

108TH CONGRESS
2D SESSION

H. R. 4209

To amend the Internal Revenue Code of 1986 to allow a credit for the purchase of idling reduction systems for diesel-powered on-highway vehicles.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2004

Ms. GRANGER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow a credit for the purchase of idling reduction systems for diesel-powered on-highway vehicles.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Idling Reduction Tax
5 Credit Act of 2004”.

6 **SEC. 2. IDLING REDUCTION TAX CREDIT.**

7 (a) IN GENERAL.—Subpart D of part IV of sub-
8 chapter A of chapter 1 of the Internal Revenue Code of
9 1986 (relating to business-related credits) is amended by
10 adding at the end the following new section:

1 **“SEC. 45G. IDLING REDUCTION CREDIT.**

2 “(a) GENERAL RULE.—For purposes of section 38,
3 the idling reduction tax credit determined under this sec-
4 tion for the taxable year is an amount equal to 50 percent
5 of the amount paid or incurred for each qualifying idling
6 reduction device placed in service by the taxpayer during
7 the taxable year.

8 “(b) LIMITATION.—The maximum amount allowed as
9 a credit under subsection (a) shall not exceed \$3,500 per
10 device.

11 “(c) DEFINITIONS.—For purposes of subsection
12 (a)—

13 “(1) QUALIFYING IDLING REDUCTION DE-
14 VICE.—The term ‘qualifying idling reduction device’
15 means any device or system of devices that—

16 “(A) is installed on a heavy-duty diesel-
17 powered on-highway vehicle,

18 “(B) is designed to provide to such vehicle
19 those services (such as heat, air conditioning, or
20 electricity) that would otherwise require the op-
21 eration of the main drive engine while the vehi-
22 cle is temporarily parked or remains stationary,

23 “(C) the original use of which commences
24 with the taxpayer,

25 “(D) is acquired for use by the taxpayer
26 and not for resale, and

“(E) is certified by the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Transportation, to reduce long-duration idling of such vehicle at a motor vehicle rest stop or other location where such vehicles are temporarily parked or remain stationary.

“(2) HEAVY-DUTY DIESEL-POWERED ON-HIGHWAY VEHICLE.—The term ‘heavy-duty diesel-powered on-highway vehicle’ means any vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Highway Administration.

“(3) LONG-DURATION IDLING.—The term ‘long-duration idling’ means the operation of a main drive engine, for a period greater than 15 consecutive minutes, where the main drive engine is not engaged in gear. Such term does not apply to routine stoppages associated with traffic movement or congestion.

“(d) NO DOUBLE BENEFIT.—For purposes of this section—

1 “(1) REDUCTION IN BASIS.—if a credit is deter-
 2 mined under this section with respect to any prop-
 3 erty by reason of expenditures described in sub-
 4 section (a), the basis of such property shall be re-
 5 duced by the amount of the credit so determined.

6 “(2) OTHER DEDUCTIONS AND CREDITS.—No
 7 deduction or credit shall be allowed under any other
 8 provision of this chapter with respect to the amount
 9 of the credit determined under this section.

10 “(e) ELECTION NOT TO CLAIM CREDIT.—This sec-
 11 tion shall not apply to a taxpayer for any taxable year
 12 if such taxpayer elects to have this section not apply for
 13 such taxable year.”.

14 (b) CREDIT TO BE PART OF GENERAL BUSINESS
 15 CREDIT.—Subsection (b) of section 38 of such Code (re-
 16 lating to general business credit) is amended by striking
 17 “plus” at the end of paragraph (14), by striking the period
 18 at the end of paragraph (15) and inserting “, plus” , and
 19 by adding at the end the following new paragraph:

20 “(16) the idling reduction tax credit determined
 21 under section 45G(a).”.

22 (c) CONFORMING AMENDMENTS.—

23 (1) The table of sections for subpart D of part
 24 IV of subchapter A of chapter 1 of such Code is

1 amended by inserting after the item relating to sec-
2 tion 45F the following new item:

“Sec. 45G. Idling reduction credit.”.

3 (2) Section 1016(a) of such Code is amended
4 by striking “and” at the end of paragraph (27), by
5 striking the period at the end of paragraph (28) and
6 inserting “, and”, and by adding at the end the fol-
7 lowing:

8 “(29) in the case of a facility with respect to
9 which a credit was allowed under section 45G, to the
10 extent provided in section 45G(d)(A).”.

11 (d) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to taxable years beginning after
13 December 31, 2003.

14 **SEC. 3. DETERMINATION OF CERTIFICATION STANDARDS**
15 **BY SECRETARY OF ENERGY FOR CERTIFYING**
16 **IDLING REDUCTION DEVICES.**

17 Not later than 6 months after the date of the enact-
18 ment of this Act and in order to reduce air pollution and
19 fuel consumption, the Secretary of Energy, in consultation
20 with the Administrator of the Environmental Protection
21 Agency and the Secretary of Transportation, shall publish
22 the standards under which the Secretary, in consultation
23 with the Administrator of the Environmental Protection
24 Agency and the Secretary of Transportation, will, for pur-
25 poses of section 45G of the Internal Revenue Code of 1986

1 (as added by section 2 of this Act), certify the idling re-
2 duction devices which will reduce long-duration idling of
3 vehicles at motor vehicle rest stops or other locations
4 where such vehicles are temporarily parked or remain sta-
5 tionary in order to reduce air pollution and fuel consump-
6 tion.

