STATE OF CALIFORNIA
OFFICE OF ENERGY INFRASTRUCTURE SAFETY
CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD

California Code of Regulations
TITLE 19. Public Safety
DIVISION 4. California Underground Facilities Safe Excavation Board
CHAPTER 1: General

PROPOSED TEXT

§ 4010. Fees.

(a) (1) Each member of a regional notification center as defined in Government Code, section 4216, subdivision (q) who receives 500 or more locate request transmissions in the calculation year shall pay a fee to support the operational expenses of the California Underground Facilities Safe Excavation Board as provided in the following formula:

Fee = (member locate request transmissions / statewide locate request transmissions) X Board operational expenses

(2) In the formula above:

(A) "member locate request transmissions" represents the number of locate request transmissions the member of the regional notification center received in the calculation year;

(B) "statewide locate request transmissions" is the total number of locate request transmissions issued by the regional notification centers in the calculation year, not including those locate request transmissions issued to members who received less than 500 locate request transmissions in the calculation year; and

(C) "Board operational expenses" is the sum of the estimated operational expenses, including any loan repayment, of the California Underground Facilities Safe Excavation Board in the billing ~~year, subject to the State Budget Act and not to exceed the amount listed in subdivision (e).~~year.

(b) The Board shall post the following to its website by March 1 of each year,

(1) The Board operational expenses for the upcoming billing ~~year, not to exceed the amount listed in subdivision (e).~~year.

(2) The statewide locate request transmissions from the recently ended calculation year, the member locate request transmissions for each member of a regional notification center from the calculation year, and the amount of regulatory fees to be paid by each member of a regional notification center in the upcoming billing year.

(c) (1) A member shall remit payment to the regional notification center who issued the invoice to the member.

(2) A member who fails to pay the fee within 90 days of the date the invoice was issued pursuant to Section 4011 is subject to a late fee of 5% the amount of the fee, in addition to the fee due on the invoice.

(3) A member shall pay all invoices and late fees issued during the billing year before the start of the upcoming billing year.

(d) For purposes of this section, the following terms have the following meanings:

(1) "Billing year" means the July 1 to June 30 period in which the Legislature authorizes expenditures in the State Budget Act.

(2) "Calculation year" means the January 1 to December 31 calendar year before the beginning of the billing year.

(3) "Locate request transmission" means the notification provided by a regional notification center to an operator to locate and field mark in response to a new ticket, as identified in Government Code section 4216.2, subdivision (e) or to a new ticket created to replace an expired ticket, as identified in Government Code section 4216.2, subdivision (i).

(e) The value of the estimated operational expenses in subdivision (a)(2)(C), subject to the State Budget Act, shall not exceed the amount appropriated to the Board in the Governor's Budget as identified in California Constitution Article IV, Section 12, or the amount appropriated to the Board in the State Budget Act for the current billing year, whichever is higher.~~following amounts~~

~~for the following time periods:~~

~~(1) $7 million for each calendar year 2019, 2020, and 2021.~~

~~(2) $2.5 million for the period of January 1, 2022 to June 30, 2022.~~

~~(3) $7.0 million for the billing year that begins on July 1, 2022 and for each billing year thereafter.~~

~~(f) For the period of January 1, 2022 to June 30, 2022, the fee shall be calculated pursuant to subdivision (a) with the following modifications:~~

~~(1) The calculation year shall be January 1, 2021 to June 30, 2021.~~

~~(2) The billing year shall be January 1, 2022 to June 30, 2022.~~

~~(3) The Board operational expenses shall be as identified in subdivision (e) paragraph(2).~~