

House Bill 3253

Sponsored by Representative NATHANSON; Representatives BAILEY, BARKER, BOONE, CANNON, CLEM, DEMBROW, C EDWARDS, D EDWARDS, GALIZIO, GARRETT, HOLVEY, MAURER, SCHAUFLEER, J SMITH, STIEGLER, Senators PROZANSKI, WALKER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes tax credit for plug-in electric drive motor vehicles.
Applies to tax years beginning on or after January 1, 2010.

A BILL FOR AN ACT

1
2 Relating to plug-in electric drive motor vehicle tax credit.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 315.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"Manufacturer" means a person engaged in the business of manufacturing plug-in**
7 **electric drive motor vehicles.**

8 (b) **"Plug-in electric drive motor vehicle" means a motor vehicle, as defined in ORS**
9 **801.360, that draws propulsion solely from an onboard battery system.**

10 (c) **"Traction battery capacity" means capacity of a traction battery measured in**
11 **kilowatt-hours from a 100 percent state of charge to a zero percent state of charge.**

12 (2) **A credit against the taxes otherwise due under ORS chapter 316 or, if the taxpayer**
13 **is a corporation, under ORS chapter 317 or 318 is allowed to a taxpayer for expenses related**
14 **to the purchase of a plug-in electric drive motor vehicle during the tax year. The taxpayer**
15 **must be the owner of the plug-in electric drive motor vehicle. To qualify for the credit al-**
16 **lowed under this section, a plug-in electric drive motor vehicle must:**

17 (a) **Draw propulsion solely using traction batteries with at least four kilowatt-hours of**
18 **traction battery capacity;**

19 (b) **Employ an off-board source of energy to recharge the traction batteries;**

20 (c) **Have been assembled in this state;**

21 (d) **Have been first used by the taxpayer claiming the tax credit under this section;**

22 (e) **Have been acquired for use or lease, but not for resale, by the taxpayer claiming the**
23 **credit under this section; and**

24 (f) **Have been manufactured by a manufacturer.**

25 (3) **Prior to claiming the credit allowed under this section, a taxpayer must receive cer-**
26 **tification as provided under section 3 of this 2009 Act.**

27 (4) **The amount of a tax credit available to a taxpayer under this section is \$417 for each**
28 **kilowatt-hour of traction battery capacity in excess of four kilowatt-hours plus \$2,500.**

29 (5) **Notwithstanding subsection (4) of this section, the amount of a tax credit available**
30 **to a taxpayer under this section may not exceed:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) \$7,500 for a new plug-in electric drive motor vehicle that has a gross vehicle weight
2 rating of not more than 10,000 pounds.

3 (b) \$10,000 for a plug-in electric drive motor vehicle that has a gross vehicle weight rating
4 of more than 10,000 but not more than 14,000 pounds.

5 (c) \$12,500 for a plug-in electric drive motor vehicle that has a gross vehicle weight rating
6 of more than 14,000 but not more than 26,000 pounds.

7 (d) \$15,000 for a plug-in electric drive motor vehicle that has a gross vehicle weight rating
8 of more than 26,000 pounds.

9 (6) The credit allowed under this section may not exceed the tax liability of the taxpayer
10 for the tax year in which the credit is claimed.

11 (7) Any tax credit otherwise allowable under this section that is not used by the taxpayer
12 in a particular tax year may be carried forward and offset against the taxpayer's tax liability
13 for the next succeeding tax year. Any credit remaining unused in the next succeeding tax
14 year may be carried forward and used in the second succeeding tax year, and likewise any
15 credit not used in that second succeeding tax year may be carried forward and used in the
16 third succeeding tax year, and any credit not used in that third succeeding tax year may be
17 carried forward and used in the fourth succeeding tax year, but may not be carried forward
18 for any tax year thereafter.

19 (8) A taxpayer claiming a tax credit under this section for a plug-in electric drive motor
20 vehicle may not claim a tax credit under ORS 316.116 for the same plug-in electric drive
21 motor vehicle.

22 SECTION 3. (1) Any taxpayer may apply to the State Department of Energy for certif-
23 ication of a plug-in electric drive motor vehicle to allow the taxpayer to claim the credit al-
24 lowed under section 2 of this 2009 Act.

25 (2) The application must be made in writing in a form prescribed by the department and
26 must contain information requested by the department.

27 SECTION 4. Sections 2 and 3 of this 2009 Act apply to tax years beginning on or after
28 January 1, 2010.