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(Original Signature of Member)

113TH CONGRESS
2D SESSION

H. R. _____

To amend the Internal Revenue Code of 1986 to provide incentives for zero carbon emissions refueling property.

IN THE HOUSE OF REPRESENTATIVES

Mr. MURPHY of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to provide incentives for zero carbon emissions refueling property.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fueling America’s Fu-
5 ture Act of 2014”.

1 **SEC. 2. EXTENSION AND MODIFICATION OF ALTERNATIVE**
2 **FUEL VEHICLE REFUELING PROPERTY CRED-**
3 **IT.**

4 (a) **REPEAL OF LIMITATION FOR ZERO CARBON**
5 **EMISSION FUEL.**—Paragraph (6) of section 30C(e) of the
6 Internal Revenue Code of 1986 is amended to read as fol-
7 lows:

8 “(6) **SPECIAL RULE FOR ZERO CARBON EMIS-**
9 **SION REFUELING PROPERTY.**—In the case of any
10 property relating to zero-emission fuel, subsection
11 (b) shall not apply”.

12 (b) **EXTENSION FOR ZERO CARBON EMISSION**
13 **FUEL.**—Subsection (g) of section 30C of such Code is
14 amended by striking “and” at the end of paragraph (1),
15 by redesignating paragraph (2) as paragraph (3), and by
16 inserting after paragraph (1) the following new paragraph:

17 “(2) in the case of any property relating to zero
18 carbon emission fuel, after December 31, 2024,
19 and”.

20 (c) **ZERO CARBON EMISSION FUEL.**—Subsection (e)
21 of section 30C of such Code is amended by adding at the
22 end the following new paragraph:

23 “(7) **ZERO CARBON EMISSION FUEL.**—For pur-
24 poses of this section, the term ‘zero carbon emission
25 fuel’ means any fuel that does not emit carbon when
26 used as fuel to propel a motor vehicle (including

1 electricity, hydrogen, or any other zero-tailpipe emis-
2 sion producing fuel, as determined by the Secretary
3 of Energy for purposes of this section).”.

4 (d) EFFECTIVE DATE.—The amendments made by
5 this section shall apply to property placed in service after
6 the date of the enactment of this Act.

7 **SEC. 3. TAX HOLIDAY FOR BUSINESSES PLACING IN SERV-**
8 **ICE ZERO CARBON EMISSION REFUELING**
9 **PROPERTY.**

10 Part III of subchapter B of chapter 1 of the Internal
11 Revenue Code of 1986 is amended by inserting before sec-
12 tion 140 the following new section:

13 **“SEC. 139F. ZERO CARBON EMISSION REFUELING PROP-**
14 **ERTY.**

15 “(a) IN GENERAL.—In the case of any taxpayer
16 who—

17 “(1) is engaged in the trade or business of stor-
18 ing and dispensing fuel into the fuel tanks of motor
19 vehicles propelled by such fuel,

20 “(2) with respect to such trade or business
21 places in service any qualified alternative fuel vehicle
22 refueling property which stores and dispenses zero
23 carbon emission fuel, and

24 “(3) elects the application of this section,

1 gross income shall not include any income derived from
2 such trade or business (including any income derived from
3 any activities ancillary to such trade or business and car-
4 ried on for the convenience of customers refueling motor
5 vehicles) during the 1-year period beginning on the date
6 such property was placed in service.

7 “(b) SPECIAL RULES AND DEFINITIONS.—

8 “(1) POINT-OF-SALE CHARGER ACCESS FEE.—

9 “(A) IN GENERAL.—For purposes of sub-
10 section (a), in the case of any qualified alter-
11 native fuel vehicle refueling property the only
12 consideration for the use of which is allocable to
13 a portion of the purchase price of a vehicle paid
14 at the point of sale of such vehicle, the taxpayer
15 may elect to treat such allocable portion as the
16 only gross income derived from the trade or
17 business of storing and dispensing fuel into the
18 fuel tanks of motor vehicles.

19 “(B) LIMITATION.—Subparagraph (A)
20 shall only apply with respect to any portion of
21 the purchase price of a vehicle the original use
22 of which commences with the purchaser and
23 which is acquired for use or lease by such pur-
24 chaser and not for resale.

1 “(2) COORDINATION WITH ALTERNATIVE FUEL
2 VEHICLE REFUELING PROPERTY CREDIT.—No credit
3 shall be allowed under section 30C with respect to
4 any taxable year of the taxpayer during which an
5 election is in effect under this section.

6 “(3) SPECIAL RULE FOR ELECTRIC VEHICLE
7 SUPPLY EQUIPMENT.—This section shall not apply
8 with respect to qualified fuel vehicle refueling prop-
9 erty that dispenses electricity unless such property
10 utilizes a DC Fast Charge or technologically equiva-
11 lent or superior system capable of replenishing at
12 least 150 miles of electric-only range in not more
13 than 30 minutes.

14 “(4) QUALIFIED ALTERNATIVE FUEL VEHICLE
15 REFUELING PROPERTY; ZERO CARBON EMISSION
16 FUEL.—For purposes of this section, the terms
17 ‘qualified alternative fuel vehicle refueling property’
18 and ‘zero carbon emission fuel’ shall have the re-
19 spective meanings given such terms in section 30C.

20 “(5) ELECTION.—A taxpayer (including any
21 successor in interest) may only elect the application
22 of this section once.

23 “(c) TERMINATION.—This section shall not apply to
24 any property placed in service after December 31, 2024.”.