

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. MERKLEY introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.

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 “Electric Credit Access  
5 Ready at Sale Act of 2018” or the “Electric CARS Act  
6 of 2018”.

7 **SEC. 2. EXTENSION AND MODIFICATION OF NEW QUALI-**  
8 **FIED PLUG-IN ELECTRIC DRIVE MOTOR VEHI-**  
9 **CLES CREDIT.**

10 (a) EXTENSION.—

1           (1) IN GENERAL.—Subsection (e) of section  
2           30D of the Internal Revenue Code of 1986 is  
3           amended to read as follows:

4           “(e) TERMINATION.—This section shall not apply to  
5 any new qualified plug-in electric drive motor vehicle  
6 placed in service after December 31, 2028.”.

7           (2) 2- AND 3-WHEELED PLUG-IN ELECTRIC VE-  
8           HICLES.—Subparagraph (E) of section 30D(g)(3) of  
9           such Code is amended by striking “or” at the end  
10          of clause (i), by redesignating clause (ii) as clause  
11          (iii), and by inserting after clause (i) the following  
12          new clause:

13                               “(ii) after December 31, 2017, and  
14                               before January 1, 2029, or”.

15          (b) CREDIT MAY BE ASSIGNED TO FINANCING ENTI-  
16 TY.—Section 30D(f) of the Internal Revenue Code of  
17 1986 is amended by adding at the end the following new  
18 paragraph:

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

21                               “(A) IN GENERAL.—The taxpayer to whom  
22                               the credit which would (but for this paragraph)  
23                               be allowed under subsection (a) for any taxable  
24                               year with respect to a vehicle may assign such  
25                               credit to the person who financed the purchase

1 (or lease of at least 2 years) of such vehicle.  
2 Any person to whom such credit is assigned  
3 under the preceding sentence shall be treated  
4 for purposes of this title as the taxpayer who  
5 placed such vehicle in service.

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

14 (c) CARRYFORWARD OF UNUSED CREDIT.—Section  
15 30D of the Internal Revenue Code of 1986 is amended  
16 by redesignating subsection (g) (as amended by subsection  
17 (a)(2)) as subsection (h), and by inserting after subsection  
18 (f) the following new subsection:

19 “(g) CARRYFORWARD OF UNUSED CREDIT.—

20 “(1) IN GENERAL.—If the credit allowable  
21 under subsection (a) (after the application of sub-  
22 section (e)) exceeds the limitation imposed by section  
23 26(a) for such taxable year reduced by the sum of  
24 the credits allowable under this subpart (other than  
25 subsection (a) of this section), such excess shall be

1 carried to the succeeding taxable year and treated as  
2 a credit allowable under subsection (a) for such suc-  
3 ceeding taxable year.

4 “(2) LIMITATION.—No amount of credit may  
5 be carried forward under this subsection to any tax-  
6 able year following the 5th taxable year after the  
7 taxable year in which the credit arose. For purposes  
8 of the preceding sentence, credits shall be treated as  
9 used on a first-in, first-out basis.”.

10 (d) EFFECTIVE DATES.—

11 (1) EXTENSION.—The amendments made by  
12 subsection (a) shall apply to vehicles acquired after  
13 December 31, 2017.

14 (2) ASSIGNMENT.—The amendments made by  
15 subsection (b) shall apply to vehicles acquired more  
16 than 60 days after the date of the enactment of this  
17 Act.

18 (3) CARRYFORWARD.—The amendments made  
19 by subsection (c) shall apply to vehicles sold after  
20 the date of the enactment of this Act.

21 **SEC. 3. EXTENSION OF THE ALTERNATIVE FUEL VEHICLE**  
22 **REFUELING PROPERTY CREDIT.**

23 (a) IN GENERAL.—Section 30C(g) of the Internal  
24 Revenue Code of 1986 is amended by striking “2017” and  
25 inserting “2028”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 this section shall apply to property placed in service after  
3 December 31, 2017.

4 **SEC. 4. EXTENSION OF THE ALTERNATIVE MOTOR VEHICLE**  
5 **CREDIT.**

6 (a) IN GENERAL.—Paragraph (1) of section 30B(k)  
7 of the Internal Revenue Code of 1986 is amended by strik-  
8 ing “2017” and inserting “2028”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 this section shall apply to property placed in service after  
11 December 31, 2017.