

111TH CONGRESS
1ST SESSION

H. R. 650

To amend the Internal Revenue Code of 1986 to increase the credit amount for new qualified alternative fuel motor vehicles weighing more than 26,000 pounds and to increase the credit for certain alternative fuel vehicle refueling properties, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2009

Mr. KAGEN 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 increase the credit amount for new qualified alternative fuel motor vehicles weighing more than 26,000 pounds and to increase the credit for certain alternative fuel vehicle refueling properties, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cleaner Trucks for
5 America Act of 2009”.

1 **SEC. 2. INCREASE IN ALTERNATIVE MOTOR VEHICLE CRED-**
2 **IT AMOUNT FOR NEW QUALIFIED ALTER-**
3 **NATIVE FUEL MOTOR VEHICLES WEIGHING**
4 **MORE THAN 26,000 POUNDS.**

5 (a) IN GENERAL.—Subparagraph (D) of section
6 30B(e)(3) of the Internal Revenue Code of 1986 is amend-
7 ed by striking “\$40,000” and inserting “\$80,000”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) shall apply to property placed in service
10 after the date of the enactment of this Act.

11 **SEC. 3. INCREASE IN CREDIT FOR CERTAIN ALTERNATIVE**
12 **FUEL VEHICLE REFUELING PROPERTIES.**

13 (a) IN GENERAL.—Subsection (b) of section 30C of
14 the Internal Revenue Code of 1986 is amended by striking
15 paragraphs (1) and (2) and inserting the following:

16 “(1) except as provided in paragraph (2),
17 \$30,000 in the case of a property of a character
18 subject to an allowance for depreciation,

19 “(2) in the case of a compressed natural gas,
20 liquefied natural gas, or liquefied petroleum gas
21 property the aggregate cost of which exceeds
22 \$100,000, the lesser of—

23 “(A) 30 percent of such cost, or

24 “(B) \$100,000, and

25 “(3) \$2,000 in any other case.”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) shall apply to property placed in service
 3 after the date of the enactment of this Act.

4 **SEC. 4. ALLOWANCE OF CREDITS AGAINST REGULAR AND**
 5 **MINIMUM TAX.**

6 (a) BUSINESS CREDITS.—Subparagraph (B) of sec-
 7 tion 38(c)(4) of the Internal Revenue Code of 1986 is
 8 amended by striking “and” at the end of clause (vii), by
 9 striking the period at the end of clause (viii) and inserting
 10 a comma, and by inserting after clause (viii) the following
 11 new clauses:

12 “(ix) the portion of the credit deter-
 13 mined under section 30B which is attrib-
 14 utable to the application of subsection
 15 (e)(3)(D) thereof, and

16 “(x) the portion of the credit deter-
 17 mined under section 30C which is attrib-
 18 utable to compressed natural gas, liquefied
 19 natural gas, or liquefied petroleum gas
 20 property.”.

21 (b) PERSONAL CREDITS.—

22 (1) NEW QUALIFIED ALTERNATIVE FUEL
 23 MOTOR VEHICLES WEIGHING MORE THAN 26,000
 24 POUNDS.—Subsection (g) of section 30B of such

1 Code is amended by adding at the end the following
 2 new paragraph:

3 “(3) SPECIAL RULE RELATING TO CERTAIN
 4 NEW QUALIFIED ALTERNATIVE FUEL MOTOR VEHI-
 5 CLES.—In the case of the portion of the credit deter-
 6 mined under subsection (a) which is attributable to
 7 the application of subsection (e)(3)(D)—

8 “(A) paragraph (2) shall (after the appli-
 9 cation of paragraph (1)) be applied separately
 10 with respect to such portion, and

11 “(B) in lieu of the limitation determined
 12 under paragraph (2), such limitation shall not
 13 exceed the excess (if any) of—

14 “(i) the sum of the regular tax liabil-
 15 ity (as defined in section 26(b)) plus the
 16 tentative minimum tax for the taxable
 17 year, reduced by

18 “(ii) the sum of the credits allowable
 19 under subpart A and sections 27 and 30.”.

20 (2) ALTERNATIVE FUEL VEHICLE REFUELING
 21 PROPERTIES.—Subsection (d) of section 30C of such
 22 Code is amended by adding at the end the following
 23 new paragraph:

24 “(3) SPECIAL RULE RELATING TO CERTAIN AL-
 25 TERNATIVE FUEL VEHICLE REFUELING PROP-

1 ERTIES.—In the case of the portion of the credit de-
2 termined under subsection (a) which is attributable
3 to compressed natural gas, liquefied natural gas, or
4 liquefied petroleum gas property—

5 “(A) paragraph (2) shall (after the appli-
6 cation of paragraph (1)) be applied separately
7 with respect to such portion, and

8 “(B) in lieu of the limitation determined
9 under paragraph (2), such limitation shall not
10 exceed the excess (if any) of—

11 “(i) the sum of the regular tax liabil-
12 ity (as defined in section 26(b)) plus the
13 tentative minimum tax for the taxable
14 year, reduced by

15 “(ii) the sum of the credits allowable
16 under subpart A and sections 27, 30, and
17 the portion of the credit determined under
18 section 30B which is attributable to the
19 application of subsection (e)(3)(D) there-
20 of.”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to taxable years ending after the
23 date of the enactment of this Act.

1 **SEC. 5. CREDIT RELATING TO NEW QUALIFIED ALTER-**
2 **NATIVE FUEL MOTOR VEHICLES WEIGHING**
3 **MORE THAN 26,000 POUNDS MAY BE TRANS-**
4 **FERRED.**

5 (a) IN GENERAL.—Subsection (h) of section 30B is
6 amended by adding at the end the following new para-
7 graph:

8 “(11) TRANSFERABILITY OF CREDIT.—Nothing
9 in any law or rule of law shall be construed to limit
10 the transferability, through sale and repurchase
11 agreements, of the credit allowed by reason of sub-
12 section (e)(3)(D).”.

13 (b) EFFECTIVE DATE.—The amendment made by
14 this section shall apply with respect to vehicles placed in
15 service after the date of the enactment of this Act.

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