

REFUNDS
VEHICLE INDUSTRY REGISTRATION PROCEDURES

26

<i>Title</i>	<i>Page</i>
26.000 Refunds-General Information	26-2
26.005 Application for Refund (ADM 399)	26-2
26.010 Refund of Vehicle License Fees for a Nonresident Military Owner	26-3
26.015 Refund of Registration Fees for a Vehicle Delivered Out of State	26-3
26.020 Refund of Renewal Fees	26-4
26.025 Refund of Other Fees	26-5
26.030 Refunds on Double Registrations (Renewal Fees Paid Twice in the Same Registration Year)	26-6
26.035 Refund of Registration Fees for a New Vehicle Not Delivered or Driven	26-6
26.040 Apportioned/IRP Vehicle Refunds	26-7
26.045 Refunds and Fee Collection on 49-State/Direct Import Vehicles	26-7
26.050 Prorated VLF Refunds on Constructive Total Loss Vehicles	26-7
26.055 Refunds on Uncovered Stolen Vehicles	26-9

Refunds

26.000 Refunds—General Information (CVC §§42230-42235 and RT&C §10901)

Whenever any fee and/or penalty is collected by the department in error or in excess of the actual fees due, the person who paid the fees may apply for a refund by submitting the appropriate form.

In the event of a constructive total loss or unrecovered stolen vehicle, the vehicle license fee portion may be refunded to the owner (see section 26.090).

NOTE: A refund request **must** be submitted **within three years** of the date the fee/penalty was paid, or the refund request will not be honored.

Exception: Requests from nonresident military (NRM) for VLF refunds will be accepted at any time.

26.005 Application for Refund (ADM 399)

An Application for Refund (ADM 399) is completed for most refunds by the person who paid the fee in error or in excess on a completed transaction. This form is not used when a transaction is still outstanding or pending.

- The request must explain all of the following:
 - Why a refund is being requested.
 - The date and amount of fees paid.
 - The amount of refund requested.
 - Why the payment was excessive or erroneously paid to the department.
- Any documentation supporting the payments claimed must be submitted with the ADM 399, and may include the following:
 - Photocopies of the front and back of a cancelled check payable to DMV or receipts issued by the DMV.
 - » » For double payments, submit photocopies of the front and back of both checks.
 - The registration card and/or sticker for the registration year fees in question.
 - A Notice of Release of Liability (REG 138) with the name and address of the purchaser and the date of sale.
 - A Nonresident Military Exemption Statement (REG 5045) completed by the nonresident military owner.
 - The Certificate of Title issued for the vehicle/vessel for which the fees are being refunded, if a change or vehicle/vessel description correction is involved.
 - A Statement of Facts (REG 256):
 - » » completed by the applicant if any of the required items above are missing, explaining why the items cannot be submitted.
 - » » from the registered owner authorizing the department to issue the refund to another person.

26.010 Refund of Vehicle License Fees for a Nonresident Military Owner

The vehicle license fee (VLF) paid on a vehicle registered to a nonresident military (NRM) person whose duty station is/was located in California at the time the fees were paid may be refunded.

The requirements are:

- A completed *Application for Refund* (ADM 399) which **includes**:
 - The registration year(s) for which a refund is requested.
 - The NRM’s out-of-state residence address (city and state).
 - The NRM’s duty station at the time the fees were paid.
- The registration card and Certificate of Title (if issued) **must also be** submitted if the VLF paid for the **current** registration year is being requested.
 - The department will issue new certificate(s) with the “NRM” notation.

26.015 Refund of Registration Fees for a Vehicle Delivered Out of State

Dealers may request a refund of fees paid for a vehicle delivered out of state by submitting a completed Application for Refund (ADM 399) and submitting:

- The Certificate of Title, registration card, and **unused** license plates and stickers.
- A Statement of Facts (REG 256) explaining the customer’s operating copy of the Application for Registration of New Vehicle (REG 397) or Report of Sale–Used Vehicle (REG 51) was submitted to the department at the time of sale.
 - **The applicant must also explain** how the vehicle was moved from the dealership and delivered to the buyer.

NOTE: Fees **cannot** be refunded if the vehicle was delivered to the buyer using the California license plates **or** the operating copy of the REG 397 or REG 51.

If the California Certificate of Title was surrendered to another state to obtain registration in that state, the department will retain the fee required for a Title Only and the PNO filing fee.

26.020 Refund of Renewal Fees

Requests for Fees Already Allocated

Follow the chart to submit refund requests for fees that have already been allocated.

Requests for Fees Already Allocated

<i>If renewal fees were paid...</i>	<i>then...</i>
<p>after the vehicle was sold or transferred to another owner,</p> <p>and the vehicle was wrecked, junked, salvaged, or stolen before the renewed registration period,</p> <p>and the vehicle left California before the renewed registration period</p>	<ul style="list-style-type: none"> • complete an ADM 399 and submit it with one of the following supporting documents: <ul style="list-style-type: none"> — the registration card and unused sticker, or — a Statement of Facts (REG 256) explaining what happened to the registration card and sticker. • Send the ADM 399 and supporting document to the address shown on the ADM 399.
<ul style="list-style-type: none"> • in error, and • the customer decides before the effective date of the renewed registration that the vehicle will not be operated during the renewed registration period <p>NOTE: A PNO may be filed for a non-operated vehicle up to 90 days following the registration expiration date.</p>	<ul style="list-style-type: none"> • complete an ADM 399 and submit it with one of the following supporting documents: <ul style="list-style-type: none"> — the registration card and unused sticker, or — a Statement of Facts (REG 256) explaining what happened to the registration card and sticker. • Send the ADM 399 and supporting document to the address shown on the ADM 399. <p>NOTE: The PNO filing fee and any penalties due will be deducted from the refund amount.</p>
<p>before the vehicle was sold or transferred to another owner</p>	<p>a refund is not due because the fees were not collected in error since the vehicle was sold/transferred as a currently registered vehicle.</p>
<p>and the vehicle was wrecked, junked, salvaged, or stolen after the registration renewal date</p> <p>and the vehicle left California after the registration renewal date</p>	<ul style="list-style-type: none"> • A refund is not due because the fees were not collected in error. • The fees are due because the vehicle was operated during the registration period for which the fees were paid, even if for a short period.

Requests for Fees Already Allocated (continued)

<i>If renewal fees were paid...</i>	<i>then...</i>
<ul style="list-style-type: none"> • by the customer in error, and • the vehicle was not operated during that entire registration period 	<ul style="list-style-type: none"> • A refund is not due because the fees were not collected in error. • A Certificate of Planned Non-Operation (PNO-REG 102) should have been filed in lieu of paying the renewal fees.

26.025 Refund of Other Fees

Follow the chart below to refund fees for other transaction types that a customer may request:

<i>If fees were paid for...</i>	<i>then...</i>
a vehicle re-classed in error or based on the wrong purchase price	<p>the owner must submit the following:</p> <ul style="list-style-type: none"> • a completed Application for Refund (ADM 399) • the Certificate of Title • a Statement of Facts (REG 256) showing the correct price for the vehicle. <p>NOTE: Any excess use tax paid as a result of the incorrect price must be requested separately from the State Board of Equalization.</p>
duplicate/replacement certificates, plates, or stickers and the originals were subsequently found	<p>a refund is not due.</p> <ul style="list-style-type: none"> • The items were voluntarily requested. • The originals are no longer valid.
use tax in error or in excess of the amount actually due	<p>contact the State Board of Equalization regarding a refund.</p> <p>A refund cannot be issued by DMV.</p>
parking fees to DMV and the parking agency	<p>contact the parking agency for a refund.</p> <p>A refund cannot be issued by DMV since the fees are submitted to the parking agency.</p>

26.030 Refunds on Double Registrations (Renewal Fees Paid Twice in the Same Registration Year) (CVC §42230 and R&TC §10901)

When renewal fees are paid by both the buyer and the seller (former owner of a vehicle) for the same registration year, the refund is issued to the:

- buyer if the fees were paid by the seller **before** selling the vehicle.
- seller if the fees were paid **after** selling the vehicle.

An Application for Refund (ADM 399) may be submitted when one of the double registrations is canceled provided it is submitted within three years following payment of the fees **and includes** the registration card and **unused** sticker.

NOTE: An applicant who **cannot** surrender the sticker for cancellation, because it was placed on the license plate of the double-registered vehicle, must complete a Statement of Facts (REG 256) explaining what happened.

New Vehicle Registered Twice

If a dealer reports the sale of a new vehicle twice to the same owner **and** both applications clear, the first registration will stand and the second registration will be canceled. To cancel the second registration:

- Complete an Application for Refund (ADM 399) with all of the pertinent information.
 - The ADM 399 should be completed by the dealer, if the dealer was charged for the second application and the owner did not pay the fees twice.
- Submit from the second application:
 - The Certificate of Title and registration card, if issued.
 - The customer’s operating copy of the Application for Registration of New Vehicle (REG 397) for cancellation.
 - The license plates and stickers issued.

NOTE: The customer must complete a Statement of Facts (REG 256) if any of the above items are missing which explains what happened to the missing item(s). A duplicate fee **is not** charged.

26.035 Refund of Registration Fees for a New Vehicle Not Delivered or Driven

Dealers may request a refund of fees paid to register a new vehicle that **is not** delivered to, **or** driven from the dealer’s premises, by the prospective buyer.

Submit the following:

- A completed Application for Refund (ADM 399).
- The Certificate of Title, registration card, operating copy of the Application for Registration of New Vehicle (REG 397), and the license plates and stickers.
- A Statement of Facts–Incorrectly Reported Vehicle (REG 477) with Part II (Certification of Non-Delivery Statement of Facts) completed.

26.040 Apportioned/IRP Vehicle Refunds

Follow the chart below to request a refund of IRP fees paid:

<i>If regular registration fees were paid...</i>	<i>then...</i>
after the effective date of apportioned/IRP registration	Submit the following to the department: <ul style="list-style-type: none"> • An Application for Refund (ADM 399) explaining the reason for the refund request. <ul style="list-style-type: none"> — Include the apportioned/IRP license number and date it was issued on the ADM 399. • The registration (cab card) and unused sticker or a Statement of Facts (REG 256) explaining what happened to the sticker and cab card.
prior to the effective date of apportioned/IRP registration	Send the Application for Refund (ADM 399) to the DMV IRP Unit in Sacramento headquarters to determine if a refund is in order.

26.045 Refunds and Fee Collection on 49-State/Direct Import Vehicles

When a 49-State or Direct Import Vehicle is brought into California and registration is refused, fees are normally not collected by the department.

- If fees were collected in error, they **shall be** refunded (CVC §§42230, 42231).
- Submit a completed Application for Refund (ADM 399), the receipt for fees paid, and any other documentation to support the refund request.

26.050 Prorated VLF Refunds on Constructive Total Loss Vehicles (R&TC §10902)

- Vehicles junked/salvaged during the current registration year are **not** eligible for a refund.
 - If the vehicle was declared a constructive total loss, the owner may be entitled to a **prorated refund of the vehicle license fees** (VLF), less the administrative service fee.
 - At least one full month of “unused” registration from the date of loss **must** be remaining **and** the amount to be refunded **must** be at least \$1 after the department’s administrative fee is deducted.
- A **constructive total loss vehicle** is a vehicle that has been wrecked, destroyed, or damaged to such an extent that it is considered uneconomical to repair.
 - The vehicle **cannot** be repaired by or for the owner of the vehicle at the time it was damaged.
 - A Vehicle License Fee Refund (REG 65-Side B) is used to request a refund in this case.

**26.050 Prorated VLF Refunds on Constructive Total Loss Vehicles (R&TC §10902),
continued**

Most field offices can process a Vehicle License Fee Refund (REG 65) under the following conditions:

<i>If...</i>	<i>then...</i>
the vehicle was currently registered at the time of loss	<ul style="list-style-type: none"> • the owner of the salvage must complete the refund request (REG 65), and • a salvage certificate must have been issued to the owner of the salvage. This could be the registered owner if: <ul style="list-style-type: none"> — he/she retained the vehicle and no repairs are initiated by him/her or in his/her behalf, or — the insurance company that made the total loss settlement and retained the salvage in the settlement.
the vehicle was “Junked” and the vehicle record does not show that a Salvage Certificate was issued	verification of the department’s records is necessary to determine if a Salvage Certificate was issued. The field office will have to forward the REG 65 to Sacramento headquarters for verification.
the vehicle record does not show “Salvage Certificate Issued” status	an Application for Salvage Certificate or Nonrepairable Vehicle Certificate (REG 488) must be submitted with the title to obtain a Salvage Certificate prior to the REG 65 being completed.

NOTE: A prorated VLF refund **is not** appropriate or allowed for a vehicle exempt from vehicle license fees. *For example*, a vehicle registered to a disabled veteran or nonresident military owner.

- When a refund is issued for a constructive total loss vehicle and the vehicle is subsequently repaired and reregistered in the same registration year for which the refund was received, the registration fees will include the amount of the vehicle license fee refunded.
 - When the repayment is not received by the department prior to the subsequent renewal of the registration, the renewal fees will include the amount of the vehicle license fee refunded.

26.055 Refunds on Unrecovered Stolen Vehicles (CVC §42231)

A refund may be requested for fees paid on an unrecovered stolen vehicle based on the following criteria:

<i>If the...</i>	<i>and the...</i>	<i>then the owner...</i>
the vehicle is stolen prior to the registration expiration date	owner already paid the renewal fees for the coming year	may apply for a refund by submitting the following: <ul style="list-style-type: none"> • a completed Application for Refund (ADM 399), • the registration card, and • unused sticker. <p>NOTE: If the vehicle is recovered during the registration year, the fees refunded would have to be repaid.</p>
the owner paid the renewal fees on the vehicle	vehicle is: <ul style="list-style-type: none"> • stolen after the fees became due • unrecovered for 60 days or more • declared a “total loss” <p>Reference: CR §§155.00 - 155.10</p>	of the “salvage value” of the “total loss” may apply for a prorated vehicle license fee (VLF) refund (R&TC §10902[d]). The requirements are: <ul style="list-style-type: none"> • A Department of Justice (DOJ) stop must be on the vehicle record or the refund application must include a copy of the police vehicle theft report. • The stolen vehicle must be registered to the owner of the salvage value (usually the insurance company) in accordance with CVC §5902. <p>NOTE: At least one full month of “unused” registration from the date of loss must be remaining and the amount to be refunded must be at least \$1 after the department’s administrative fee is deducted.</p>

NOTE: When a refund is received for an unrecovered total loss vehicle and the vehicle is subsequently recovered in the same registration year for which the refund was issued, the owner must return the amount of the vehicle license fee refunded in accordance with California Code of Regulations §155.08(a).
When the repayment is not received by the department prior to the subsequent renewal of the registration, the renewal fees will include the amount of the vehicle license fee refunded.