



TAX INFORMATION BULLETIN

Publication 388 | September 2023 | www.cdtfa.ca.gov

Let's Process Your Claim for Refund Faster!

We want to ensure we can process your claim for refund as swiftly as possible. You should keep your account information up-to-date, especially if you have requested a refund that includes credit interest. We require you to provide your *social security number* (SSN) or *federal employer identification number* (EIN) to comply with federal law whenever you submit a claim for refund ([Title 26 U.S. Code section 6109 \[a\]\[3\]](#)).

How to File a Claim?

You may file a claim for refund using our online services at onlineservices.cdtfa.ca.gov. To submit a claim for refund, log in using your username and password and select the applicable account to request a refund; select the *More* link under the *I Want To* section, then select the *Submit a Claim for Refund* link and follow the prompts.

For assistance with updating your SSN or EIN, please contact our Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.



New Regulation for Marketplace Sales

If you are an online marketplace seller or operate an online marketplace website, the Office of Administrative Law approved [Regulation 1684.5, Marketplace Sales](#), on August 28, 2023. The regulation defines terms and clarifies requirements for marketplace facilitators and marketplace sellers to comply with the Marketplace Facilitator Act. It specifies when either a marketplace facilitator or marketplace seller is responsible for the taxes of goods sold online. It also specifies when advertisers are not required to register with us or collect and pay sales and use tax. Lastly, it authorizes delivery network companies to make an election to act as a marketplace facilitator.

For more information on marketplace sellers and facilitators, please visit our *Tax Guide for Marketplace Facilitator Act* webpage at www.cdtfa.ca.gov/industry/MPFAct.htm.

For a copy of the regulation text, please visit our *Status of Proposed Rules and Regulations* webpage at www.cdtfa.ca.gov/taxes-and-fees/regscont.htm.

New Reporting Requirements for Transportable Treatment Units

Beginning July 1, 2023, owners or operators of transportable treatment units (TTUs) are required to file an annual return and pay the facility fee imposed on TTUs in two equal installments on or before November 30 and February 28 of each fiscal year (see [Revenue and Taxation Code \[R&TC\] section 43152.6](#)). A TTU is mobile equipment that performs onsite treatment of hazardous waste using proven treatment processes (see [Health and Safety Code section 25123.4](#)).

New reporting and payment requirements applicable starting with fiscal year 2023-24:

- Your prepayment due date is November 30 of each fiscal year. The payment must be 50 percent of the fee due for the current fiscal year.
- Your final payment and return are due by February 28 of each fiscal year. The payment is the remaining 50 percent of the fee due for the current fiscal year.

Please see our special notice [L-910, Hazardous Waste Transportable Treatment Unit New Reporting Requirements](#), for specific information about the changes.

Hazardous Waste Fees—Online Filing and Due Date Reminders

If you file Hazardous Waste Fee Program returns, state law requires you to do so online, including the *Environmental Fee Return*, the *Hazardous Waste Facility Fee Return*, and the *Hazardous Waste Generation and Handling Fee Return* (R&TC sections [43152.9](#), [43152.6](#), and [43152.7](#)). You must also make required prepayments using our [online services](#) system.

Log in to our online services system with your username and password to file your return. For assistance with creating a username and password and filing online, please view our *Video Tutorials* at www.cdtfa.ca.gov/services/#Tutorials or call our Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.

Prepayment, final payment, and return due dates are as follows:

Environmental Fee—Calendar Year 2023 Filing Period

- Return and final payment—Due February 29, 2024

Please note: The [employee threshold](#) for the Environmental Fee changed from 50 or more employees to 100 or more employees starting January 1, 2022.

Facility Fee (now includes TTU facility permit types)—Fiscal Year 2023-24 Filing Period

- Prepayment—Due November 30, 2023
- Return and final payment—Due February 28, 2024

Generation and Handling Fee—Calendar Year 2023 Filing Period

You will report the fee based on the hazardous waste tons you generated in calendar year 2022.

- Prepayment—Due November 30, 2023
- Return and final payment—Due February 28, 2024

For more information, please see the reminder notices below:

- *Prepayment Requirement Reminder for Hazardous Waste* at www.cdtfa.ca.gov/formspubs/L889.pdf
- *Hazardous Waste Generation and Handling Fee Program Reminders and Online Filing Requirement* at www.cdtfa.ca.gov/formspubs/L863.pdf
- *Hazardous Waste Facility Fee Prepayment, Return, and Program Update Reminders* at www.cdtfa.ca.gov/formspubs/L862.pdf

We also invite you to visit our *Hazardous Substances (Waste) Fee Guide* at www.cdtfa.ca.gov/taxes-and-fees/haz-sub-fee.htm.



Limited Access Code Removal

On October 3, 2023, customers who currently file returns on a quarterly basis will no longer be able to do so using their Limited Access Code (LAC). They must instead create a username and password to log on.

Removal of the LAC function enhances security and your overall customer experience with online services. We recommend you [create](#) your username and password prior to October 3, 2023.

For additional LAC removal information, scheduled removal dates, frequently asked questions, and video tutorials for creating a username and password, please visit our *Limited Access Code Removal* webpage at www.cdtfa.ca.gov/taxes-and-fees/LimitedAccessCodeRemoval.htm.

If you need assistance with creating your username and password, please contact our Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.

Diesel Fuel Partial Sales and Use Tax Exemption Expiring

On October 1, 2023, the temporary partial sales and use tax exemption (3.9375 percent) on the sale, storage, use, or other consumption of diesel fuel will expire. As a result, the reduced sales and use tax rate of 9.0625 percent will return to the full tax rate of 13 percent.

Please visit our *Sales Tax Rates for Fuels* webpage at www.cdtfa.ca.gov/taxes-and-fees/sales-tax-rates-for-fuels.htm for the updated rates.



Improper Sale or Use of Dyed Diesel Fuel

Dye is placed in diesel fuel by suppliers to indicate that no tax has been paid on the fuel. Except in limited circumstances, it is against the law to maintain or operate a motor vehicle on the highway in California with dyed diesel fuel in the supply tank.

A person who does any of the following is subject to a penalty of at least \$1,000:

- Sells or holds for sale dyed diesel fuel for any use that the person knows, or has reason to know, is a taxable use,
- Holds for use or uses dyed diesel fuel for a taxable use, and that person had reason to know, or knew, that the diesel fuel was dyed,
- Knowingly alters, or attempts to alter, the strength or composition of any dye or marker in any dyed diesel fuel, or
- Does not provide or post the required dyed diesel fuel notice with respect to any dyed diesel fuel.

The amount of the penalty for each violation is \$10 for every gallon of diesel fuel involved or \$1,000, whichever is greater ([R&TC section 60105](#)). The penalty for each subsequent violation will increase by multiplying the penalty amount by the number of prior violations.

Sales of Dyed Diesel Fuel and Notification Requirements for Sellers

Sellers of dyed diesel fuel, whether at a retail gas station or at a commercial cardlock facility, are required to provide notice on all retail pumps where the fuel is dispensed ([R&TC section 60102](#)). The notice should state: "Dyed diesel fuel, nontaxable use only, penalty for taxable use."

The notice should be affixed on the face or the side of the pump just above the nozzle housing so that it is within easy sight before the dyed diesel fuel is dispensed into the tank of the vehicle. If dyed fuel is dispensed from both sides of the fuel pump, the notice should be affixed to both sides. For sales *other than from a retail pump*, the dyed diesel fuel notice is required to be included on:

- Shipping papers,
- Bills of lading, and
- Invoices accompanying the sale or removal of dyed diesel fuel.

Sellers are required to post or provide notice on any applicable retail pump or sales document. Otherwise, sellers are presumed to know that the fuel will be used for a taxable use, may be required to pay the diesel fuel tax, and may be assessed a penalty on every gallon of diesel fuel involved.

For more information, please visit our *Tax Guide for Gas Station Operators* at www.cdtfa.ca.gov/industry/gas-stations.htm#Topics.



Upcoming Field Office Closures and Moves

Santa Clarita Office Closed on August 30, 2023

On Wednesday, August 30, 2023, we permanently closed our Santa Clarita Office, located at 25360 Magic Mountain Parkway, Suite 330, Santa Clarita, CA 91355. All Santa Clarita Office operations have moved to our Glendale Office, located at 505 North Brand Blvd, Suite 700, Glendale, CA 91203. You can contact our Glendale Office by calling 1-818-543-4900 or by sending an email to GlendaleInquiries@cdtfa.ca.gov.

San Jose Office Moving on October 9, 2023

On Wednesday, October 4, 2023, at 5:00 p.m. (Pacific time), we will permanently close our San Jose Office, located at 250 South Second Street, San Jose, CA 95113-2706. Beginning Monday, October 9, 2023, at 8:00 a.m. (Pacific time), we will resume operations at our new San Jose Office, located at 1741 Technology Drive, Suite 100, San Jose, CA 95110-1397. You can reach our San Jose Office by calling 1-408-277-1231 or by sending an email to SanJoseInquiries@cdtfa.ca.gov.

If you need assistance while the office is closed, please contact our Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.

Please note: Many services are available on our website, via mail, or over the telephone. Please visit our website at www.cdtfa.ca.gov for a listing of all CDTFA offices, online registration, online filing, forms, payments, and other information.



For More Information

All telephone numbers are toll-free.

Internet

www.cdtfa.ca.gov

www.taxes.ca.gov

Customer Service Center

1-800-400-7115

(CRS:711)

Seller's Permit Verification

1-888-225-5263

www.cdtfa.ca.gov

Taxpayers' Rights Advocate

1-888-324-2798

www.cdtfa.ca.gov/tra

Tax Evasion Hotline

1-888-334-3300

State Legislation

<https://leginfo.legislature.ca.gov/>

More Articles Available Online

There are occasions when we have more articles than we have space for in this print version of the *Tax Information Bulletin*. The additional articles are available online at www.cdtfa.ca.gov/taxes-and-fees/tax-bulletins.htm.

New and Revised Publications Available Online

For new and revised publications, see our website at www.cdtfa.ca.gov/formspubs/pubs.htm.

Thank you for connecting with us.

