FIRST REGULAR SESSION

HOUSE BILL NO. 423

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DOUGHERTY AND WIGGINS (Co-sponsors).

Read 1st time January 17, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0998L.01I

AN ACT

To amend chapter 301, RSMo, relating to environmentally conscious motor vehicles by adding thereto one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 301, RSMo, is amended by adding thereto one new section, to be known as section 301.725, to read as follows:

301.725. 1. As used in this section, the following terms mean:

(1) "Certified", documented by the manufacturer or new car dealer to have been put through an emissions test approved by the department of natural resources and determined not to exceed the maximum emission specifications for an SULEV or ZEV, as applicable;

(2) "Super-ultra-low emissions vehicle" or "SULEV", any motor vehicle which is certified to produce no greater than one one-hundredth of a gram of nonmethane-organic gases per mile, no greater than two one-hundredths of a gram of carbon monoxide per mile and no greater than two one-hundredths of a gram of oxides of nitrogen per mile;

(3) "Zero emissions vehicle" or "ZEV", any motor vehicle which is certified to produce zero exhaust emission of criteria or precurser pollutants under all possible operational conditions and which has at least a one hundred fifty thousand miles emission warranty.

2. For all tax years beginning on or after January 1, 2002, but before December 31, 2008, a taxpayer who is a resident in any area of this state which is not in attainment for the one-hour ozone standard and who purchases or leases a new ZEV or SULEV for use in this state shall, if all conditions imposed by this section are met, be allowed a nonrefundable credit against the tax otherwise due pursuant to chapter 143, RSMo,

excluding sections 143.191 to 143.265, RSMo, in an amount equal to the lesser of twenty-five percent of the purchase price for each ZEV or SULEV or three thousand dollars for each such vehicle. The balance of any unused tax credit may be carried forward to the taxpayer's next five tax years only if the taxpayer maintains a current registration and license on each ZEV or SULEV which such taxpayer carries the unused balance of the credit forward. The credit shall not be transferrable. The maximum amount of credits allowed pursuant to this section is five million dollars per calender year. The credit shall only be allowed for calendar years during which seventy percent of this state's gasoline contains no greater than fifteen parts per million sulfur.

3. The director of the department of revenue is authorized to promulgate any rules and regulations necessary to implement the credit authorized by this section, including a requirement that documentation be attached to tax returns on which the credit is claimed which demonstrates that the vehicle purchased is certified. No rule or portion of a rule shall become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.