

City Council  
mtg 12/6/11

Provided by  
Charlie Peters

Public  
Comments



## **Clean Air Performance Professionals**

**VRRRM | 1102 Q Street, Suite 3500 | Sacramento 95811**

Foundation for California Community Colleges' Vehicle Repair,  
Retirement, Replacement for Motorists (VRRRM) program.

# **Dr. Mark Carlock**

Director, Air Quality Programs

## **VRRRM Team**

**1.800.622.7733**

**Facsimile 1.877.487.9559**

[vrrrm@foundationccc.org](mailto:vrrrm@foundationccc.org)

**CAPP contact: Charlie Peters (510) 537-1796 [cappcharlie@earthlink.net](mailto:cappcharlie@earthlink.net)**

Saturday, November 26, 2011  
Dr. Mark Carlock  
VRRRM  
1102 Q Street, Suite 3500  
Sacramento CA 95811

## **RE: Referee Oversight**

Goodafternoon Dr. Carlock.

Congratulations on the VRRRM Team Director position.

On Thursday November 10, 2011 Ms. Kirstin Triepke, Deputy Chief BAR's Bureau of Automotive Repair (BAR), honored me with a three hour phone conference meeting to review my concerns shared with the BAR's Smog Check program Field Operations and Enforcement Division in the one and one half hour June 30, 2011 meeting.

During the meeting the oversight of the Referee was addressed and my understanding was that she had no jurisdiction. My impression is the Referee is a BAR contractor, so can you share if the referee has a oversight process and what it covers.

Thank you for your help. And again Congratulations on the job.

(CAPP / an award winning coalition of motorists)

Respectfully

Charlie Peters  
Clean Air Performance Professionals  
21860 Main Street, Ste A  
Hayward, California 94541  
(510) 537-1796  
cappcharlie@earthlink.net

cc: interested folks

*CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net*

## BAR Meeting with Charlie Peters

From: "Matsui, Tracy@DCA"  
Tracy.Matsui@dca.ca.gov

To: "Triepke, Kristin@DCA" ,  
"Ramos, Wayne@DCA" ,  
"cappcharlie@earthlink.net" ,  
"Richardson, Zachary@DCA"

Subject: Meeting with Charlie Peters

Date: Nov 9, 2011 2:36 PM

This is a conference call meeting with Charlie Peters  
on Thursday, 11/10/11 @ 2:00pm

Conference call number **866.714.2063**

Passcode **5593933**



August 26, 2011

**CU File Number: AR 2011 619**

Mr. Charlie Peters  
Clean Air Performance Professionals  
21860 Main Street, Suite A  
Hayward, CA 94541

Dear Mr. Peters:

Thank you for contacting Acting Director Brian J. Stiger of the California Department of Consumer Affairs (DCA) regarding your recommendations to improve the smog check program. A member of my staff contacted the Bureau of Automotive Repair (BAR) on your behalf and was informed that BAR's Deputy Chief, Kristin Triepke, has been in contact with you.

Ms. Triepke has informed my staff that your recommendations are under review and you will be informed of the status within two months. I understand your desire to improve the quality of the smog check program. BAR and DCA welcome feedback from consumers to any of our programs that would improve services provided to consumers. If you have further concerns and questions, please contact Ms. Triepke at (916) 255-1703.

I appreciate your bringing this matter to our attention. Again, thank you for allowing me the opportunity to research your concerns.

Sincerely,

A handwritten signature in cursive script that reads "Bev Augustine".

Bev Augustine, Acting Deputy Director  
Program and Consumer Services Division

BA/pn

cc: Brian J. Stiger  
Acting Director

Bureau of Automotive Repair

**From:** "Triepke, Kristin@DCA" <Kristin.Triepke@dca.ca>  
**To:** <cappcharlie@earthlink.net>  
**Subject:** Meeting follow-up  
**Date:** Jun 30, 2011 2:39 PM

Good afternoon Charlie - Thank you for taking time out of your day Tuesday to meet with members of BAR's Field Operations and Enforcement Division. I wanted to recap some of the key points and concerns you raised during this meeting as well as the conversation we had yesterday. BAR is always looking for ways to improve the smog check program, we appreciate your input and we are reviewing your suggestions.

Your key concern - ensuring that cars that have failed smog get properly repaired (subset of this is that they get properly tested).

Your suggestions on how to ensure cars get properly repaired:

1. Send BAR undercover cars into smog check test and repair stations with a documented failure (consistent with one a consumer would see as a reason for failing a smog test). If the station does not properly id and fix the documented failure the BAR representative would discuss this with the station owner and technician and afford them the opportunity to properly repair the car. If they do, no discipline would occur.
2. Ensure that only licensed smog check test and repair stations repair cars that fail a smog test.
3. Audits - (a) BAR audits (inspects) cars being publicly sold whether at a used car lot or auction. (b) When BAR becomes aware of an improper test and or repair behavior they would immediately bring this to the attention of the station owner and/or technician. This would be instead of taking disciplinary action against the licensee. You indicated that this wouldn't necessarily be appropriate in all instances and that it could possibly be done on a pilot and/or case by case basis.
4. Yesterday, you called me to discuss an additional suggestion. You suggested that BAR program the analyzer so that it informs the smog check technician at the end (rather than beginning) of the test whether the car being tested recently failed a smog test. You suggested that a portion of those cars (that recently failed and were now going to pass) not be issued a certificate and instead be referred to the referee. A BAR representative would meet the consumer at the referee to inspect the car. A process similar to #1 above could be triggered depending upon the Bar representative's findings.

PS I am not sure if you are following BARs proposed regulations for the STAR Program and Licensing Restructure. As both propose major program changes aimed at improving the testing and repair of cars, I am curious how you think these 2 regulatory packages may address your key concern related to proper test/repairs.

Kristin Triepke,  
Deputy Chief  
Field Operations and Enforcement Division  
Bureau of Automotive Repair  
916-255-4300

**CAPP contact: Charlie Peters (510) 537-1796 [cappcharlie@earthlink.net](mailto:cappcharlie@earthlink.net)**

# *Clean Air Performance Professionals*

21860 Main Street Ste A  
Hayward, California 94541

Department of Consumer Affairs (DCA)  
Brian Stiger, DCA "Acting" Director  
(916) 574-8200 / fax: (916) 574-8613

Sunday, March 13, 2011

I'm still confused as to why CA/DCA/BAR Chief Ms. Mell does not seem to care if any Smog Check faults get fixed.

Looking for a prediction of when she might become interested. My clock says the time is ripe.

Clean Air Performance Professionals  
Charlie Peters  
(510) 537-1796  
PS: Sixteen years and still waiting. Is it time now?  
other interested parties

"We support the implementation of a credible quality assurance program to protect the integrity of the I/M program. It is our understanding that the BAR has participated in a pilot pro-active quality assurance enforcement program called "Partners in Clean Air". This new program is designed to set quality standards for the automotive technicians and the repair industry. Central to the success of this program is the recognition that each smog technician must be empowered and motivated to do reliable vehicle testing and repair. Based on the results of this pilot program which was presented to the I/M Review Committee in March 1995, the BAR may consider the need for your proposed study." \*

\* C.A.R.B, Chairman, John D. Dunlap III, December 28, 1995

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