

## Internal Revenue Code

### § 30C. Alternative fuel vehicle refueling property credit

#### **(a) Credit allowed**

There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 30 percent of the cost of any qualified alternative fuel vehicle refueling property placed in service by the taxpayer during the taxable year. (b) Limitation The credit allowed under subsection (a) with respect to all qualified alternative fuel vehicle refueling property placed in service by the taxpayer during the taxable year at a location shall not exceed -

(1) \$30,000 in the case of a property of a character subject to an allowance for depreciation, and

(2) \$1,000 in any other case.

#### **(c) Qualified alternative fuel vehicle refueling property**

For purposes of this section, the term "qualified alternative fuel vehicle refueling property" has the same meaning as the term "qualified clean-fuel vehicle refueling property" would have under section 179A if -

(1) paragraph (1) of section 179A(d) did not apply to property installed on property which is used as the principal residence (within the meaning of section 121) of the taxpayer, and

(2) only the following were treated as clean-burning fuels for purposes of section 179A(d):

#### **(A) Any fuel at least 85 percent of the volume of which**

consists of one or more of the following: ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas, or hydrogen.

#### **(B) Any mixture -**

(i) which consists of two or more of the following: biodiesel (as defined in section 40A(d)(1)), diesel fuel (as defined in section 4083(a)(3)), or kerosene, and

(ii) at least 20 percent of the volume of which consists of biodiesel (as so defined) determined without regard to any kerosene in such mixture.

#### **(C) Electricity.**

#### **(d) Application with other credits**

##### **(1) Business credit treated as part of general business credit**

So much of the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) that is attributable to property of a character subject to an allowance for depreciation shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

##### **(2) Personal credit**

The credit allowed under subsection (a) (after the application of paragraph (1)) for any taxable year shall not exceed the excess (if any) of -

(A) the regular tax liability (as defined in section 26(b)) reduced by the sum of the credits allowable under subpart A and section 27, over

(B) the tentative minimum tax for the taxable year. (e) Special rules

For purposes of this section - (1) Basis reduction

The basis of any property shall be reduced by the portion of the cost of such property taken into account under subsection (a).

**(2) Property used by tax-exempt entity**

In the case of any qualified alternative fuel vehicle refueling property the use of which is described in paragraph (3) or (4) of section 50(b) and which is not subject to a lease, the person who sold such property to the person or entity using such property shall be treated as the taxpayer that placed such property in service, but only if such person clearly discloses to such person or entity in a document the amount of any credit allowable under subsection (a) with respect to such property (determined without regard to subsection (d)). For purposes of subsection (d), property to which this paragraph applies shall be treated as of a character subject to an allowance for depreciation.

**(3) Property used outside United States not qualified**

No credit shall be allowable under subsection (a) with respect to any property referred to in section 50(b)(1) or with respect to the portion of the cost of any property taken into account under section 179.

**(4) Election not to take credit**

No credit shall be allowed under subsection (a) for any property if the taxpayer elects not to have this section apply to such property.

**(5) Recapture rule**

Rules similar to the rules of section 179A(e)(4) shall apply.

**(6) Special rule for property placed in service during 2009 and 2010**

In the case of property placed in service in taxable years beginning after December 31, 2008, and before January 1, 2011 -

(A) in the case of any such property which does not relate to hydrogen -

(i) subsection (a) shall be applied by substituting "50 percent" for "30 percent",

(ii) subsection (b)(1) shall be applied by substituting "\$50,000" for "\$30,000", and

(iii) subsection (b)(2) shall be applied by substituting "\$2,000" for "\$1,000", and

(B) in the case of any such property which relates to hydrogen, subsection (b)(1) shall be applied by substituting "\$200,000" for "\$30,000".

**(f) Regulations**

The Secretary shall prescribe such regulations as necessary to carry out the provisions of this section.

**(g) Termination**

This section shall not apply to any property placed in service - (1) in the case of property relating to hydrogen, after December 31, 2014, and

(2) in the case of any other property, after December 31, 2011.