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**HOUSE BILL NO. 2308**

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.12, relating to clean special fuel and plug-in electric vehicle income tax credits.*

Patron—Sickles

Referred to Committee on Finance

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.12 as follows:**

*§ 58.1-339.12. Clean special fuel and plug-in electric motor vehicle tax credit.*

*A. As used in this section, unless the context requires a different meaning:*

*"Clean special fuel motor vehicle" means a motor vehicle that is made by a manufacturer and is only capable of operating on clean special fuels, as that term is defined in § 58.1-439.1.*

*"Plug-in electric motor vehicle" means an on-road motor vehicle that draws propulsion using a traction battery that has at least four kilowatt hours of capacity, uses an external source of electric energy to recharge the battery, has a gross vehicle weight rating of up to 14,000 pounds, and meets specified federal emission standards.*

*B. For taxable years beginning on and after January 1, 2011, but before January 1, 2015, any individual who purchases a clean special fuel motor vehicle or a new plug-in electric motor vehicle in the Commonwealth shall be entitled to a credit of \$2,000 against the tax levied pursuant to § 58.1-320. The credit shall not exceed the individual's income tax liability. Any excess may be carried over for the next three taxable years or until completely used, whichever occurs first.*

*C. The Tax Commissioner shall establish and publish guidelines regarding the information to be included by the taxpayer when applying for the credits on his income tax return and the format for such information. Such guidelines shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).*

INTRODUCED

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