

CHAPTER 98

TAXATION

HOUSE BILL 12-1299

BY REPRESENTATIVE(S) Singer, Fields, Fischer, Holbert, Jones, Kefalas, Labuda, Tyler, Vigil, Wilson;
also SENATOR(S) Shaffer B., Aguilar.

AN ACT

CONCERNING THE SPECIFICATION THAT A MOTOR VEHICLE LESSEE IS ENTITLED TO CLAIM THE INNOVATIVE MOTOR VEHICLE TAX CREDIT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 39-22-516.5, **amend** (1) (a), (2) (a) introductory portion, (2) (b), (3) (a), (3) (d), and (3) (e) (II); and **add** (2) (c) as follows:

39-22-516.5. Tax credit for innovative motor vehicles - repeal. (1) As used in this section, unless the context otherwise requires:

(a) "Actual cost incurred" means the actual cost paid by the purchaser OR LESSEE for the vehicle, conversion, or idling reduction technologies. The actual cost paid shall be calculated as the net of any credits, grants, or rebates, including federal credits, grants, or rebates for which the purchaser OR LESSEE is eligible, but excluding the credit specified in this section.

(2) (a) With respect to the tax years commencing on January 1, 2012, but prior to January 1, 2016, there shall be allowed to any person a credit against the tax imposed by this article, not to exceed six thousand dollars, for each motor vehicle ~~owned~~ PURCHASED OR LEASED by such person that:

(b) With respect to the tax years commencing on January 1, 2012, but prior to January 1, 2016, there shall be allowed to any person a credit against the tax imposed by this article, not to exceed seven thousand five hundred dollars, for each motor vehicle ~~owned~~ PURCHASED OR LEASED by such person that is converted to a plug-in hybrid electric vehicle.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(c) IF A MOTOR VEHICLE IS LEASED, THE LESSEE, NOT THE LESSOR, IS ALLOWED TO CLAIM THE CREDIT ALLOWED PURSUANT TO THIS SECTION.

(3) The amount of the credit allowed pursuant to this section shall be an amount equal to the percentage, as set forth in subsection (4) of this section, of the following:

(a) The difference between the actual cost incurred by such person during the tax year in purchasing OR LEASING a motor vehicle that uses an alternative fuel and the cost of the same motor vehicle that uses a traditional fuel or, if the same vehicle is not available, then the cost of the most similar vehicle, taking into account the model, make, engine size, and options, that uses a traditional fuel;

(d) The actual cost incurred by such person in purchasing OR LEASING idling reduction technologies; or

(e) (II) Persons who claimed a tax credit in previous years for the purchase OR LEASE of model year 2004 and newer hybrid vehicles are eligible to claim an additional credit for the conversion of such a hybrid vehicle to a plug-in hybrid electric vehicle.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 12, 2012