

**AMENDMENT TO RULES**  
**COMMITTEE PRINT 116-63**  
**OFFERED BY MS. SPEIER OF CALIFORNIA**

At the end of title II, add the following:

1     **Subtitle G—Electric Drive Motor**  
2                     **Vehicles**

3     **SEC. 2701. EXPANSION OF TAX CREDIT FOR ELECTRIC**  
4                     **DRIVE MOTOR VEHICLES.**

5             (a) APPLICATION TO NEW AND USED BATTERY  
6     ELECTRIC MOTOR VEHICLES.—

7                     (1) IN GENERAL.—Section 30D(a) of the Inter-  
8     nal Revenue Code of 1986 is amended by striking  
9     “new qualified plug-in electric drive motor vehicle”  
10    and inserting “credit eligible electric motor vehicle”.

11                    (2) PER VEHICLE DOLLAR LIMITATION.—Sec-  
12    tion 30D(b) of such Code is amended—

13                            (A) in paragraph (1)—

14                                    (i) by striking “paragraphs (2) and  
15                                    (3)” and inserting “paragraphs (4) and  
16                                    (5)”; and

17                                    (ii) by striking “IN GENERAL” in the  
18                                    heading and inserting “NEW QUALIFIED

1 PLUG-IN ELECTRIC DRIVE MOTOR VEHI-  
2 CLES”;

3 (B) by redesignating paragraphs (2) and  
4 (3) as paragraphs (4) and (5), respectively, and  
5 inserting after paragraph (1) the following new  
6 paragraphs:

7 “(2) NEW BATTERY ELECTRIC MOTOR VEHI-  
8 CLES.—

9 “(A) IN GENERAL.—The amount deter-  
10 mined under this subsection with respect to any  
11 new battery electric motor vehicle is—

12 “(i) \$12,000 (\$15,000 in the case of  
13 new battery electric motor vehicles ac-  
14 quired after December 31, 2020, and be-  
15 fore the date which is 5 years after the  
16 date of the enactment of the Clean Econ-  
17 omy Jobs and Innovation Act) if the price  
18 of such vehicle is not more than \$35,000,  
19 and

20 “(ii) \$7,500 if the price of such vehi-  
21 cle is greater than \$35,000.

22 “(B) DETERMINATION OF PRICE.—For  
23 purposes of this paragraph, the term ‘price’  
24 means—

1           “(i) except as provided in clause (ii),  
2           the final sales price agreed upon by the  
3           taxpayer and the person from whom the  
4           taxpayer acquires such vehicle (determined  
5           without regard to any taxes or fees im-  
6           posed by any State or local government),  
7           and

8           “(ii) in the case of a lease, the price  
9           of the vehicle stated in the lease agreement  
10          between the lessor and lessee (as so deter-  
11          mined).

12          “(3) USED BATTERY ELECTRIC MOTOR VEHI-  
13          CLES.—The amount determined under this sub-  
14          section with respect to any used battery electric  
15          motor vehicle is—

16               “(A) \$5,000 if the taxpayer trades in a ve-  
17               hicle that is powered by an internal combustion  
18               engine in connection with the taxpayer’s acqui-  
19               sition of such used battery electric motor vehi-  
20               cle, and

21               “(B) \$0 in any other case.”; and

22               (C) in paragraph (5) (as so redesignated),  
23               by striking “a vehicle” and inserting “a new  
24               qualified plug-in electric drive motor vehicle”.

1           (3) CREDIT ELIGIBLE ELECTRIC MOTOR VEHI-  
2           CLE.—Section 30D(d) of such Code is amended—

3                   (A) by redesignating paragraphs (2), (3),  
4                   and (4) as paragraphs (5), (6), and (7), respec-  
5                   tively;

6                   (B) by redesignating paragraph (1) as  
7                   paragraph (2);

8                   (C) in paragraph (2) (as so redesign-  
9                   ated)—

10                   (i) in subparagraph (F), by inserting  
11                   “utilizes an internal combustion engine  
12                   and” before “is propelled”; and

13                   (ii) by striking “IN GENERAL” in the  
14                   heading and inserting “NEW QUALIFIED  
15                   PLUG-IN ELECTRIC DRIVE MOTOR VEHI-  
16                   CLE”;

17                   (D) by striking all that precedes paragraph  
18                   (2) (as so redesignated) and inserting the fol-  
19                   lowing:

20           “(d) CREDIT ELIGIBLE MOTOR VEHICLE.—For pur-  
21           poses of this section—

22                   “(1) CREDIT ELIGIBLE MOTOR VEHICLE.—The  
23                   term ‘credit eligible motor vehicle’ means—

24                           “(A) a new qualified plug-in electric drive  
25                           motor vehicle,

1           “(B) a new battery electric motor vehicle,  
2           and

3           “(C) a used battery electric motor vehi-  
4           cle.”; and

5           (E) by inserting after paragraph (2) (as so  
6           redesignated) the following new paragraphs:

7           “(3) NEW BATTERY ELECTRIC MOTOR VEHI-  
8           CLE.—The term ‘new battery electric motor vehicle’  
9           means a motor vehicle—

10           “(A) which meets the requirements of sub-  
11           paragraphs (A) through (E) of paragraph (2),

12           “(B) which is powered by a battery electric  
13           drive train,

14           “(C) which produces zero exhaust emis-  
15           sions of any criteria pollutant (including any  
16           precursor pollutant) or greenhouse gas (other  
17           than emissions from air conditioning systems)  
18           under any possible operational modes or condi-  
19           tions,

20           “(D) the battery cell, battery pack, battery  
21           cooling system, and battery management sys-  
22           tem of which are all manufactured in the  
23           United States, and

24           “(E) the assembly of which is in the  
25           United States.

1           “(4) USED BATTERY ELECTRIC MOTOR VEHI-  
2           CLE.—

3           “(A) IN GENERAL.—The term ‘used bat-  
4           tery electric motor vehicle’ means a motor vehi-  
5           cle—

6                   “(i) the original use of which com-  
7                   mences with a person other than the tax-  
8                   payer,

9                   “(ii) which meets the requirements of  
10                  subparagraphs (B) through (E) of para-  
11                  graph (2), and

12                  “(iii) which meets the requirements of  
13                  subparagraphs (B) through (E) of para-  
14                  graph (3).

15           “(B) ONLY 1 CREDIT PER VEHICLE.—No  
16           credit shall be allowed under this section with  
17           respect to any used battery electric motor vehi-  
18           cle placed in service by the taxpayer if a credit  
19           is allowable under this section by reason of such  
20           vehicle being placed in service at any time prior  
21           to the time that such vehicle is placed in service  
22           by the taxpayer (other than a credit which is so  
23           allowable by reason of such vehicle being a new  
24           battery electric motor vehicle).”.

1 (b) CARRYOVER OF PERSONAL CREDIT.—Section  
2 30D(c)(2) of such Code is amended—

3 (1) by striking “For purposes” and inserting  
4 the following:

5 “(A) IN GENERAL.—For purposes”; and

6 (2) by adding at the end the following new sub-  
7 paragraph:

8 “(B) CARRYBACK AND CARRYFORWARD OF  
9 UNUSED CREDITS.—

10 “(i) IN GENERAL.—If the credit de-  
11 scribed in subparagraph (A) exceeds the  
12 limitation imposed by section 26(a) for the  
13 taxable year reduced by the sum of the  
14 credits allowable under subpart A (deter-  
15 mined without regard to the credit de-  
16 scribed in subparagraph (A)), such excess  
17 shall be—

18 “(I) carried back to the taxable  
19 year preceding the taxable year in  
20 which such amount arose, and

21 “(II) carried forward to the 5  
22 taxable years following the taxable  
23 year in which such amount arose.

1                   “(ii) LIMITATION.—For purposes of  
2                   clause (i), the amount of credit carried  
3                   back or forward under such clause—

4                   “(I) shall be taken into account  
5                   as a credit described in subparagraph  
6                   (A) for the taxable year to which car-  
7                   ried (except, in the case of a  
8                   carryback, such amount shall not be  
9                   taken into account for purposes of ap-  
10                  plying clause (i) to such taxable year),  
11                  and

12                  “(II) such amounts shall be  
13                  treated as used on a first-in, first-out  
14                  basis, determined on the basis of the  
15                  taxable year in which such amount  
16                  arose.”.

17                  (c) ASSIGNMENT OF CREDIT TO FINANCING ENTI-  
18                  TY.—Section 30D(f) of such Code is amended by adding  
19                  at the end the following new paragraph:

20                  “(8) CREDIT MAY BE ASSIGNED TO FINANCING  
21                  ENTITY.—

22                  “(A) IN GENERAL.—In the case of a credit  
23                  determined under subsection (a) with respect to  
24                  a new qualified plug-in electric drive motor ve-  
25                  hicle or a new battery electric motor vehicle, the



1 taxpayer to whom such credit would (but for  
2 this paragraph) be allowed under subsection (a)  
3 for any taxable year may assign such credit to  
4 the person who financed the purchase (or lease  
5 of at least 2 years) of such vehicle. Any person  
6 to whom such credit is assigned under the pre-  
7 ceding sentence shall be treated for purposes of  
8 this title as the taxpayer who placed such vehi-  
9 cle in service.

10 “(B) DISCLOSURE REQUIREMENT.—Sub-  
11 paragraph (A) shall not apply with respect to  
12 any vehicle unless the person to whom the cred-  
13 it is assigned clearly discloses in writing to the  
14 taxpayer the amount of the credit allowable  
15 under subsection (a) with respect to such vehi-  
16 cle (determined without regard to subsection  
17 (c)).”.

18 (d) MODIFICATION OF TERMINATION OF CREDIT.—

19 (1) REPEAL OF MANUFACTURERS LIMITA-  
20 TION.—Section 30D of such Code is amended by  
21 striking subsection (e).

22 (2) TERMINATION OF CREDIT.—Section 30D of  
23 such Code is amended by adding at the end the fol-  
24 lowing new subsection:

1       “(h) TERMINATION.—This section shall not apply to  
2 any vehicle placed in service after December 31, 2030.”.

3       (e) EFFECTIVE DATES.—

4           (1) IN GENERAL.—Except as otherwise pro-  
5 vided in this subsection, the amendments made by  
6 this section shall apply to vehicles acquired after De-  
7 cember 31, 2018.

8           (2) CARRYFORWARD.—The amendments made  
9 by subsection (b) shall apply to vehicles acquired  
10 after the date of the enactment of this Act.

11           (3) ASSIGNMENT.—The amendment made by  
12 subsection (c) shall apply to vehicles acquired after  
13 the date which is 60 days after the date of the en-  
14 actment of this Act.

