



Department of Justice

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**TWO CHARLOTTE MEN SENTENCED TO PRISON FOR
CONDUCTING FALSE VEHICLE EMISSIONS INSPECTIONS**

Defendants Falsely Passed Vehicles That Required Emissions Related Repairs

CHARLOTTE, N.C. – Two Charlotte men were sentenced today in U.S. District Court in Charlotte for violating the Clean Air Act by conducting false vehicle emissions inspections, announced Anne M. Tompkins, U.S. Attorney for the Western District of North Carolina.

U.S. Attorney Tompkins is joined in making today's announcement by Special Agent in Charge Maureen O'Mara of the U.S. Environmental Protection Agency, Criminal Investigation Division (EPA-CID), Atlanta Area Office; Greg McLeod, Director of the North Carolina State Bureau of Investigation (NC SBI); and Jack D. Coltrane Director of the Division of Motor Vehicles License and Theft Bureau (NCDMV L&T).

U.S. District Judge Max O. Cogburn, Jr. sentenced Erick Alexander Chicas, 22, of Charlotte, to three months in prison followed by three months of home confinement. Chicas was also ordered to serve 50 hours of community service and to pay a \$7,500 fine. Tanveer Anwar, 55, also of Charlotte, was sentenced to four months in prison and four months of home confinement, and was ordered to serve 50 hours of community service. Both defendants are prohibited from conducting vehicle inspections in the future.

According to filed documents and court related proceedings, at the time of their criminal conduct Chicas and Anwar were employed by two different local vehicle repair shops in Charlotte and were each licensed by the state of North Carolina to conduct onboard diagnostic (OBD) inspections. Court documents indicate that from November 2010 through May 2011, Chicas conducted 236 false vehicle inspections by connecting his personal vehicle to the state OBD emissions analyzer, an activity known as "clean scanning," thus providing false passing scores for vehicles that would have failed because they required emissions related repairs. In exchange for the false passing results, Chicas typically charged more than the standard inspection fee, sometimes as high as \$120 per vehicle.

Anwar was a licensed OBD inspector and owner-operator of Eagle Auto Repair (Eagle Auto) in Charlotte. From January 2010 through May 2011, Anwar clean scanned 1,008 vehicles at Eagle Auto. Anwar used his personal vehicles, or the vehicle of a friend, as the surrogate vehicle to falsely pass cars that would have otherwise failed emissions inspections. Anwar illegally profited in excess of \$50 per vehicle in exchange for the false passing results.

The Clean Air Act requires vehicle emission inspections in geographic regions that exceed national ambient air quality standards. According to the EPA, the Charlotte metropolitan area exceeds the 8-hour standard set for Ozone, a potent irritant that can cause lung damage and other kinds of respiratory problems.

U.S. Attorney Tompkins said, "By passing vehicles that discharged excessive pollution, these defendants broke the law and caused harm to the environment. Clean scanning is a dangerous and illegal practice. We will continue to work closely with EPA, SBI and DMV to identify and prosecute those who engage in this criminal activity that not only violates federal law but puts public health at risk."

"Vehicle emission inspections are an important component of maintaining clean air and protecting the public from pollutants that can cause serious respiratory illnesses," stated EPA's Special Agent in Charge Maureen O'Mara. "We will continue our partnership with the State Bureau of Investigation and the Division of Motor Vehicles to protect the health of the citizens of North Carolina from inspectors who put personal profits ahead of the environment."

NC SBI Director Greg McLeod stated, "Deliberately falsifying emissions tests is illegal and puts people's health and safety at risk, plus it's unfair to businesses that are following the law. The SBI will continue to work with our partners in state and federal law enforcement to pursue those who violate laws that protect the public from unhealthy pollutants."

"North Carolina DMV's License and Theft Bureau continues its vigilant oversight of the state's vehicle inspection program. Our efforts include halting illegal inspections and stopping the vehicle inspectors who carry them out," said DMV License and Theft Bureau Director Jack D. Coltrane.

The defendants are required to self-report to the Federal Bureau of Prisons, upon designation of a federal facility. Federal sentences are served without the possibility of parole.

The Investigation of this case was conducted by EPA's Criminal Investigation Division, SBI's Diversion and Environmental Crimes Unit, NC DMV's License and Theft Bureau, with the assistance of the North Carolina Division of Air Quality, Mobile Sources Compliance Branch. The prosecution was handled by Assistant United States Attorney Steven R. Kaufman of the U.S. Attorney's Office in Charlotte.

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