

Union Calendar No. 6

109TH CONGRESS
1ST SESSION**H. R. 996****[Report No. 109–13]**

To amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust funds, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2005

Mr. THOMAS introduced the following bill; which was referred to the Committee on Ways and Means

MARCH 8, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 1, 2005]

A BILL

To amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust funds, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Highway Reauthoriza-*
 3 *tion Tax Act of 2005”.*

4 **SEC. 2. EXTENSION OF HIGHWAY-RELATED TAXES AND**
 5 **TRUST FUNDS.**

6 *(a) EXTENSION OF TAXES.—*

7 *(1) IN GENERAL.—The following provisions of*
 8 *the Internal Revenue Code of 1986 are each amended*
 9 *by striking “2005” each place it appears and insert-*
 10 *ing “2011”:*

11 *(A) Section 4041(a)(1)(C)(iii)(I) (relating*
 12 *to rate of tax on certain buses).*

13 *(B) Section 4041(a)(2)(B) (relating to rate*
 14 *of tax on special motor fuels).*

15 *(C) Section 4041(m)(1) (relating to certain*
 16 *alcohol fuels).*

17 *(D) Section 4051(c) (relating to termi-*
 18 *nation of tax on heavy trucks and trailers).*

19 *(E) Section 4071(d) (relating to termi-*
 20 *nation of tax on tires).*

21 *(F) Section 4081(d)(1) (relating to termi-*
 22 *nation of tax on gasoline, diesel fuel, and ker-*
 23 *osene).*

24 *(G) Section 4481(f) (relating to period tax*
 25 *in effect).*

1 (H) Section 4482(c)(4) (relating to taxable
2 period).

3 (I) Section 4482(d) (relating to special rule
4 for taxable period in which termination date oc-
5 curs).

6 (2) FLOOR STOCKS REFUNDS.—Section
7 6412(a)(1) of such Code (relating to floor stocks re-
8 funds) is amended—

9 (A) by striking “2005” each place it ap-
10 pears and inserting “2011”, and

11 (B) by striking “2006” each place it ap-
12 pears and inserting “2012”.

13 (b) EXTENSION OF CERTAIN EXEMPTIONS.—The fol-
14 lowing provisions of such Code are each amended by strik-
15 ing “2005” and inserting “2011”:

16 (1) Section 4221(a) (relating to certain tax-free
17 sales).

18 (2) Section 4483(h) (relating to termination of
19 exemptions for highway use tax).

20 (c) EXTENSION OF DEPOSITS INTO TRUST FUNDS.—

21 (1) IN GENERAL.—Paragraphs (1) and (2) of
22 subsection (b), and paragraphs (2) and (3) of sub-
23 section (c), of section 9503 of such Code (relating to
24 the Highway Trust Fund) are each amended—

1 (A) by striking “2005” each place it ap-
 2 pears and inserting “2011”, and

3 (B) by striking “2006” each place it ap-
 4 pears and inserting “2012”.

5 (2) *MOTORBOAT AND SMALL-ENGINE FUEL TAX*
 6 *TRANSFERS.*—

7 (A) *IN GENERAL.*—Paragraphs (4)(A)(i)
 8 and (5)(A) of section 9503(c) of such Code are
 9 each amended by striking “2005” and inserting
 10 “2011”.

11 (B) *CONFORMING AMENDMENTS TO LAND*
 12 *AND WATER CONSERVATION FUND.*—Section
 13 201(b) of the Land and Water Conservation
 14 Fund Act of 1965 (16 U.S.C. 460l–11(b)) is
 15 amended—

16 (i) by striking “2003” and inserting
 17 “2009”, and

18 (ii) by striking “2004” each place it
 19 appears and inserting “2010”.

20 (d) *EXTENSION AND EXPANSION OF EXPENDITURES*
 21 *FROM TRUST FUNDS.*—

22 (1) *HIGHWAY TRUST FUND.*—

23 (A) *HIGHWAY ACCOUNT.*—Paragraph (1) of
 24 section 9503(c) of such Code is amended—

(i) in the matter before subparagraph (A), by striking “June 1, 2005” and inserting “October 1, 2009”,

(ii) by striking “or” at the end of subparagraph (J),

(iii) by striking the period at the end of subparagraph (K) and inserting “, or”,

(iv) by inserting after subparagraph (K) the following new subparagraph:

“(L) authorized to be paid out of the Highway Trust Fund under the Transportation Equity Act: A Legacy for Users.”, and

(v) in the matter after subparagraph (L), as added by clause (iv), by striking “Surface Transportation Extension Act of 2004, Part V” and inserting “Transportation Equity Act: A Legacy for Users”.

(B) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(i) in the matter before subparagraph (A), by striking “June 1, 2005” and inserting “October 1, 2009”,

(ii) by striking “or” at the end of subparagraph (H),

(iii) by inserting “or” at the end of subparagraph (I),

(iv) by inserting after subparagraph (I) the following new subparagraph:

“(J) *Transportation Equity Act: A Legacy for Users*,” and

(v) in the matter after subparagraph (J), as added by clause (iv), by striking “Surface Transportation Extension Act of 2004, Part V” and inserting “*Transportation Equity Act: A Legacy for Users*”.

(C) *EXCEPTION TO LIMITATION ON TRANSFERS*.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking “June 1, 2005” and inserting “October 1, 2009”.

(2) *AQUATIC RESOURCES TRUST FUND*.—

(A) *SPORT FISH RESTORATION ACCOUNT*.—Paragraph (2) of section 9504(b) of such Code is amended by striking “Surface Transportation Extension Act of 2004, Part V” each place it appears and inserting “*Transportation Equity Act: A Legacy for Users*” .

(B) *BOAT SAFETY ACCOUNT*.—Subsection (c) of section 9504 of such Code is amended—

1 (i) by striking “June 1, 2005” and in-
2 serting “October 1, 2009”, and

3 (ii) by striking “Surface Transpor-
4 tation Extension Act of 2004, Part V” and
5 inserting “Transportation Equity Act: A
6 Legacy for Users” .

7 (C) *EXCEPTION TO LIMITATION ON TRANS-*
8 *FERS.—Paragraph (2) of section 9504(d) of such*
9 *Code is amended by striking “June 1, 2005” and*
10 *inserting “October 1, 2009”.*

11 (e) *EFFECTIVE DATE.—The amendments made by this*
12 *section shall take effect on the date of the enactment of this*
13 *Act.*

14 **SEC. 3. TECHNICAL CORRECTIONS REGARDING HIGHWAY-**
15 **RELATED TAXES.**

16 (a) *AMENDMENTS RELATED TO SECTION 301 OF THE*
17 *AMERICAN JOBS CREATION ACT OF 2004.—Section 6427 of*
18 *such Code is amended—*

19 (1) *by striking subsection (f), and*

20 (2) *by striking subsection (o) and redesignating*
21 *subsection (p) as subsection (o).*

22 (b) *AMENDMENTS RELATED TO SECTION 853 OF THE*
23 *AMERICAN JOBS CREATION ACT OF 2004.—*

24 (1) *Subparagraph (C) of section 4081(a)(2) of*
25 *the Internal Revenue Code of 1986 is amended by*

1 *striking “for use in commercial aviation” and insert-*
2 *ing “for use in commercial aviation by a person reg-*
3 *istered for such use under section 4101”.*

4 *(2) So much of paragraph (2) of section 4081(d)*
5 *of such Code as precedes subparagraph (A) is amend-*
6 *ed to read as follows:*

7 *“(2) AVIATION FUELS.—The rates of tax speci-*
8 *fied in clauses (ii) and (iv) of subsection (a)(2)(A)*
9 *shall be 4.3 cents per gallon—”.*

10 *(c) EFFECTIVE DATE.—The amendments made by this*
11 *section shall take effect as if included in the provisions of*
12 *the American Jobs Creation Act of 2004 to which they re-*
13 *late.*

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