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NEWS RELEASE

FOR IMMEDIATE RELEASE

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STATE SUSPENDS OAKLAND SMOG CHECK STATION'S LICENSE

Bureau of Automotive Repair alleges "clean plugging" by Bryant Auto Repair Owner

OAKLAND – The California Department of Consumer Affairs Bureau of Automotive Repair (Bureau) suspended the license of Oakland Smog Check station Bryant Auto Repair and its owner Phuoc Thanh Pham for sneaking cars past smog tests using an illegal practice known as "clean plugging."

"Clean plugging is a serious problem that undermines the integrity of the Smog Check program and adversely impacts the air we breathe," said Bureau Chief Sherry Mehl. "The Bureau is committed to taking swift action against Smog Check station owners and technicians who engage in these practices."

"Clean plugging" consists of using another vehicle's properly functioning On Board Diagnostic (OBD II) system to generate passing OBDII test results in order to illegally issue a smog certificate to a vehicle that will not pass an OBDII test on its own or is not present for testing. The Bureau administers the Smog Check program, which is a key component of the state's clean air efforts. More than 40 percent of air pollution comes from gasoline powered cars and trucks.

Administrative Law judge Steven C. Owyang has granted the Bureau's request for Interim Suspension Orders to immediately suspend the Automotive Repair Dealer registration and the Smog Check station license of the Bryant Auto Repair, 5337 International Blvd., Oakland, and the Advanced Emission Specialist Technician License of owner Phuoc Thanh Pham.

BAR's investigation of Pham revealed multiple instances of "clean plugging".

The Bureau sought the suspension order to shut down Bryant Auto Repair and prevent Phuoc Thanh Pham from being able to work as a licensed Smog Check technician while Bureau proceeds with its enforcement case. The Bureau is seeking to permanently revoke all licenses.

"Auto pollution is a threat to public health," said Department of Consumer Affairs Director Brian Stiger. "The Bureau of Automotive Repair will continue to prosecute smog check station operators and technicians who defraud and endanger the public by keeping polluting cars on the road."

An administrative hearing will be held at a later date to address the violations found during the investigation. The case has also been submitted to the Alameda County District Attorney for criminal prosecution.

The Bureau of Automotive Repair, within the California Department of Consumer Services, has 12 field offices in California that protect consumers from unlawful automotive services. The Bureau licenses more than 34,000 auto repair dealers in California and investigates complaints from the public. Last year, the Bureau handled nearly 15,000 consumer complaints and returned millions of dollars to consumers through direct refunds, rework of the vehicle, or billing adjustment.

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The Department of Consumer Affairs promotes and protects the interests of California Consumers. Consumers who wish to file a complaint against an auto repair facility can contact the Department of Consumer Affairs/Bureau of Automotive Repair at (800) 952-5210. Consumers can also file a complaint online at www.autorepair.ca.gov.