

➡ **§ 1990. Applicability.**

The Executive Officer shall collect annual fees from each manufacturer or modifier of motor vehicles and engines certified pursuant to Articles 2 and 7 of this subchapter, including manufacturers of federally certified vehicles which are sold in California pursuant to Health and Safety Code Section 43102. The Executive Officer shall calculate the amount of these fees as specified in Sections 1991-1993.

➡ **§ 1991. Calculation of Total Revenues to be Assessed for Each Fiscal Year.**

(a) Total revenues of four million five hundred thousand dollars (\$4,500,000) shall be assessed in Fiscal Year 1989-90.

(b) In subsequent fiscal years, total revenues to be assessed shall be calculated using the following equation:

$$REV_n = REV_{n-1} [1 + ANN]$$

where:

REV_n means the total revenues to be assessed for the current fiscal year

REV_{n-1} means the total revenues assessed in the previous fiscal year.

$ANN = (CPI_n - CPI_{n-1}) / CPI_{n-1}$, where CPI_n is the California Consumer Price Index in April prior to the current fiscal year, as determined pursuant to Section 2212 of the Revenue and Taxation Code, and CPI_{n-1} is the California Consumer Price Index in April of the previous year, as determined pursuant to Section 2212 of the Revenue and Taxation Code.

➡ **§ 1992. Calculation of Per-Vehicle or Per-Engine Certification Fees.**

(a) For fiscal year 1989-90, the Executive Officer shall calculate a per-vehicle or per-engine certification fee, using the equation in subsection (b), within 60 days of the effective date of this article.

(b) Prior to July 31 of each subsequent year, the Executive Officer shall calculate a per-vehicle or per-engine certification fee using the following equation:

$$\text{Fee per vehicle or engine} = \frac{REV_n}{\text{Total vehicles or engines}}$$

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where:

REV_n means the total revenues to be collected for the current fiscal year as specified under Section 1991.

"Total vehicles or engines" means the total number of all vehicles and engines produced for California sale in the previous calendar year, as determined by totaling the vehicle and engines as reported in the manufacturers' assembly-line reports or production reports specified in Section 1993 (a)-(f) of this article.

➡ § 1993. Calculation of Fees to be Collected from Each Manufacturer.

The annual fees to be collected from each manufacturer subject to this article shall be calculated by multiplying the per-vehicle fee or per-engine fee, as determined by the Executive Officer pursuant to Section 1992, by the total number of vehicles or engines produced for California sale in the previous calendar year by that manufacturer. The total number of vehicles or engines produced for California sale shall be the number that each manufacturer is required to report under the following:

(a) For passenger cars, light-duty trucks and medium-duty vehicles, Section D.6.(a), "California Assembly-Line Test Procedures for 1983 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," incorporated by reference in Section 2061, Title 13, California Code of Regulations.

(b) For heavy-duty engines and vehicles, Section 86.085-37, "Production Vehicles and Engines," last amended January 12, 1983, 40 Code of Federal Regulations as incorporated by reference in "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles" and "California Exhaust Emission Standard and Test Procedures for 1987 and Subsequent Model Heavy-Duty Otto-Cycle Engines and Vehicles."

(c) For motorcycles, Section 1958(b)(1)(b), Title 13, California Code of Regulations.

(d) For new modifier-certified vehicles, Section V.C.4., "California Certification and Compliance Test Procedures for New Modifier-Certified Motor Vehicles" as incorporated by reference in Section 1964, Title 13, California Code of Regulations.

(e) For used modifier-certified vehicles, Section IV.C.2.a, "Licensing Requirements for Vehicle Emission Test Laboratories" as incorporated by reference in Section 2048, Title 13, California Code of Regulations.

(f) For vehicle or engines whose production numbers for California distribution are not reported in assembly-line reports or whose production numbers in assembly-line reports do not segregate production specifically for California:

(1) For the 1989-90 fiscal year, the manufacturer shall report California production numbers for the 1988 calendar year within 30 days of the Executive Officer's request. A manufacturer may adjust production numbers to account for those vehicles or engines which are actually sold outside of California.

(2) For subsequent fiscal years, the manufacturer shall report California production numbers for the previous calendar year not later than May 1 of the current year. A manufacturer may adjust production numbers to account for those vehicles or engines which are actually sold outside of California.

(3) For any manufacturer who fails to submit any report required under paragraphs (1) and (2) by the specified date, the processing of certification applications for that manufacturer's vehicles and engines shall be suspended until such time as the manufacturer submits the report.

➡ § 1994. Fee Payment and Collection.

(a) Between July 1 and July 31 of each year, the Executive Officer shall assess and notify in writing each manufacturer subject to this article of the amount to be collected for the fiscal year, except for Fiscal Year 1989-90 when each manufacturer shall be notified within 60 days of the effective date of this article.

(b) For Fiscal Year 1989-90, each manufacturer shall remit the fee to the state board within 30 days after receipt of the fee assessment notice. For subsequent fiscal years, each manufacturer shall have the option to either pay the entire fee to the state board within 30 days after receipt of the fee assessment notice, or to pay the fee in four equal quarterly installments with the first installment due within 30 days after receipt of the fee assessment notice, and subsequent installments due on or before November 1, February 1, and May 1 of each fiscal year. Payment shall be made payable to the State Air Resources Board. The Executive Officer shall forward the revenues to the State Controller for deposit in the Air Pollution Control Fund.

(c) Certification of vehicles or engines for the following model year shall not be granted to any manufacturer who has failed to pay the fees required under this article.