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Sec. 30. Certain Plug-In Electric Vehicles [Repealed]

Editor's Note: Pub. L. 113-295, Div. A, Sec. 221(a)(2), struck Sec. 30, effective on December 19, 2014.

I.R.C. § 30(a) Allowance Of Credit —

There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 10 percent of the cost of any qualified plug-in electric vehicle placed in service by the taxpayer during the taxable year.

I.R.C. § 30(b) Per Vehicle Dollar Limitation —

The amount of the credit allowed under subsection (a) with respect to any vehicle shall not exceed \$2,500.

I.R.C. § 30(c) Application With Other Credits

I.R.C. § 30(c)(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)).

I.R.C. § 30(c)(2) Personal Credit —

For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.

I.R.C. § 30(d) Qualified Plug-In Electric Vehicle —

For purposes of this section—

I.R.C. § 30(d)(1) In General —

The term “qualified plug-in electric vehicle” means a specified vehicle—

I.R.C. § 30(d)(1)(A) —

the original use of which commences with the taxpayer,

I.R.C. § 30(d)(1)(B) —

which is acquired for use or lease by the taxpayer and not for resale,

I.R.C. § 30(d)(1)(C) —

which is made by a manufacturer,

I.R.C. § 30(d)(1)(D) —

which is manufactured primarily for use on public streets, roads, and highways,

I.R.C. § 30(d)(1)(E) —

which has a gross vehicle weight rating of less than 14,000 pounds, and

I.R.C. § 30(d)(1)(F) —

which is propelled to a significant extent by an electric motor which draws electricity from a battery which—

I.R.C. § 30(d)(1)(F)(i) —

has a capacity of not less than 4 kilowatt hours (2.5 kilowatt hours in the case of a vehicle with 2 or 3 wheels), and

I.R.C. § 30(d)(1)(F)(i) —

is capable of being recharged from an external source of electricity.

I.R.C. § 30(d)(2) Specified Vehicle —

The term “specified vehicle” means any vehicle which—

I.R.C. § 30(d)(2)(A) —

is a low speed vehicle within the meaning of section 571.3 of title 49, Code of Federal Regulations (as in effect on the date of the enactment of the American Recovery and Reinvestment Tax Act of 2009), or

I.R.C. § 30(d)(2)(B) —

has 2 or 3 wheels.

I.R.C. § 30(d)(3) Manufacturer —

The term “manufacturer” has the meaning given such term in regulations prescribed by the Administrator of the Environmental Protection Agency for purposes of the administration of title II of the Clean Air Act (42 U.S.C. 7521 et seq.).

I.R.C. § 30(d)(4) Battery Capacity —

The term “capacity” means, with respect to any battery, the quantity of electricity which the battery is capable of storing, expressed in kilowatt hours, as measured from a 100 percent state of charge to a 0 percent state of charge.

I.R.C. § 30(e) Special Rules

I.R.C. § 30(e)(1) Basis Reduction —

For purposes of this subtitle, the basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit so allowed (determined without regard to subsection (c)).

I.R.C. § 30(e)(2) No Double Benefit —

The amount of any deduction or other credit allowable under this chapter for a new qualified plug-in electric drive motor vehicle shall be reduced by the amount of credit allowable under subsection (a) for such vehicle (determined without regard to subsection (c)).

I.R.C. § 30(e)(3) Property Used By Tax-Exempt Entity —

In the case of a vehicle 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 vehicle to the person or entity using such vehicle shall be treated as the taxpayer that placed such vehicle 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 vehicle (determined without regard to subsection (c)). For purposes of subsection (c), property to which this paragraph applies shall be treated as of a character subject to an allowance for depreciation.

I.R.C. § 30(e)(4) 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).

I.R.C. § 30(e)(5) Recapture —

The Secretary shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any property which ceases to be property eligible for such credit.

I.R.C. § 30(e)(6) Election Not To Take Credit —

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

I.R.C. § 30(f) Termination —

This section shall not apply to any vehicle acquired after December 31, 2011.

(Added by Pub. L. 102-486, Sec. 1913, Oct. 24, 1992; amended by Pub. L. 104-188, title I, Sec. 1205(d)(4), 1704(j)(4)(A), Aug. 20, 1996, 110 Stat. 1755; Pub. L. 107-147, title VI, Sec. 602(a), Mar. 9, 2002, 116 Stat. 21; Pub. L. 108-311, title III, Sec. 318(a), Oct. 4, 2004, 118 Stat. 1166; Pub. L. 109-58, title XIII, Sec. 1322(a)(3)(A), Aug. 8, 2005, 119 Stat. 594; Pub. L. 111-5, Div. B, title I, Sec. 1142(a), Feb. 17, 2009, 123 Stat. 115; Pub. L. 111-148, Sec. 10909(b)(2)(F), Mar. 23, 2010, 124 Stat. 119; Pub. L. 112-240, title I, Sec. 104(c)(2)(G), Jan. 2, 2013, 126 Stat. 2313; Pub. L. 113-295, Div. A, title II, Sec. 209(f)(2), 221(a)(2), Dec. 19, 2014, 128 Stat. 4010.)

BACKGROUND NOTES

PRIOR SECTIONS

A prior section 30 was renumbered section 41 by P.L. 99-514, 231(d)(2), 1986.

AMENDMENTS

2014 — Sec. 30. Pub. L. 113-295, Div. A, Sec. 221(a)(2), struck Sec. 30.

Subsec. (e)(1). Pub. L. 113-295, Div. A, Sec. 209(f)(2)(A)(i), amended par. (1) by inserting “(determined without regard to subsection (c))” before the period at the end.

Subsec. (e)(2). Pub. L. 113-295, Div. A, Sec. 209(f)(2)(A)(ii), amended par. (2) by inserting “(determined without regard to subsection (c))” before the period at the end.

Subsec. (e)(3). Pub. L. 113-295, Div. A, Sec. 209(f)(2)(B), amended par. (3) by inserting “For purposes of subsection (c), property to which this paragraph applies shall be treated as of a character subject to an

allowance for depreciation.” at the end.

2013 - Subsec. (c)(2). Pub. L. 112-240, Sec. 104(c)(2)(G), amended par. (2). Before amendment, it read as follows:

“(2) Personal Credit.—

“(A) In General.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.

“(B) Limitation Based On Amount Of Tax.—In the case of a taxable year to which section 26(a)(2) does not apply, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall not exceed the excess of—

“(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(ii) the sum of the credits allowable under subpart A (other than this section and sections 23, 25D and 30D) and section 27 for the taxable year.”

2010 - Subsec. (c)(2)(B)(ii). Pub. L. 111-148, Sec. 10909(b)(2)(F), amended clause (ii) by substituting “25D” for “23, 25D,”.

2009 - Sec. 30. Pub. L. 111-5, Div. B, Sec. 1142(a), amended Sec. 30. Before amendment, it read as follows:

“30. Credit For Qualified Electric Vehicles

“(a) Allowance Of Credit.— There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 10 percent of the cost of any qualified electric vehicle placed in service by the taxpayer during the taxable year.

“(b) Limitations.—

“(1) Limitation Per Vehicle.— The amount of the credit allowed under subsection (a) for any vehicle shall not exceed \$4,000.

“(2) Phaseout.— In the case of any qualified electric vehicle placed in service after December 31, 2005, the credit otherwise allowable under subsection (a) (determined after the application of paragraph (1)) shall be reduced by 75 percent.

“(3) Application With Other Credits.— The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of—

“(A) the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and section 27 , over—

“(B) the tentative minimum tax for the taxable year.

“(c) Qualified Electric Vehicle.— For purposes of this section—

“(1) In General.—

“(A) which is powered primarily by an electric motor drawing current from rechargeable batteries, fuel cells, or other portable sources of electrical current,

“(B) the original use of which commences with the taxpayer, and

“(C) which is acquired for use by the taxpayer and not for resale.

“(2) Motor Vehicle.— For purposes of paragraph (1), the term “motor vehicle” means any vehicle which is manufactured primarily for use on public streets, roads, and highways (not including a vehicle operated exclusively on a rail or rails) and which has at least 4 wheels.

“(d) Special Rules.—

“(1) Basis Reduction.—The basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit (determined without regard to subsection (b)(3)).

“(2) Recapture.— The Secretary shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any property which ceases to be property eligible for such credit.

“(3) Property Used Outside United States, Etc., Not Qualified.— No credit shall be allowed under subsection (a) with respect to any property referred to in section 50(b) or with respect to the portion of the cost of any property taken into account under section 179.

“(4) Election To Not Take Credit.— No credit shall be allowed under subsection (a) for any vehicle if the taxpayer elects to not have this section apply to such vehicle.

“(e) Termination.— This section shall not apply to any property placed in service after December 31, 2006.”

2005 - Subsec. (b)(3)(A). Pub. L. 109-58, Sec. 1322(a)(3)(A), amended subpar. (A) by substituting “section 27” for “sections 27 and 29”.

2004 - Subsec. (b)(2). Pub. L. 108-311, Sec. 318(a), amended par. (2). Before amendment it read as follows:

“(2) PHASEOUT.--In the case of any qualified electric vehicle placed in service after December 31, 2003, the credit otherwise allowable under subsection (a) (determined after the application of paragraph (1)) shall be reduced by --

“(A) 25 percent in the case of property placed in service in calendar year 2004,
“(B) 50 percent in the case of property placed in service in calendar year 2005, and
“(C) 75 percent in the case of property placed in service in calendar year 2006.”

2002 - Subsec. (b)(2). Pub. L. 107-147, Sec. 602(a)(1), amended par. (2) by substituting “December 31, 2003,” for “December 31, 2001,” and by substituting “2004”, “2005”, and “2006”, respectively, for “2002”, “2003”, and “2004”, respectively.

Subsec. (e). Pub. L. 107-147, Sec. 602(a)(2), amended subsec. (e) by substituting “December 31, 2006” for “December 31, 2004”.

1996 - Subsec. (b)(3)(A). Pub. L. 104-188, Sec. 1205(d)(4), substituted “sections 27 and 29” for “sections 27, 28, and 29”.

Subsec. (d). *Pub. L. 104-188, Sec. 1704(j)(4)(A)* added “(determined without regard to subsection (b)(3))” before the period in par. (1); and added par. (4).

EFFECTIVE DATE OF 2014 AMENDMENTS

Amendments by Pub. L. 113-295, Div. A, Sec. 209(f)(2), effective as if included in the provision of the American Recovery and Reinvestment Tax Act of 2009 [Pub. L. 111-5, Sec. 1142] to which it relates [Effective for vehicles acquired after Feb. 17, 2009].

Amendment by Pub. L. 113-295, Div. A, Sec. 221(a)(2), effective on the date of the enactment of this Act [Enacted: Dec. 19, 2014].

Section 221(b)(2) of Pub. L. 113-295, Div. A, provided the following Savings Provision:

“(2) SAVINGS PROVISION.—If—

“(A) any provision amended or repealed by the amendments made by this section applied to—

“(i) any transaction occurring before the date of the enactment of this Act [Enacted: Dec. 19, 2014],

“(ii) any property acquired before such date of enactment, or

“(iii) any item of income, loss, deduction, or credit taken into account before such date of enactment, and

“(B) the treatment of such transaction, property, or item under such provision would (without regard to the amendments or repeals made by this section) affect the liability for tax for periods ending after date of enactment, nothing in the amendments or repeals made by this section shall be construed to affect the treatment of such transaction, property, or item for purposes of determining liability for tax for periods ending after such date of enactment.”

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Sec. 104(c) of Pub. L. 112-240 effective for taxable years beginning after December 31, 2011.

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Sec. 10909 of Pub. L. 111-148 effective for taxable years beginning after December 31, 2009. Pub. L. 111-148, Sec. 10909(c), provided that:

“(c) APPLICATION AND EXTENSION OF EGTRRA SUNSET.—Notwithstanding section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001, such section shall apply to the amendments made by this section and the amendments made by section 202 of such Act by substituting “December 31, 2011” for “December 31, 2010” in subsection (a)(1) thereof.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Section 1142 of Pub. L. 111-5 effective for vehicles acquired after the date of the enactment of this Act [Enacted: Feb. 17, 2009]. Section 1142(d) of Pub. L. 111-5 provided a transitional rule:

“(d) TRANSITIONAL RULE.—In the case of a vehicle acquired after the date of the enactment of this Act [Enacted: Feb. 17, 2009] and before January 1, 2010, no credit shall be allowed under section 30 of the Internal Revenue Code of 1986, as added by this section, if credit is allowable under section 30D of such Code with respect to such vehicle.”

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Section 1322 of Pub. L. 109-58 effective for credits determined under the Internal Revenue Code of 1986 for taxable years ending after December 31, 2005.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Section 318 of Pub. L. 108-311 effective for property placed in service after December 31, 2003.”

EFFECTIVE DATE OF 2002 AMENDMENTS

Amendments by Section 602 of Pub. L. 107-147 effective for property placed in service after December 31, 2001.”

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Section 1207 of Pub. L. 104-188 effective for amounts paid or incurred in taxable years ending after June 30, 1996.”

EFFECTIVE DATE

Section 1913(c) of Pub. L. 102-486, provided that: “The amendments made by this section shall apply to property placed in service after June 30, 1993.”

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