

DIESEL FUEL CLAIM FOR REFUND ON NONTAXABLE USES

CLAIM PERIOD	___ / ___ / ___ THROUGH ___ / ___ / ___	
[FOID]	YOUR ACCOUNT NO.	

CDTFA USE ONLY		
RA-B/A	AUD	REG
RR-QS	FILE	REF
EFF		

CALIFORNIA DEPARTMENT OF
TAX AND FEE ADMINISTRATION
APPEALS AND DATA ANALYSIS BRANCH
PO BOX 942879
SACRAMENTO, CA 94279-2050

**READ INSTRUCTIONS
BEFORE PREPARING**

As a user of tax-paid diesel fuel, you may file a claim for refund of tax paid on **undyed** diesel fuel used in an exempt manner. All transactions supporting the amount claimed must be reported on CDTFA-810-FTG, *Receipt Schedule*, or on CDTFA-810-FTF, *Disbursement Schedule*.

Enter the beginning and ending dates of the period covered by this claim as MM/DD/YY in the box above.

You must submit completed Schedules 1A and 2A with your claim using CDTFA-810-FTG, *Receipt Schedule*. Where required to support your claim, you must submit completed Schedules 12A through 12C and 13J through 13J9 with your claim. All transactions supporting the amount claimed must be reported using CDTFA-810-FTF, *Disbursement Schedule*.

Note: Please read the attached instructions before completing the claim.

	REPORT WHOLE GALLONS ONLY	
	(A) Diesel Fuel at Current Rate	(B) Diesel Fuel at Prior Rate
1. Gallons of tax-paid diesel fuel claimed for refund of tax <i>(enter from Refund Computation Worksheet, line 7, columns A and B)</i>		
2. Rates of tax per gallon	\$	\$
3. Subtotal of refund amount <i>(multiply line 1 by line 2 for columns A and B)</i>	\$	\$
4. Amount of refund claimed <i>(add columns A and B of line 3)</i>		\$

As provided in section 60501 of the Diesel Fuel Tax Law, I hereby file a claim for refund of the tax paid on tax-paid **undyed** diesel fuel used for the purposes reported on the accompanying schedules. This claim covers the period identified above.

CERTIFICATION

I hereby consent to disclose and authorize the California Department of Tax and Fee Administration (CDTFA) to release, as necessary, certain otherwise confidential transaction information regarding volumes, invoice numbers, bills of lading, locations, dates, or method of delivery of reportable products to any person identified by me in this return as being involved in a reported transaction for the sole purpose of verifying the accuracy of the reportable product transaction information concerning my transactions with such person as reported in this return.

I, the undersigned, certify that, to the best of my knowledge, all of the information on this claim and any accompanying documents is true, correct, and complete and that I am duly authorized to sign for the claimant. I further certify that the diesel fuel covered by this claim included the diesel fuel tax in the purchase price of the diesel fuel and did not contain visible evidence of dye.

SIGNATURE	DATE	TELEPHONE ()
PRINT NAME AND TITLE	EMAIL ADDRESS	



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REFUND COMPUTATION WORKSHEET

Use this worksheet to assist you with completing your claim and to calculate the refund due.

Do not send this worksheet with your claim.

TAX-PAID CREDITS (Total Gallons)	FROM SCHEDULE	(A) DIESEL FUEL AT CURRENT RATE	(B) DIESEL FUEL AT PRIOR RATE
1. Tax-paid fuel used in an exempt manner not reportable on another credit schedule <i>(enter totals from column 11 on Schedule 13J)</i>	13J		
2. Tax-paid fuel used in vessels <i>(enter totals from column 11 on Schedule 13J5)</i>	13J5		
3. Tax-paid fuel used in construction equipment exempt from vehicle registration operated within a construction project <i>(enter totals from column 11 on Schedule 13J6)</i>	13J6		
4. Tax-paid fuel used off-highway and not reported on Schedule 13J6 or 13J8 <i>(enter totals from column 11 on Schedule 13J7)</i>	13J7		
5. Tax-paid fuel used in operation of auxiliary equipment <i>(enter totals from column 11 on Schedule 13J8)</i>	13J8		
6. Tax-paid fuel used in vehicles operated on highways under the jurisdiction of the U.S. Department of Agriculture <i>(enter totals from column 11 on Schedule 13J9)</i>	13J9		
7. TOTAL TAX-PAID GALLONS CLAIMED FOR REFUND <i>(add lines 1 through 6 for each column) Enter this amount in columns A and B on line 1 on the front of the claim.</i>			

Note:

- Do not include any fuel you have already reported on any other claim for refund. Duplication of fuel claimed will result in a delay in the processing of your claim for refund.
- You must complete Schedules 1A and 2A, as applicable to your purchases, in support of your claim.
- Any schedules required in support of this claim (Schedules 1A, 2A, 12A through 12C, and 13J through 13J9) must be submitted with the claim.
- All supporting documents used to complete this claim must be submitted with the claim.

INSTRUCTIONS

DIESEL FUEL CLAIM FOR REFUND ON NONTAXABLE USES

General Information

If you paid diesel fuel tax on purchases of diesel fuel and you used the tax-paid fuel for nontaxable purposes, you may obtain a tax refund by filing form CDTFA-770-DU. Do not use this form if you are claiming a tax refund for tax you paid on diesel fuel you used for farming purposes or in an exempt bus operation. Refunds of the tax on these types of uses can only be claimed from the CDTFA by your fuel supplier. You must seek reimbursement of the tax you paid from your supplier.

The following fuel uses are not subject to diesel fuel tax:

- Diesel fuel used in a vessel. A vessel is a boat, ship, barge, or other watercraft.
- Diesel fuel used for purposes other than operating motor vehicles upon the public highways of the state.
- Diesel fuel used to operate auxiliary equipment. Equipment, accessories, or amenities other than equipment used to operate a motor vehicle upon a highway in California, which is operated from the same fuel tank as the motor vehicle, is considered "auxiliary equipment." Equipment powered from a separate fuel source or tank that is used to operate the motor vehicle would not be considered auxiliary equipment.
- Diesel fuel used in vehicles operated on highways under the jurisdiction of the U.S. Department of Agriculture. To qualify for a refund, the user must have paid for or contributed to the construction or maintenance of the highway.
- Other nontaxable uses may include diesel fuel used in reefer units with separate fuel tanks or in generators. It may also include fuels used in a motor vehicle owned and operated by a public agency or political subdivision of the state (for example, a county, city and county, city, or district) on highways constructed and maintained by the United States, or by any department or agency of the United States, within a military reservation within California.

Note: Beginning July 1, 2011, the diesel fuel tax rate may be adjusted annually. Due to this annual adjustment, you may have transactions at several different rates. The effective date of any future rate change will be July 1.

For transactions occurring on and after April 1, 2016, Regulation 1432, *Other Nontaxable Uses of Diesel Fuel in a Motor Vehicle*, provides safe-harbor percentages as presumed amounts of diesel fuel used to operate auxiliary equipment. The following are presumed amounts of diesel fuel used to operate auxiliary equipment. Safe-harbor percentages must be applied to diesel fuel consumption by auxiliary equipment type. Off-highway use is included in the safe-harbor percentages.

Auxiliary Equipment Type	Safe-Harbor Percentage	Auxiliary Equipment Type	Safe-Harbor Percentage
Boom truck/block boom	15%	Refrigeration truck	20%
Bulk feed truck	15%	Salt spreader (dump with spreader)	15%
Car carrier with hydraulic winch	10%	Seeder truck	15%
Carpet cleaning van	10%	Semi-wrecker	15%
Cement mixer	25%	Service truck with jack hammer/drill	15%
Cement pumper	40%	Sewer cleaning truck/jet/vactor	25%
Distribution truck (hot asphalt)	15%	Snow plow	15%
Dump trailer	15%	Spray truck	15%
Dump truck	15%	Super sucker (port-o-let trucks)	25%
Fire truck	25%	Sweeper truck	20%
Garbage truck	35%	Tank transport	15%
Leaf truck	15%	Tank truck	15%
Lime spreader	15%	Truck with hydraulic winch	15%
Line truck with digger, derrick, or aerial lift	20%	Transfer trailer	20%
Log truck with self-loader	20%	Wrecker	15%
Mobile crane	25%	Other auxiliary equipment	10%
Pneumatic tank truck	15%		

If you are interested in filing your Diesel Fuel Claim for Refund on Nontaxable Uses electronically with the CDTFA, please visit our website at www.cdtfa.ca.gov for more information.

If you need help completing this form, please call us at 1-800-400-7115 (TTY:711) or visit the CDTFA's website at www.cdtfa.ca.gov.

If you are filing a claim for refund, you must complete all appropriate schedules and submit them with this claim. Failure to properly complete the schedules may result in your refund claim not being accepted and the form and all accompanying documents being returned to you.

DIESEL FUEL SCHEDULE CODES**Disbursement Schedules***Tax-Paid Credit Schedules*

- 13J Tax-Paid Fuel Used in an Exempt Manner Not Reportable on Another Credit Schedule
- 13J5 Tax-Paid Fuel Used in Vessels
- 13J6 Tax-Paid Fuel Used in Construction Equipment Exempt from Registration Operated Off-Highway
- 13J7 Tax-Paid Fuel Used Off-Highway
- 13J8 Tax-Paid Fuel Used in the Operation of Auxiliary Equipment
- 13J9 Tax-Paid Fuel Used in Vehicles Operated on Highways Under the Jurisdiction of the U.S. Department of Agriculture

Below the Rack Activity Schedules

- 12A All Other Sales or Use of Tax-Paid Fuel Below the Rack
- 12B All Other Sales or Use of Ex-Tax Fuel Below the Rack
- 12C Ending Inventory of Below the Rack Products

Receipt Schedules

- 1A Fuel Purchased Tax-Paid
- 2A Fuel Purchased Ex-Tax

MODE CODES

- J Truck
- GS Gas Station
- CE Summary Item

PRODUCT CODES

- 167 Diesel fuel #2 low sulfur, undyed
- 170 Biodiesel
- 171 Biodiesel, dyed
- 227 Diesel fuel low sulfur, dyed

The Diesel Fuel Tax is imposed on any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. For a complete list of product codes, please refer to form CDTFA-810-FTB, *Product Code Table (Sorted by Product Description)*, available on our website at www.cdtfa.ca.gov.

Preparation of Schedules

There are two types of supporting schedules that must be included with every *Diesel Fuel Claim for Refund on Nontaxable Uses*: a standard *Receipt Schedule* and a standard *Disbursement Schedule*. The forms are available on our website at www.cdtfa.ca.gov. You must select the appropriate schedule code from the Diesel Fuel Schedule Codes list, which is included with these instructions, and enter the schedule code for your activities on the Receipt or Disbursement Schedule, as indicated. In addition to a schedule code that describes the activity covered, you must select a product code for the type of product reported and enter the product code on the schedule. For each schedule code there can be only one product code reported per page for the period. You will need to make a copy of the blank schedules included with this claim for each schedule and product code combination you will be using. For each schedule, complete the information in boxes (c) and (d) in the header of the schedule. Enter, in (c), the schedule code from the Diesel Fuel Schedule Codes list and, in (d), the product code from the Diesel Fuel Product Codes description table. Boxes (a) the company name, (b) the account number, and (e) the month and year for which the schedule applies will be completed for you. If they are not completed, please enter the appropriate information from the face of the claim form.

Schedules 1A and 2A. You do not need to supply the information in columns (1), (2), and (4). Enter in column (3) Mode; (5) Acquired from (seller's name); (6) Seller's Federal Employer Identification Number (FEIN), Social Security Number (SSN), or CDTFA Account Number if FEIN/SSN is not available; (7) Document date (enter as MMDDYY); (8) Document number (sales invoice or bill of lading); (9) Net gallons; and (10) Gross gallons (information is not required, but if available, please include); and (11) Billed gallons. Generally, each invoice should be listed separately. However, for fuel purchased by fleet or fueling cards, or from a large number of service stations, purchases may be summarized monthly using mode code CE. If summarizing, you only have to complete columns 3, 5, 7, 8, 9, and 11. Enter "Various" in columns 5 and 8, and use the last day of the summarized period in MMDDYY format for the document date in column 7.

Schedules 12A, 12B, and 13J through 13J9. These schedules may be completed as summarized daily, weekly, or monthly totals, or for the reporting period if reporting quarterly or annually. You only need to complete columns 3, 7, 8, and 11. Enter CE for the mode code in column 3, the last day of the summarized period in MMDDYY format for the document date in column 7, and USEMMDDYY for the document number in column 8. For example, the document number for August 2015 summarized usage is USE083115. If the document number was for summarized sales, enter SALE083115. Enter the gallons used or sold in whole numbers in column 11. Enter the tax rate in column 12 only if you are claiming gallons purchased at the prior tax rate.

Schedule 12C. Report the gallons of ending physical inventory at each tax rate for every diesel fuel product held in storage at the end of the reporting period by completing columns 3, 7, 8, 11, and 12. Enter CE for the mode code in column 3. Enter the date you took inventory in MMDDYY format for the document date in column 7 or 123115 for inventory as of December 31, 2015, and the document number in column 8 in INVMMDDYY format or INV123115. Enter the ending inventory in whole gallons in column 11 and the tax rate in column 12.

Preparation of the Refund Computation Worksheet

The Refund Computation Worksheet is provided to assist you in calculating the refund claim. (This worksheet should be kept with your records. **Do not send the worksheet with your claim.**) Add the totals from column 11 on each of the schedules to determine the total gallons to be included in each column of the worksheet. Refer to CDTFA-810-FTE, *Instructions for Preparing Motor Fuels Schedules*, for detailed instructions on the use of and reporting requirements for each schedule. The form is available on our website at www.cdtfa.ca.gov.

A. Tax-Paid Credits

- Line 1.** Enter the total gallons of tax-paid diesel fuel used in an exempt manner not reportable on any other credit schedule by adding the totals from column 11 for each disbursement schedule coded 13J.
- Line 2.** Enter the total gallons of tax-paid fuel used in vessels by adding the totals from column 11 for each disbursement schedule coded 13J5.
- Line 3.** Enter the total gallons of tax-paid fuel used in construction equipment exempt from vehicle registration while operated within the confines of a construction project by adding the totals from column 11 for each disbursement schedule coded 13J6.
- Line 4.** Enter the total gallons of tax-paid diesel fuel used off-highway not included in schedule 13J6 or 13J8 by adding the totals from column 11 for each disbursement schedule coded 13J7.
- Line 5.** Enter the total gallons of tax-paid diesel fuel used in the operation of auxiliary equipment by adding the totals from column 11 for each disbursement schedule coded 13J8.
- Line 6.** Enter the total gallons of tax-paid diesel fuel used in vehicles operated on highways under the jurisdiction of the U.S. Department of Agriculture by adding the totals from column 11 for each disbursement schedule coded 13J9.
- Line 7.** Enter the total gallons of tax-paid diesel fuel for which you are claiming a refund of tax during the reporting period by adding lines 1 through 6 for columns A and B.

Preparation of the Claim

Before completing the claim, prepare the applicable Receipt and Disbursement Schedules and the Refund Computation Worksheet.

- Line 1.** Enter the total gallons on which a refund is due from line 7, columns A and B of the Refund Computation Worksheet.
- Line 2.** These are the current and prior year tax rates for diesel fuel.
- Line 3.** Multiply line 1 by line 2 for each column and enter the result in the appropriate column on line 3.
- Line 4.** Enter the total refund claimed by adding columns A and B of line 3.

Documents in Support of the Claim

You should submit a summary detailing how you arrived at the gallons claimed on each schedule with the claim. In addition, you should maintain documentation in support of the claim when applicable. The CDTFA may request this supporting documentation be provided. Examples of supporting documentation include, but are not limited to, the following:

- Monthly fuel usage summary reports by equipment/vehicle number with subtotals by equipment/vehicle type. Daily fuel logs should be maintained. Third-party fuel reports for tractors and reefer units may be submitted by trucking companies that utilize a third-party fuel management system.
- Calculation worksheets showing how the gallons consumed in auxiliary equipment were determined. If safe-harbor percentages are not utilized, provide the basis for the rate(s) used to arrive at the claimed gallons used in auxiliary equipment.
- Calculation worksheets showing how the gallons consumed off-highway were determined for vehicles that are driven both on-highway and off-highway. Miles driven on-road and off-road, and miles per gallon (MPG) information should be maintained if these factors were used to arrive at the claimed off-highway gallons. Odometer readings should also be recorded.
- Tank gauge or meter readings of diesel fuel left in storage tanks on the last day of the reporting period (end of the month, quarter, or year).
- Copies of purchase invoices. Purchase invoices may be scanned and saved electronically.
- A completed CDTFA-32, *Diesel Fuel Tax Claim for Refund Questionnaire*, if an updated questionnaire has not been submitted within the last two years. The form is available on our website at www.cdtfa.ca.gov.
- Copies of IFTA returns.

For more information, visit the CDTFA website at www.cdtfa.ca.gov. You may also call the Customer Service Center at 1-800-400-7115 (TTY:711). Customer service representatives are available weekdays from 8:00 a.m. to 5:00 p.m. (Pacific time), except state holidays.