dealer Registration expired on May 31, 2022
8 and has not been renewed.

9 3. On or about May 24, 2019, the Bureau of Automotive Repair issued Smog Check,
10 Test Only Station License Number TC 294139 to Nicholas Steven Jaure dba Route 66 Smog
11 Check (Respondent Jaure). The Smog Check, Test Only Station License expired on May 31,
12 2022, and has not been renewed.

13 **Armando Emmanuel Morales**

14 4. On or about September 17, 2014, the Bureau of Automotive Repair issued Smog
15 Check Inspector License Number EO 637315 to Armando Emmanuel Morales (Respondent
16 Morales). The Smog Check Inspector License was in full force and effect at all times relevant to
17 the charges brought herein and will expire on January 31, 2023, unless renewed.

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19 **JURISDICTION**

20 5. This Accusation is brought before the Director of the Department of Consumer
21 Affairs (Director) for the Bureau of Automotive Repair, under the authority of the following laws.

22 6. Business and Professions Code section 118, subsection (b), states:

23 The suspension, expiration, or forfeiture by operation of law of a license issued by a board
24 in the department, or its suspension, forfeiture, or cancellation by order of the board or by order
25 of a court of law, or its surrender without the written consent of the board, shall not, during any
26 period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its
27 authority to institute or continue a disciplinary proceeding against the licensee upon any ground
28 provided by law or to enter an order suspending or revoking the license or otherwise taking

1 disciplinary action against the licensee on any such ground.

2 7. Business and Professions Code section 9884.7 provides that the Director may revoke
3 an automotive repair dealer registration.

4 8. Business and Professions Code section 9884.13 provides, in pertinent part, that the
5 expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with a
6 disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or
7 permanently invalidating (suspending or revoking) a registration.

8 9. Health and Safety Code section 44002 provides, in pertinent part, that the Director
9 has all the powers and authority granted under the Automotive Repair Act for enforcing the
10 Motor Vehicle Inspection Program.

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

15 **STATUTORY PROVISIONS**

16 11. Business and Professions Code section 9884.7 states, in pertinent part:

17 (a) The director, where the automotive repair dealer cannot show there was a bona fide
18 error, may deny, suspend, revoke, or place on probation the registration of an automotive repair
19 dealer for any of the following acts or omissions related to the conduct of the business of the
20 automotive repair dealer, which are done by the automotive repair dealer or any automotive
21 technician, employee, partner, officer, or member of the automotive repair dealer.

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

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26 (4) Any other conduct that constitutes fraud.

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28 (6) Failure in any material respect to comply with the provisions of this chapter or

1 regulations adopted pursuant to it.

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

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

9 13. Health and Safety Code section 44015, subsection (b), provides that a certificate of
10 compliance shall be issued if a vehicle meets the requirements of Health and Safety Code section
11 40012.

12 14. Health and Safety Code section 44032 states in part:

13 “Qualified technicians shall perform tests of emission control devices and systems in
14 accordance with Section 44012.”

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

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

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

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

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

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

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

(c) 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, as defined by the department.

....

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

REGULATORY PROVISIONS

18. California Code of Regulations, title 16, section 3340.30, subdivision (a), states that a licensed smog technician shall at all times:

(a) Inspect, test and repair vehicles, as applicable, in accordance with section 44012 of the Health & Safety Code, section 44035 of the Health & Safety Code, and section 3340.42 of this article.

19. California Code of Regulations, title 16, section 3340.35, states:

....

(c) A licensed station shall issue a certificate of compliance or noncompliance to the owner or operator of any vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of this article and has all the required emission control equipment and devices installed and functioning correctly. The following conditions shall apply:

20. California Code of Regulations, title 16, section 3340.41, subdivision (c), states that:
No person shall enter into the BAR-97 Emissions Inspection System or the OBD Inspection System any vehicle identification information or emission control system identification data for any vehicle other than the one being tested. Nor shall any person knowingly enter into the BAR-97 Emissions Inspection System or the OBD Inspection System any false information about the vehicle being tested.

1 21. California Code of Regulations, title 16, section 3373, states:

2 No automotive repair dealer or individual in charge shall, in filling out an
3 estimate, invoice, or work order, or record required to be maintained by section
4 3340.15(e) of this chapter, withhold therefrom or insert therein any statement or
5 information which will cause any such document to be false or misleading, or where
6 the tendency or effect thereby would be to mislead or deceive customers, prospective
7 customers, or the public.

8 **COST RECOVERY**

9 22. Business and Professions Code section 125.3 provides, in pertinent part, that the
10 Bureau may request the administrative law judge to direct a licentiate found to have committed a
11 violation of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
12 and enforcement of the case.

13 **PROGRAM BACKGROUND: CLEAN PIPING**

14 23. California's Smog Check Program requires the owners of most motor vehicles in the
15 Enhanced and Basic areas of the state, to pass a Smog Check inspection and receive a Certificate
16 of Compliance every two years when renewing their registration and when the vehicle's title is
17 transferred. These inspections are performed by Smog Check inspectors at Smog Check Stations,
18 both of which are licensed by the Bureau of Automotive Repair (BAR). The Smog Check
19 Program is designed and intended to reduce air pollution by identifying and requiring the repair of
20 polluting motor vehicles.

21 24. BAR has become aware of methods some Smog Check stations and Smog Check
22 inspectors use to fraudulently issue smog certificates to vehicles that will not pass a Smog Check
23 test on their own, or in some instances, are not even present during the time the test is performed.
24 These methods are known as “clean piping”, “clean plugging”, and “clean gassing”, and “clean
25 tanking.” “Clean piping” is the act of using the emission sample of a known clean vehicle to
26 substitute for the emissions of a vehicle that will not pass a smog inspection or is not present at
27 the time of the test.

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SURVEILLANCE: MAY 6, 2021

25. On May 6, 2021, a Bureau Representative (Representative) conducted surveillance at Route 66 Smog Check. The Representative began video recording station testing activity starting at approximately 1545 hours. From his position, the Representative was able to visually monitor vehicles entering and exiting the testing bay and station testing activity from the Bureau's database.

26. At the time recording began, a 2000 Honda Accord, CA license 7UKA304, was stationed in the testing bay. At 1603 hours, a worker (Worker #1) removed the analyzer probe from the wall outside of the testing bay and then bent down before walking back inside the bay. At 1624 hours, a worker (Worker #2) removed the analyzer exhaust probe from the 2000 Honda Accord and hung it on the wall outside of the bay. At 1642 hours, the 2000 Honda Accord then moved slightly backward and then forward in the test bay.

27. At 1644 hours, Worker #2 inserted the analyzer probe into the 2000 Honda Accord. At 1646 hours, the worker removed the probe from the 2000 Honda Accord. At 1648 hours, Worker #1 drove the 2000 Honda Accord out of the test bay and parked in an area just out of camera view of the testing bay. At 1705 hours, a Nissan Sentra arrived at the station driven by revoked Smog Check Inspector, Roberto Silva Perez (Perez).¹

28. At 1727 hours the Representative concluded the surveillance of Route 66 Smog Check and drove into the commercial complex where Route 66 Smog Check was located, past the testing bay, and verified that the only vehicle in the testing bay at that time was the Nissan Sentra. The Representative later downloaded test data information from the VID for the surveillance period. The information for the inspections is presented in the form of a summary, which provides the following information:

- Analyzer number
- Number of the Licensed Smog Check Inspector who purportedly conducted the test
- Date of the test

¹ On or about August 12, 2019, Smog Check Inspector License No. EO634504 issued to Roberto Silva Perez was revoked *In the Matter of the First Amended Accusation Against: Roberto Silva Perez*, Case. No. 79/16-143.

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- Start and end times of the test
- Vehicle type and vehicles purportedly tested identified by vehicle year, vehicle make, vehicle type, license number, vehicle identification number (VIN), test results
- Test type
- Fuel type
- Inspection reason
- Certificate number (if issued)
- Overall test result
- Visual, functional and OBDII result
- Emissions result (If applicable)

29. A summary of the investigation shows that during the period of surveillance on May 6, 2021, four (4) inspections were performed on four (4) different vehicles and three (3) fraudulent electronic Smog Check Certificates of Compliance were issued as follows:

Fraudulent Inspection #1

30. The BAR97 Test Detail shows on May 6, 2021, between 1538 and 1552 hours, a 1999 GMC K1500 Suburban, CA license 5UAF981 was tested and failed by Respondent Morales. However, during the time the 1999 GMC K1500 Suburban was tested and failed, a 2000 Honda Accord was in the Respondent’s testing bay. A 1999 GMC K1500 Suburban did not enter or exit the station during the purported testing period.

Fraudulent Inspection #2

31. The BAR97 Test Detail shows on May 6, 2021, between 1559 and 1611 hours, a 1981 Cadillac Deville, CA license 8TQB468 was tested and issued a Certificate of Compliance #SA859761C by Respondent Morales. However, during the time the 1981 Cadillac Deville was certified, a 2000 Honda Accord was in Respondent’s testing bay. A 1981 Cadillac Deville did not enter or exit the station during the testing period.

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Fraudulent Inspection #3

32. The BAR97 Test Detail shows on May 6, 2021, between 1619 and 1630 hours, a 1993 Honda Civic, CA license 8DWZ428 was tested and issued Certificate of Compliance # SA859762C by Respondent Morales. During the time the 1993 Honda Civic was certified, a 2000 Honda Accord was in the testing bay. A 1993 Honda Civic did not enter or exit the station during the testing period.

Fraudulent Inspection #4

33. The BAR97 Test Detail shows on May 6, 2021, between 1640 and 1648 hours, a 1999 Honda Passport, CA license 7XJX901 was tested and issued Certificate of Compliance # SA859763C by Respondent Morales. During the time the 1999 Honda Passport was certified, a 2000 Honda Accord was in the testing bay. A 1999 Honda Passport did not enter or exit the station during the testing period.

*Table 1: Fraudulent Smog Check Inspections performed at
Route 66 Smog Check on May 6, 2021 using the clean piping method*

Start	End	Vehicle Certified	Vehicle in Testing Bay	Certificate #
1538	1552	1999 GMC K1500 (5UAF981)	2000 Honda Accord	None
1559	1611	1981 Cadillac Deville (8TQB468)	2000 Honda Accord	SA859761C
1619	1630	1993 Honda Civic (8DWZ428)	2000 Honda Accord	SA859762C
1640	1648	1999 Honda Passport (7XJX901)	2000 Honda Accord	SA859762C

SURVEILLANCE: JUNE 23, 2021

34. On June 23, 2021, a Representative conducted surveillance at Route 66 Smog Check. The Representative began video recording station testing activity starting at approximately 1615 hours. From his position, the Representative was able to visually monitor the vehicles entering and exiting the testing bay and station testing activity from the Bureau's database.

35. At 1647 hours, a 1998 Honda Accord, CA license 8MZG269, entered the testing bay. At 1657 hours, a worker (Worker #3) with short, dark hair, a goatee, and wearing a plaid shirt entered the driver's side of the 1998 Accord. At 1700 hours, Worker #2 inserted the analyzer

1 probe into the 1998 Accord. At 1703 hours, Worker #3 removed the analyzer probe from the
2 1998 Accord. At 1711 hours, Worker #2 inserted the analyzer probe into the 1998 Accord. At
3 1727 hours, Worker #3 drove the 1998 Accord out of the testing bay.

4 36. At 1738 hours, the Representative concluded surveillance of Route 66 Smog Check
5 and later downloaded test data information from the VID for the surveillance period.

6 37. A summary of the investigation shows that during the period of surveillance on June
7 23, 2021, two (2) inspections were performed on two (2) different vehicles and two (2) fraudulent
8 electronic Smog Check Certificates of Compliance were issued as follows:

9 **Fraudulent Inspection #5**

10 38. The BAR97 Test Detail shows on June 23, 2021, between 1658 and 1704 hours, a
11 1997 Honda Civic, CA license 8LNR014 was tested and issued Certificate of Compliance #
12 SC828225C by Respondent Morales. During the time the 1997 Honda Civic was certified, a 1998
13 Honda Accord was in the testing bay. A 1997 Honda Civic did not enter or exit the station.

14 **Fraudulent Inspection #6**

15 39. The BAR97 Test Detail shows on June 23, 2021, between 1708 and 1717 hours, a
16 1993 Chevrolet C1500 pickup, CA license 87581R1, was tested and issued Certificate of
17 Compliance # SC828226C, under licensed Smog Check Inspector #EO637315, Morales. During
18 the time the 1993 Chevrolet C1500 pickup was certified, a 1998 Honda Accord was in the testing
19 bay. A 1993 Chevrolet C1500 pickup did not enter or exit the station.

20 *Table 2: Fraudulent Smog Check Inspections performed at*
21 *Route 66 Smog Check on June 23, 2021 using the clean piping method*

Start	End	Vehicle Certified	Vehicle in Testing Bay	Certificate #
1658	1704	1997 Honda Civic (8LNR014)	1998 Honda Accord	SC828225C
1708	1717	1993 Chevrolet C1500 (87581R1)	1998 Honda Accord	SC828226C

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SURVEILLANCE: SEPTEMBER 7, 2021

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2 40. On September 7, 2021, two Representatives conducted surveillance at Route 66
3 Smog Check. At approximately 1515 hours, the Representatives began visually monitoring
4 testing activity on the Bureau’s database while monitoring vehicles driving in and out of the only
5 driveway leading to the complex where the station.

6 41. Using the Bureau’s database, a Representative verified that a test on a 1988 Mazda
7 B-series pickup was initiated at 1629 hours at the station.

8 42. A Representative then drove to the testing bay to identify the workers present and
9 to observe the vehicle in the bay more closely. As the Representative exited his vehicle, he was
10 approached by Perez who asked if the Representative needed a smog test. The Representative
11 stated that he did, whereupon, Perez informed the Representative that it would be “about a 30-
12 minute wait.”

13 43. At 1646 hours, the Representative learned that the test on the 1988 Mazda B-series
14 pickup was completed and was certified. The Representative then entered the testing bay and
15 approached Worker #2, who later identified himself as “Eddie”. The Representative identified
16 himself as being with the Bureau and asked for Respondent Morales’ location. Eddie told the
17 Representative that Respondent Morales was “out having lunch.”

18 44. As the Representative was talking to Eddie, Perez approached them. When Perez
19 discovered that the Representative was with the Bureau, he got into a Honda Prelude and fled the
20 station. Eddie refused to answer any further questions. An unidentified worker then drove the
21 1998 Honda Accord out of the testing bay and left the facility. Respondent Morales was
22 contacted on his cell phone and agreed to meet with Representatives at a later date.

23 45. Representatives concluded their investigation of the station at approximately 1730
24 hours and downloaded test data information from the VID for the surveillance period.

25 46. The summary shows that during the monitored testing activity on September 7,
26 2021, an inspection was performed on a vehicle and an electronic Smog Check Certificate of
27 Compliance was issued. The test data summary shows the following fraudulent activity:
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Fraudulent Inspection #7

47. The BAR97 Test Detail shows on September 7, 2021, between 1629 and 1646 hours, a 1988 Mazda B-series pickup, CA license 8N91196 was tested and issued Certificate of Compliance #SG508072C by Respondent Morales. However, during the time the 1988 Mazda B-series pickup was certified, a 1998 Honda Accord was in the testing bay. A 1988 Mazda B-series pickup did not enter or exit the station.

*Table 3: Fraudulent Smog Check Inspection performed at
Route 66 Smog Check on September 7, 2021 using the clean piping method*

Start	End	Vehicle Certified	Vehicle in Testing Bay	Certificate #
1629	1646	1988 Mazda B-series (8N91196)	1998 Honda Accord	SG508072C

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

(As to Automotive Repair Dealer Registration No. ARD 294139)

48. Respondent Jaure’s Automotive Repair Dealer Registration is subject to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(1), in that he made or authorized statements which he knew or in the exercise of reasonable care should have known to be untrue or misleading when he issued electronic smog certificates of compliance to the vehicles, certifying those vehicles as being in compliance with applicable laws and regulations when, in fact, those vehicles had been clean piped and had not been properly inspected. Respondent Jaure did not inspect any of the vehicles as required by Health and Safety Code section 44012. Complainant incorporates paragraphs 23 – 47 by reference as if fully set forth herein.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Fraud)**

3 **(As to Automotive Repair Dealer Registration No. ARD 294139)**

4 49. Respondent Jaure's Automotive Repair Dealer Registration is subject to
5 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(4),
6 in that he committed acts that constitute fraud by issuing electronic smog certificates of
7 compliance for vehicles without performing bona fide inspections of the emission control devices
8 and systems on the vehicles, thereby depriving the People of the State of California of the
9 protection afforded by the Motor Vehicle Inspection Program. Complainant incorporates
10 paragraphs 23 – 47 by reference as if fully set forth herein.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Violation of Motor Vehicle Inspection Program)**

13 **(As to Automotive Repair Dealer Registration No. ARD 294139)**

14 50. Respondent Jaure's Automotive Repair Dealer Registration is subject to
15 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(6),
16 in that he failed in a material respect to comply with the provisions of this chapter or regulations
17 adopted pursuant to it when he repeatedly issued electronic certificates of compliance for the
18 vehicles without performing bona fide inspections of the emission control devices and systems on
19 those vehicles, thereby depriving the People of the State of California of the protection afforded
20 by the Motor Vehicle Inspection Program. Complainant incorporates paragraphs 23 – 47 by
21 reference as if fully set forth herein.

22 **FOURTH CAUSE FOR DISCIPLINE**

23 **(False and Misleading Records)**

24 **(As to Automotive Repair Dealer Registration No. ARD 294139)**

25 51. Respondent Jaure's station license is subject to disciplinary action under Health
26 and Safety Code section 44072.2, subdivision (c), in conjunction with California Code of
27 Regulations, title 16 section 3373 in that Respondent Jaure provided false statements and
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1 information in required records, which were misleading to the public. Complainant incorporates
2 paragraphs 23 – 47 by reference as if fully set forth herein.

3 **FIFTH CAUSE FOR DISCIPLINE**

4 **(Violation of the Motor Vehicle Inspection Program)**

5 **(As to Smog Check Test Only Station License No. TC 294139)**

6 52. Respondent Jaure’s station license is subject to disciplinary action under Health
7 and Safety Code section 44072.2, subdivision (a), in that Respondent Jaure failed to comply with
8 the following sections of the Health and Safety Code:

9 a. **Section 44012, subdivision (a)**: Respondent Jaure failed to determine that all
10 emission control devices and systems required by law were installed and functioning correctly in
11 accordance with test procedures.

12 b. **Section 44012, subdivision (f)**: Respondent Jaure failed to perform a visual or
13 functional check of emission control tests on vehicles in accordance with procedures prescribed
14 by the department.

15 c. **Section 44015, subdivision (b)**: Respondent Jaure issued electronic certificates of
16 compliance without properly testing and inspecting the vehicles to determine if they were in
17 compliance with Health and Safety Code section 44012.

18 Complainant incorporates paragraphs 23 – 47 by reference as if fully set forth herein.

19 **SIXTH CAUSE FOR DISCIPLINE**

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

21 **(As to Smog Check Test Only Station License No. TC 294139)**

22 53. Respondent Jaure’s station license is subject to disciplinary action under Health
23 and Safety Code section 44072.2, subdivision (c), in that Respondent Jaure violated the following
24 provisions of California Code of Regulations, title 16:

25 a. **Section 3340.35, subdivision (c)**: Respondent Jaure issued electronic smog
26 certificates of compliance for vehicles that had not been inspected in accordance with section
27 3340.42, which requires among other things, a visual and functional inspection of the emissions
28 controls systems.

1 **TENTH CAUSE FOR DISCIPLINE**

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

3 **(As to Smog Check Inspector License No. EO 637315)**

4 57. Respondent Morales’s technician license is subject to disciplinary action pursuant to
5 Health and Safety Code section 44072.2, subdivision (a) in conjunction with section 44032 in that
6 Respondent Morales failed to perform tests of the emission control devices and systems in
7 accordance with section 44012 of that Code. Complainant incorporates paragraphs 23 – 47 by
8 reference as if fully set forth herein.

9 **ELEVENTH CAUSE FOR DISCIPLINE**

10 **(Failure to Comply with Regulations of the Motor Vehicle Inspection Program)**

11 **(As to Smog Check Inspector License No. EO 637315)**

12 58. Respondent Morales’s technician license is subject to disciplinary action pursuant to
13 Health and Safety Code section 44072.2, subdivision (c), in that he failed to comply with the
14 following provisions of California Code of Regulations, title 16:

15 a. **Section 3340.30, subdivision (a):** Respondent Morales failed to inspect and test
16 the vehicles in accordance with Health and Safety Code section 44012.

17 b. **Section 3340.41, subdivision (c):** Respondent Morales entered false information
18 into the EIS for the electronic certificates of compliance by entering vehicle emission control
19 information for vehicles other than the vehicles being certified.

20 c. **Section 3373:** Respondent Morales provided false statements and information in
21 required records, which were misleading to the public.

22 Complainant incorporates paragraphs 23 – 47 by reference as if fully set forth herein.

23 **OTHER MATTERS**

24 59. Pursuant to Business and Professions Code section 9884.7, subdivision (c), the
25 Director may suspend, revoke, or place on probation the registration for all places of business
26 operated in this state by respondent Nicholas Steven Jaure, upon a finding that respondent
27 Nicholas Steven Jaure has, or is, engaged in a course of repeated and willful violations of the laws
28 and regulations pertaining to an automotive repair dealer.

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

DATED: As of digital signature date

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

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