

CHAPTER 3

COLLECTION AND PAYMENT OF FEES AND PENALTIES

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CHAPTER 3

COLLECTION AND PAYMENT OF FEES AND PENALTIES

3.000 Introduction

This chapter discusses fee and penalty collection procedures. Refer to Appendix 1F for specific fee amounts.

3.005 Calculating Penalties

The penalty structure for original registration or registration renewal separates the registration fee from the vehicle license fee (VLF) and any weight fee due.

A flat penalty is assessed on the registration fee and CHP fee.

The penalty on the VLF and weight fee is a percentage of the VLF or weight fee, as appropriate.

Late Original Applications

For late original applications, calculate the penalties as follows:

<i>If the Payment Is Late</i>	<i>The Penalty Will Be the Sum of</i>
One year or less	<ul style="list-style-type: none">• \$30 registration fee penalty.• \$30 CHP fee.• 40% of the VLF due for that year.• 40% of the weight fee due for that year, if any.
More than one year to (and including) two years	<ul style="list-style-type: none">• \$50 registration fee penalty.• \$50 CHP penalty.• 80% of the VLF due for that year.• 80% of the weight fee due for that year, if any.
More than two years	<ul style="list-style-type: none">• \$100 registration fee penalty.• \$100 CHP penalty.• 160% of the VLF due for that year.• 160% of the weight fee due for that year, if any.

3.005 Calculating Penalties, *continued*

For late renewal applications, calculate the penalties as follows:

<i>If the Payment Is Late</i>	<i>The Penalty Is The Sum of</i>
1 to 10 days*	<ul style="list-style-type: none"> • \$10 registration fee penalty. • \$10 CHP penalty. • 10% of the VLF due for that year. • 10% of the weight fee due for that year, if any.
11 to 30 days*	<ul style="list-style-type: none"> • \$15 registration fee penalty. • \$15 CHP penalty. • 20% of the VLF due for that year. • 20% of the weight fee due for that year, if any.
31 days to (and including) one year*	<ul style="list-style-type: none"> • \$30 registration fee penalty. • \$30 CHP penalty. • 60% of the VLF due for that year. • 60% of the weight fee, due for that year, if any.
More than one year to (and including) two years	<ul style="list-style-type: none"> • \$50 registration fee penalty. • \$50 CHP penalty. • 80% of the VLF due for that year. • 80% of the weight fee due for that year, if any.
More than two years	<ul style="list-style-type: none"> • \$100 registration fee penalty. • \$100 CHP penalty. • 160% of the VLF due for that year 60% of the weight fee due for that year, if any.

*NOTE: The 10% and 20% penalty rates apply only to vehicles with PNO status or just expired.

3.005 Calculating Penalties, *continued*

PNO Penalties (CVC §4604.5)

- A Planned Non-Operation Certification (PNO–REG 102) form may be filed up to 90 days after the registration expiration date, if the vehicle was not operated in any manner.
- Appropriate late penalties are due as shown above, in addition to the PNO filing fee.

Certificate of Non-Operation (CNO-REG 102) form

A CNO generally is not accepted for waiver of penalties and **does not** affect the penalty rate.

Refer to the Certificate of Nonoperation (CNO) section in this chapter.

Transfers

- A transfer penalty is charged on the 31st day after the date of sale.
- On multiple transfers, a penalty is charged only on the last transfer.

3.010 CHP Fee (CVC §§9250.13, 9250.8)

- A California Highway Patrol (CHP) fee is collected each time a registration fee is collected.
- CVRA vehicles pay a higher CHP fee than other vehicles.
- The CHP fee, including the CVRA CHP fee, is subject to a penalty based on the date the fee was paid. See the Waiver of Fees and/or Penalties section in this chapter.

3.015 Certificate of Non-Operation (CNO-REG 102) (CVC §4604.2 and CR&TC §10856)

If a vehicle has not been operated, moved, or left standing upon any highway subsequent to the vehicle expiration date and the vehicle is exempt from Planned Nonoperation (PNO) filing, a CNO-REG 102 may be required upon registration of the vehicle.

- The CNO may be signed by the vehicle owner or person in possession of the vehicle and/or who has knowledge of the vehicle's nonoperation.

3.015 Certificate of Non-Operation (CNO-REG 102), *continued*

- A CNO cannot be signed by power of attorney and cannot be used when the vehicle is required to be currently registered or have a PNO status on record.
- A CNO may be submitted for any period of past time, not future time, and must cover the beginning and ending dates of the period in question.

EXCEPTION: The CNO ending date for a partial-year registration (PYR) vehicle may be up to 30 days beyond date the fees are paid (date fees received).

CNO Required

A CNO is required when renewal fees are paid, and:

- The vehicle is exempt from the PNO requirements (example: vehicle of historical interest) and has not been operated since the expiration date.
- A vehicle registered as PYR has not been operated since the PYR expiration.
EXAMPLE: PYR fees are paid through April 30. The vehicle has not been operated since that date and fees are paid in June for four more months. Fees must be paid prior to first operation.
- The vehicle was deleted from an International Registration Plan (IRP) fleet and not operated since the date of deletion.
 - If a Statement of Facts (REG 256) form includes the fact that the vehicle has not been operated since the date of deletion, a separate CNO is not required.
- The vehicle is no longer on the department records (unavailable records).
 - If a REG 256 submitted to meet the unavailable record requirement includes a statement that the vehicle has not been operated since (date)_____ , a separate CNO is not required.
- A commercial vehicle going from PNO status to registered status with the date of first operation as a future date.
 - The CNO date can be up to 75 days beyond the “Date Fees Received.”
- A PYR vehicle is applying for PNO status.
 - The CNO date can be up to 75 days beyond the “Date Fees Received” for PYR vehicles.
 - A PNO application cannot be submitted on a PYR vehicle until the year following the last PYR registration.

CNO Not Required

A CNO is not required:

- From the owner who traded the vehicle to the dealer.

3.015 Certificate of Non-Operation (CNO-REG 102), *continued*

- For a vehicle held in the dealer’s inventory or transferred between dealers if the application contains evidence that the registration was valid when sold by the registered owner to the dealer.
 - Evidence of valid registration could be the date of release on the title or bill of sale prior to the registration expiration date.
- For a vehicle moved out of state on a trailer or with a moving permit, not registered in another state, and returns to California in a subsequent registration year.
 - A REG 256 with the dates the vehicle left and returned to California must be part of the application.
 - Fees must be paid prior to the entry into California unless the vehicle re-enters on a trailer or with a permit.
- For a vehicle moved out of state on a trailer or with a moving permit, not registered in another state, and returns to California in the same registration year.

Trailer Coaches

A CNO cannot be used for a trailer coach, unless it was:

- Unoccupied and held as part of a dealer’s or manufacturer’s inventory for sale.
- Moved in conformance with the CVC provisions relating to dealers, manufacturers, or transporters (CVC §§11715 and 11716).
- Destroyed by fire, flood, or other disaster.
- Located outside of California.
- Owned by a member of a military service and located on a military installation.
- Owned by an Indian Tribal Member while parked off-road on a Federal Indian Reservation or Rancheria.
- Located in a federal enclave (Cabrillo National Monument [except the area within Point Iowa traffic circle], Fort Point National Historic Site, Lassen Volcanic National Park, Sequoia and Kings Canyon National Park, or Yosemite National Park).

NOTE: Vehicles towed on a highway by a tow vehicle pursuant to a court order or by order of a peace officer are exempt from registration and license fees (CVC §4000).

The sheriff, marshal, or peace officer who authorized the movement must complete a statement giving the authority for movement. This statement may be on a REG 102 or a REG 256.

3.020 City and County Fees

Various fees are collected with the registration fees for cities and counties that have adopted resolutions to impose such fees.

Fee assessment is based on the registered owner's county or city of residence and is collected whenever a registration fee is collected.

County fees for CVRA vehicles are higher than other vehicles.

No penalties are charged for the city and county fees.

See Appendix 1A for fees for each county/city.

3.025 Computation of Fees and Penalties (CVC §9559)

When a registration fee, weight fee, or penalty computation results in a fraction of a dollar and the odd-cents amount is:

- \$0.49 or less, round down the full dollar (**EXAMPLE:** \$22.35 = \$ 22).
- \$0.50 to \$0.99, round up to the next full dollar (**EXAMPLE:** \$22.60 = \$ 23).

No single fee or penalty shall be less than \$1.

3.030 Dealer's Document Preparation and Electronic Filing Service Fee (CVC §§ 4456.5 and 11713.1)

The following rules apply when collecting fees from buyers:

- Dealers participating in the Business Partner Automation (BPA) program may charge buyers customers an \$80 documentation fee per transaction.
- Nonparticipating dealers may only charge a \$65 documentation fee per transaction.
- A dealer may charge the purchaser or lessor an electronic filing fee, which does not exceed the actual amount the dealer is charged by a first-line service provider. California regulations prohibit consumers from being charged more than \$29.
- A dealer may **not** charge an electronic filing fee to the purchaser or lessor if the dealer uses a registration service to complete the electronic filing process.
- A dealer may **not** collect, or **must** immediately refund, an electronic filing fee to the purchaser or lessor if the dealer is unable to complete the transaction electronically for any reason.

This fee is not required or collected by DMV and it is unlawful to represent this charge as a governmental fee.

3.035 Dealer Responsibility for Fee Collection (CVC § 11713.4)

Dealers and lessor-retailers are responsible for itemizing and collecting the proper fee amounts from the buyer and dispersing the fees to the proper agency (CCC §2982(a)(2)):

Buyers cannot be charged more than the amount required to complete the registration transaction.

Buyers may be charged all fees due to DMV, including fees for duplicates/substitutes and fees/penalties that accrued prior to the vehicle entering the dealer inventory, unless those fees/penalties accrued through untimely submission of fees and/or documents by the dealer.

Fees paid by a dealer to avoid penalties may usually be charged to the buyer.

Fees collected by the dealer in excess of the amount required to register/transfer the vehicle must be refunded to the purchaser, whether or not requested by the purchaser.

NOTE: Administrative service fees (ASF) cannot be charged to the buyer.

3.040 Determination of Penalty Due Dates

Use the Table of Penalty Dates, Appendix 1D, to determine if registration or transfer penalties are due.

When determining if a transfer penalty is due, the date of transfer is considered to be the day the transferee receives the properly endorsed California Certificate of Title from the previous owner.

For dealer transactions, the transfer date is the date the purchaser took possession of the vehicle from the dealer.

When computing any penalty period, always use the same formula reflected in Appendix 1D and do not count the first day.

IMPORTANT: The penalty-free period is extended to include the next business day when the last penalty-free day is a Saturday, Sunday, or state holiday.

Dealer violations for timely submission of applications may also be determined by Appendix 1D. Locate the date of sale in Column 1 and for:

New Vehicles—Column 4 (20 days) and Column 6 (40 days).

Used Vehicles—Column 5 (30 days) and Column 7 (50 days).

NOTE: When the title for a vehicle is held by DMV on the actual date of sale, the 20-day period starts the date the California Certificate of Title is issued by DMV.

3.045 Payment of Fees (CVC §§4000, 5902.5, 9550 and 9553)

Vehicles operated or parked on public roads or in an off-street public parking facility in California must be registered.

EXCEPTION: An off-highway vehicle (OHV) which displays an OHV identification plate may be driven, moved, or left standing in an off-street parking facility without being registered or paying registration fees.

All fees required to be paid for registration of a vehicle **must** be paid within **20** days of the date the fees became due or the fees are subject to a late penalty. Refer to the penalties section in this chapter for exceptions.

California dealers have 30 days from the date of sale on the Report of Sale–Used Vehicle (REG 51) form to submit fees without penalty.

Applications for registration presented within 30 days of the registration expiration date **must** include the renewal fees in addition to any other fees due.

3.050 Penalties (CVC §§9552–9554.5 and 9561 and CR&TC §10854)

- A late penalty is assessed whenever fees are due and not paid as required.
- The penalty is assessed at a rate based on the extent of the delinquency.

Exceptions

A penalty is **not** assessed in the following situations:

- The fees for an application for original California registration are paid within 20 days of the date fees become due.
- A California dealer or lessor-retailer submits the fees and application for registration or transfer of a used vehicle within 30 days from the date of sale (CVC §9553(c)(1)).
 - This includes nonresident vehicles and vehicles where the registration expires while in the dealer inventory.
- A transferee acquires a vehicle, the registration subsequently expires, and the transferee pays the renewal fees within 20 days from the transfer date.
- A legal owner or its agent repossesses a vehicle and all renewal fees due are paid within 60 days of the repossession date.
- A repossessed vehicle is sold through a motor vehicle auction dealer and all renewal fees due are paid within 60 days of sale at auction.
- A garage or storage facility keeper establishes a lien against a vehicle and the registration expires while in the garage/storage facility keeper’s possession.
- A Certificate of Non-Operation (REG 102) form is acceptable and renewal fees are paid on or before the date of first operation of the vehicle.
- The registration expiration date or the last penalty-free date falls on a Saturday, Sunday, or state holiday, and the fees are paid on the next business day.

3.055 Planned Non-Operation Certification (PNO-REG 102)(CVC §4604, 4604.5, and CR&TC §10856)

The vehicle owner is responsible for either filing a PNO **or** renewing the registration, even if a billing notice is not received. The owner is issued an Acknowledgment of Non-Operational Status Receipt after the department processes the PNO fee.

PNO Guidelines—A PNO:

- **Must be** filed by midnight of the registration expiration date to avoid a penalty.
- May be filed up to 90 days after the registration expiration date if the vehicle has **not** been operated in any manner, but the PNO penalty is due, as explained in the Penalties section in this chapter.
- May be filed up to 60 days prior to the current registration date.
- **Is not** required to be filed annually. Renewal fees **must be** paid on or prior to the date of first operation to avoid a late penalty.
- **Cannot** be filed for vessels and trailer coaches, which must be registered at all times regardless of use.
- Must be filed for vehicles registered on a partial year registration (PYR) basis by 12/31 of the registration year following the PYR year to avoid a penalty. (The certificate of nonoperation (CNO) date can be up to 30 days beyond the date fees received.)

PNO Exceptions (CVC §4604(d))—PNO requirements do **not** apply to vehicles:

- That expire while in a dealer's, lessor-retailer's, or manufacturer's inventory.
- Being held pending a lien sale by a garage keeper or towing service operator.
- Registered as part of an apportioned international registration program (IRP) fleet. IRP vehicles are subject to PNO **only** if deleted from the fleet and subsequently registered in California on a full-year or PYR basis. Accept a CNO from the date of deletion.
- Registered on a PYR basis. Refer to PNO Guidelines in this section for PNO filing requirements.
- Of historic interest and value as described in CVC §§5004, 5004.5, or 5051. (Also see Historical Interest Vehicles in this section).
- Identified as special equipment (SE).
- Stolen and unrecovered.
- Registered out of state.
- Issued a Nonrepairable Certificate.

3.055 Planned Non-Operation Certification (PNO-REG 102), *continued*

Dealer, Lessor-Retailer, Manufacturer Inventory Vehicles (CVC §4604)—A PNO or CNO is **not** required for a vehicle or trailer coach when the registration expires while held in the inventory of a dealer, lessor-retailer, or manufacturer **or** when transferred between dealers, if the application contains evidence that the registration was valid when the registered owner sold the vehicle/trailer coach to the dealer, lessor-retailer, or manufacturer. Acceptable evidence could be the date of release on the title, power of attorney, or bill of sale dated prior to the last expiration date.

NOTE: Vehicles on consignment, including those consigned to an auctioneer, **are not** exempt from PNO requirements.

Penalties continue to accrue on vehicles that enter a dealer’s inventory with expired registration. The penalty **is not** frozen at the penalty rate due at time the vehicle entered the dealer’s inventory unless the fees and penalties due are posted during that penalty rate period. The fees for a vehicle that expires while in a dealer’s inventory are due upon sale of the vehicle and **must** be paid within 30 days to avoid penalties. If sold more than once, fees are due within 30 days of the first sale date.

Dishonored Checks (DC)—A PNO application is cancelled if the PNO fee is paid by a DC. The applicant **must** register the vehicle or file a new PNO, as applicable. If a new PNO is submitted:

- **Prior to** the expiration date, only the PNO fee is due.
- **Within 90 days after** the expiration date, the PNO fee and PNO penalty are due.
- **91 or more days after** the expiration date, the vehicle **must be** registered and full-year fees and penalties **are due**.

Lien Sale Vehicles (CVC §4604)—Neither a PNO or CNO is required for a vehicle on which the registration expires while held pending a lien sale by the keeper of a garage or the operator of a towing service.

Salvage Vehicle Records—Vehicles with records which indicate a “Salvage Certificate Issued” or “Salvage Retention” status, may be placed on PNO status until the vehicle is revived.

Unavailable Records—A Verification of Vehicle (REG 31) form is required before a PNO application can be accepted for a vehicle with unavailable records, **unless** a California title in the applicant’s name is presented. See the Miscellaneous Originals section in Chapter 7 for more information.

Vehicles Registered Under the Partial Year Registration (PYR) Program (CVC §9706(d))

The PNO for a vehicle last registered as PYR and **not** operated since the last PYR registration **must be** filed by December 31 of the **following** year.

3.060 Registration Fees (CVC §§9250–9265 and 9400.1)

To register a vehicle in California, certain basic fees are collected, based on the type of vehicle, county of residence, and type of transaction.

Other miscellaneous fees may also be due, based on the type of vehicle and type of transaction.

The regular fees required for vehicles subject to registration are:

- Registration fee (RF).
- California Highway Patrol (CHP) law enforcement fee.
- Miscellaneous county fees which DMV is mandated to collect.
- Vehicle license fee (VLF).
- Weight fee (WF) for commercial vehicles.
- Reflectorized license plate fee.

Other fees may be due, depending on the type of application.

- The registration fee is collected on original registration and registration renewal of every vehicle and trailer coach subject to registration.
- The fee is not collected on off-highway vehicles (OHV) or permanent trailer identification (PTI) trailers.
- A Commercial Vehicle Registration Act (CVRA) registration fee and CVRA CHP Fee is collected in addition to the regular registration fee and CHP fee on commercial vehicles subject to CVRA fees.
- The registration fee is subject to a penalty based on the date the fee was paid. See the Waiver of Fees and/or Penalties section in this chapter.

3.065 Smog Certification Fee (CVC §11713.1 and CH&SC §44060)

Dealers may charge buyers a fee not to exceed \$50 for emission testing plus the actual fee charged for issuance of the smog certification.

Some vehicles cannot be issued certificates by a smog station because the vehicle's onboard diagnostic (OBD) system data is inappropriate for the vehicle being tested. However, certificates may be issued for those vehicles by a referee.

3.070 Statute of Limitation (CVC §9800)

The department's lien for renewal, transfer, use tax, parking violations, and other fees due expires three years from the date the fee(s) first became due, unless the lien is perfected as explained in this section (CVC §9800(d)). Continued use of a vehicle beyond the registration expiration date **does not** extend the statute of limitation date.

3.070 Statute of Limitation, *continued*

Fees deposited during the 3-year period must be used for the year represented and cannot be used for any subsequent year.

To determine the date that the DMV's lien expires, subtract three years from the date of the application.

- Any fees which became due prior to that date cannot be collected because DMV's lien has expired, unless the lien has been perfected.

EXAMPLE: On applications presented 06/22/2015, fees due prior to 06/22/2012 cannot be collected. However, if fees were deposited for the prior year(s), the fees cannot be refunded or used for any subsequent year.

Perfected Lien (CVC §9800(d))

A lien is perfected when notice is mailed to the registered and legal owners of record and recorded on the vehicle record(s). It expires five years from the date of perfection.

3.075 Vehicle License Fee (VLF) (CR&TC §§10751-10753)

The VLF is collected upon original registration and registration renewal for automobiles, motorcycles, trailer coaches, park trailers, and commercial vehicles.

VLF for fees due:

- After 1/1/05 is .65 percent of the market value of the vehicle.
- On or after 5/19/09, through 1/1/05 is 1.15 percent of the market value of the vehicle.
- Prior to 5/19/09, is .65 percent of the market value of the vehicle.

The VLF is subject to a penalty based on the date the fee was paid.

See the Waiver of Fees and/or Penalties section in this chapter.

The market value of a vehicle is depreciated for each registration year of its life in accordance with the 11th year depreciation schedule, (park trailers have an 18-year depreciation schedule) beginning with the first year as a new vehicle or first classification year for VLF purposes.

See the City and County Fees section in this chapter for VLF exceptions/modifications.

3.075 Vehicle License Fee (VLF), *continued*

Follow the chart to determine the purchase price/market value:

<i>Step</i>	<i>Action</i>
1	<p>The market value is determined by the cost to the consumer when the vehicle is sold new or the year the vehicle was transferred to the current owner.</p> <p>The cost price:</p> <ul style="list-style-type: none"> • Includes the full purchase price of the vehicle with accessories and modifications made by the seller. <ul style="list-style-type: none"> — The value of a trade-in, rebate, or exchange of a vehicle is not deducted from the purchase price. • Does not include tax, smog certification costs, document preparation fees, license fees, and finance charges. • Is based on the cost price to the dealer for a new or nonresident vehicle registered to the dealer. • Does not include the vehicle modifications necessary to enable a disabled person to use or operate a vehicle. <ul style="list-style-type: none"> — Applications for registration of modified vehicles must include evidence of the cost of the vehicle and a bill of sale or invoice identifying the modifications and costs.
2	<ul style="list-style-type: none"> • Include the federal excise tax (FET) in the cost price upon the first retail sale of a truck or a truck chassis with a GVW of 33,001 pounds or more. • The FET is not included for sales or use tax purposes.
3	<p>When an incomplete new commercial vehicle to be altered or modified before registration is sold and delivered to the buyer, enter the cost of the cab and chassis or chassis only on the Application for Registration of New Vehicle (REG 397) form.</p>

Year Sold vs. Asterisk Year

Two different “years” are assigned to a vehicle and used when determining VLF:

- **Year First Sold**—Usually the year in which the vehicle was first sold as a new vehicle.

This designated year is used to determine the VLF depreciation starting point, and each year until the vehicle is resold or otherwise reclassified.
- **Asterisk Year**—Usually the year when a vehicle is transferred to a new owner, a nonresident purchased the vehicle, or an alteration places the vehicle in a different VLF class.

3.075 Vehicle License Fee (VLF), *continued*

- An asterisk year can also be assigned when a commercial vehicle is purchased new in December in order to implement the correct depreciation schedule.

EXCEPTIONS: An asterisk year is not assigned on:

- Transfer of a leased vehicle from the lessor to the lessee.
- Transfer of a repossessed vehicle to the reposessor.
- Transfers between certain family members who are exempt from use tax.
- Transfer of a vehicle to the insurance company after a total loss settlement.
- Vehicles being junked.

VLF Class

- The VLF class classification is a two letter (alpha) code based on the purchase price or current market value.
- The VLF class is established when the vehicle is sold new or first registered in California and is usually changed when a vehicle is transferred or modified as to require reclassification.
- The assigned VLF class and the year first sold or asterisk year (*YR), if present, is used to determine the VLF.

NOTE: The year model is never used to determine VLF.

VLF Rate Tables

DMV publishes three VLF rate tables which list the VLF classifications and corresponding fees.

- VLF (.65%) Rate Table (includes CVRA vehicles) (REG 360).
- VLF (1.15%) Vehicle License Fee Rate Table Park Trailers (REG 364).
- VLF (1.15%) Vehicle License Fee Rate Table (REG 365) for all vehicles except CVRA vehicles and park trailers.

You may access the charts at www.dmv.ca.gov by clicking *PUBLICATIONS*, and under *VEHICLE INDUSTRY HANDBOOKS*, click *VEHICLE INDUSTRY REGISTRATION PROCEDURES MANUAL* or obtain a copy of the REG 360, REG 364, or the REG 365 by submitting a written request by mail or fax to:

Department of Motor Vehicles
Materials Management Section
Inventory Control Operations
4201 Sierra Point Dr., Ste. 112
Sacramento, CA 95834-7900

Fax Number: (916) 928-7900

Call (916) 928-7901 if you have a question about your order.

3.075 Vehicle License Fee (VLF), *continued*

Determining the VLF Amount

- Determine the amount of the VLF by using the:
 - VLF (.65%) Vehicle License Fee Rate Table (REG 360) (includes CVRA vehicles).
 - VLF (1.15%) Vehicle License Fee Rate Table for Park Trailers (REG 364).
 - VLF(1.15%) Vehicle License Fee Rate Table (REG 365) for all vehicles except CVRA vehicles and park trailers.
- One or more of the following are required:
 - Purchase price or current market value.
 - Year first sold or asterisk year.
 - VLF class currently shown on the California title.

NOTE: The online Vehicle Registration Fee Calculator at www.dmv.ca.gov can be used to obtain an estimate of all registration fees due for new and nonresident vehicles or the amount of VLF paid in a prior year for tax purposes.

New Vehicle or Nonresident Vehicle Sold to a New Owner

The VLF will be calculated using the purchase price or current market value.

- Locate the cost price of the vehicle in the far left column.

EXAMPLE: \$12,479 is within the \$12,400 – \$12,599.99 range and is assigned the VLF class “CX.”

- Collect the fee shown in the first column.

EXAMPLE: Using the VLF class “CX” and the:

- REG 360 (for CVRA vehicles or all vehicles with fees due prior to 5/19/09), the VLF would be \$81.
- REG 364 (for park trailers) the VLF would be \$122.
- REG 365 (for all vehicles except CVRA vehicles and park trailers), the would be \$144.

3.075 Vehicle License Fee (VLF), *continued*

Nonresident Vehicle Registered by Out-of-State Purchaser

VLF will be determined by the **purchase price** and the **year the owner purchased the vehicle**.

- Locate the cost price of the vehicle in the far left column.

EXAMPLE: \$12,479 is within the bracket \$12,400 – \$12,599.99 and is assigned the VLF Class “CX.”

- Using the first column as the current year, count back to the year the vehicle was purchased by the owner.

EXAMPLE: If the owner purchased the vehicle two years prior, start with the first column as the current year, count back (to the right) two columns to that year.

- Collect the fee shown in the third column.

EXAMPLE: Using the:

— REG 360 (for CVRA vehicles or all vehicles with fees due prior to 5/19/09), the VLF would be \$65.

— REG 364 (for park trailers) the VLF would be \$79.

— REG 365 (for all vehicles except CVRA vehicles and park trailers), the VLF would be \$115.

California-Registered Vehicle Transferred Prior to Expiration Date

VLF will be determined by the current purchase price or market value:

- Locate the cost price of the vehicle in the far left column.

EXAMPLE: \$13,479 is within the bracket \$13,400 – \$13,599.99 and is assigned the VLF class “DC.”

- Collect the fee shown in the first column.

EXAMPLE: Using the:

— REG 360 (for CVRA vehicles or all vehicles with fees due prior to 5/19/09), the VLF would be \$88.

— REG 364 (for park trailers) the VLF would be \$132.

— REG 365 (for all vehicles except CVRA vehicles and park trailers), the VLF would be \$155.

3.075 Vehicle License Fee (VLF), *continued*

California-Registered Vehicle Transferred After Expiration Date

VLF will be determined by the current VLF class and year sold or *YR, regardless of the purchase price of the new owner.

- Locate the current VLF class of the vehicle in the far left column.
- Locate the year sold, or *YR, if present.
- Using the first column as the expiration year, count back (to the right) to the appropriate year for the *YR, or if none present, the year sold.

EXAMPLE: If the *YR of the vehicle is two years prior, start with the first column as the current year, count back (to the right) two columns to that year.

- Collect the fee shown in that column.

EXAMPLE: If the VLF class was “CV,” using the:

- REG 360 (for CVRA vehicles or all vehicles with fees due prior to 5/19/09), the VLF would be \$63.
- REG 364 (for park trailers) the VLF would be \$77.
- REG 365 (for all vehicles except CVRA vehicles and park trailers), the VLF would \$111.

MA Class Vehicles

Vehicles with a purchase price of \$96,400 or more are assigned VLF class “MA”.

- The VLF due for these vehicles varies based on the actual selling price for the vehicle.
- The VLF is calculated programmatically.
- Direct any VLF-related questions to the DMV Customer Communications Section at (916) 657-6560.

Modified/Exempt VLF

The following are assessed a modified VLF or are exempt from VLF:

- California Indian Tribes/Tribal Member Vehicles—Owners are exempt from VLF when a Miscellaneous Certifications (REG 256A) form with the Indian Certification section completed is submitted with the application.
—See Chapter 6 for more information.
- Federally-Recognized Indian Tribe Vehicles (CVC §9104.5 and R&TC §10781.1)—Owners are exempt from VLF and all other fees, when a REG 256A with the Indian Certification section completed is submitted with the application.
— See the New Vehicles Sold by California Dealers section in Chapter 6 for more information.

3.075 Vehicle License Fee, *continued*

- Historical Vehicles (CVC §5004 and CR&TC §10753.5)—qualified vehicles assigned Historical Vehicle or Horseless Carriage License Plates are subject to a VLF of \$2 each year. See the Special License Plates section in Chapter 21 for more information.
- Nonresident Military (NRM) Personnel Vehicles—qualified nonresident military and their nonresident spouses are exempt from VLF when a Nonresident Military Exemption Statement (REG 5045) form is submitted with the application.
- Specialized Transportation Vehicles—are exempt from VLF when a Certificate of Exemption for Specialized Transportation Vehicle Exemption Certification (REG 345) form is submitted with the application.

3.080 Waiver of Fees and/or Penalties (CVC §9562)

The conditions under which DMV is authorized to waive unpaid registration fees and/or penalties due are very specific.

Transfer Applications

- **Penalties** may be waived upon payment of the registration fees due when a transferee (including a dealer) applies for transfer and it is determined that the registration penalties accrued **prior to** the transferee's date of purchase **and** the transferee was **not** aware that the registration fees for the current or prior registration years were unpaid and due (CVC §9562(a)).
- **Fees and penalties** may be waived for any registration year when a transferee (including a dealer) applies for transfer and it is determined that the registration fees became due **prior to** the transferee's date of purchase **and** the transferee was **not** aware that the fees were unpaid and due **if** the license plate assigned to the vehicle displays a valid year sticker issued by DMV that matches the year for which the transferee is requesting a waiver of fees and penalties (CVC §9562(c)).
 - The license plate assigned to the vehicle **must display** a valid year sticker issued by DMV that matches the year for which the transferee is requesting a waiver of fees and penalties (CVC §9562(c)).
 - A Statement of Facts (REG 256) form stating that the transferee was not aware the fees were unpaid and due and indicating the sticker number on the license plate **must be** submitted with the application.

Other Applications

- **Penalties** may be waived on an application for registration upon payment of the fees due when the manager or his/her designee determines that circumstances caused the penalties to accrue through no fault or intent of the owner (CVC §9562(b)).

3.080 Waiver of Fees and/or Penalties, *continued*

- **Fees and penalties** may be waived **only** when the customer (including a dealer) has a current validation sticker on the license plate which matches the year for which fees are believed to have been paid and the registration fees became due **prior to** the customer's purchase/transfer date.
 - The transfer fee and any other fees due **must be** paid. If a current validation sticker is not displayed on the license plate, all registration fees due **must be** paid and only the penalties may be waived.
 - A Statement of Facts (REG 256) form stating the sticker number on the license plate and that the applicant/dealer was not aware of any unpaid fees and penalties **must be** submitted with the application.

Waiver of Penalties on Vehicles Sold at Wholesale Auction (CVC §9561.5)

DMV shall waive any penalties due for late payment of registration renewal fees on a vehicle if all of the following criteria are met:

- The vehicle is sold through a dealer conducting a wholesale motor vehicle auction as provided in CVC §4456(b).
- Immediately prior to the sale the vehicle was registered as a leased vehicle.
- Delivery of the vehicle to the dealer conducting the wholesale motor vehicle auction is not later than 25 days after the termination of the lease.
- The date of termination of the lease and the date of delivery to the auction is reported on the application for registration or transfer.
 - This may be done on a REG 256 submitted with the application.

Stolen or Embezzled Vehicles (CVC §4605; R&TC §10858)

Fees or penalties do not accrue as a result of operation of a stolen/embezzled vehicle. DMV may waive the renewal fees and penalties as follows:

- When the stolen or embezzled vehicle is subsequently recovered by the owner and the vehicle **was not** operated between the date the registration expired and the theft/embezzlement date.
 - The current renewal fees become due upon return of the stolen/embezzled vehicle to the owner's possession and those fees or a PNO must be filed within 20 days of that date.
 - A Miscellaneous Certifications (REG 256A) form must be submitted with the application.
- When an application for "title only" of an unrecovered stolen or embezzled new (unregistered) vehicle is presented.
- When an application for a "transfer only" of an unrecovered stolen or embezzled used vehicle is presented.

3.080 Waiver of Fees and/or Penalties, *continued*

Deployed Military (CVC §9560)

- Penalties only shall be waived for late renewal for any period during which the registered owner was deployed to a location outside California. Deployment does not include:
 - Temporary duty for the sole purpose of training or processing.
 - A permanent change of duty station.
- To qualify for deployed military renewal penalty waivers, the applicant must submit:
 - An application for registration renewal with the appropriate fees **within 60 days after termination of deployment**.
 - Proof of temporary military duty during a period when a Presidential Executive Order specifies the United States is engaged in combat or homeland defense **and** be a member of the armed forces, armed forces reserve, or the National Guard who has been called to active duty or active service.
 - A Statement of Facts (REG 256) form stating he/she is a member of the armed forces, armed forces reserve, or the National Guard and the termination date of his/her deployment.
- Deployment does not include temporary duty for the sole purpose of training or processing or a permanent change of station.

NOTE: Only penalties incurred during deployment may be waived.

3.085 Weight Fees

Weight fees are collected on commercial vehicles in addition to the other fees due for registration. See Appendix 1F.

- Weight fees for vehicles operated under 10,001 pounds gross vehicle weight (GVW) and for pickups are determined by the number of axles and unladen weight.
- Weight fees for vehicles operated over 10,001 pounds GVW are determined by the declared GVW or combined GVW (CGW) as shown on the Declaration of Gross Vehicle Weight (GVW)/Combined Gross Vehicle Weight (CGW) (REG 4008) form.
- Weight fees are subject to penalties based on the date fees are paid.

Weight Fee Exemptions

The following commercially-designed vehicles are exempt from weight fees:

- Three-axle motor vehicles weighing less than 2,000 pounds unladen (CVC §9400c).
- Agricultural water-well boring rigs (CVC §9405).
- Vehicles operated in accordance with a permit issued by DMV.

3.085 Weight Fees, *continued*

- Nonresident vehicles operated in accordance with reciprocity agreements.
- Forklift trucks that are moved unladen over the highways (CVC §9409).
- Commercial-type motor vehicles manufactured in 1936 or prior (CVC §9401(a)). A weight fee is due if commercial license plates are requested for the vehicle (CVC §9401(b)).
- A vehicle operated or moved over the highway exclusively for the purpose of historical exhibition or other similar noncommercial purpose (CVC §9400).
- A commercial vehicle with an unladen weight of 8,000 pounds or less which is registered to a disabled person and displays Disabled Person License Plates (CVC §9410).

The following vehicles **are not** subject to weight fees and **are issued** regular license plates (CVC §9107):

- Vanpool vehicles as defined in CVC §668.
- Vehicles operated by a passenger stage corporation as defined in the California Public Utilities Code (CPUC) §226, when the following occur:
 - The vehicle is operated exclusively on any line(s) having a one-way route mileage not exceeding 15 miles in either urban or suburban areas or between cities in close proximity or between nonadjacent urban or suburban areas or cities; the area between which is substantially residential, commercial, or industrial, as distinguished from rural.
 - Principal business of the corporation is the operation of vehicles on a route or routes as defined above.
- Any vehicle operated exclusively on any line or lines within the limits of a single city by a person engaged as a common carrier of passengers between a fixed terminus or over a regular route, 98 percent of whose operations are exclusively within the limits of a single city, and who by reason thereof is not a passenger stage corporation subject to the jurisdiction of the CPUC.
- Any vehicle purchased with federal funds under the authority of United States Code (USC) Title 49, §1612 Chapter 35, commencing with §3001 for the purpose of providing specialized transportation services to senior citizens and handicapped persons, by public and private nonprofit operators of specialized transportation service agencies.

A Statement of Facts (REG 256) form describing the use of the vehicle **must** be included with any application for registration or registration renewal of these vehicles.