

A bill for an act

relating to taxation; exempting qualified plug-in electric drive vehicles from sales tax on motor vehicles; amending Minnesota Statutes 2010, sections 297B.01, by adding a subdivision; 297B.03.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 297B.01, is amended by adding a subdivision to read:

Subd. 15a. **Qualified plug-in electric drive vehicle.** "Qualified plug-in electric drive vehicle" means a four-wheeled motor vehicle that:

(1) is manufactured primarily for use on public streets, roads, and highways;

(2) has not been modified from the original manufacturer's specifications;

(3) has been acquired for use or lease, and not for resale;

(4) is rated at not more than 8,500 pounds unloaded gross vehicle weight;

(5) has a maximum speed capability of at least 55 miles per hour;

(6) is propelled to a significant extent by an electric motor that draws electricity from a battery that (i) has a capacity of not less than four kilowatt hours and (ii) is capable of being recharged from an external source of electricity; and

(7) is purchased or leased on or after October 1, 2010.

Sec. 2. Minnesota Statutes 2010, section 297B.03, is amended to read:

297B.03 EXEMPTIONS.

(a) There is specifically exempted from the provisions of this chapter and from computation of the amount of tax imposed by it the following:

H.F. No. 1364, as introduced - 87th Legislative Session (2011-2012) [11-1802]

(1) purchase or use, including use under a lease purchase agreement or installment sales contract made pursuant to section 465.71, of any motor vehicle by the United States and its agencies and instrumentalities and by any person described in and subject to the conditions provided in section 297A.67, subdivision 11;

(2) purchase or use of any motor vehicle by any person who was a resident of another state or country at the time of the purchase and who subsequently becomes a resident of Minnesota, provided the purchase occurred more than 60 days prior to the date such person began residing in the state of Minnesota and the motor vehicle was registered in the person's name in the other state or country;

(3) purchase or use of any motor vehicle by any person making a valid election to be taxed under the provisions of section 297A.90;

(4) purchase or use of any motor vehicle previously registered in the state of Minnesota when such transfer constitutes a transfer within the meaning of section 118, 331, 332, 336, 337, 338, 351, 355, 368, 721, 731, 1031, 1033, or 1563(a) of the Internal Revenue Code;

(5) purchase or use of any vehicle owned by a resident of another state and leased to a Minnesota-based private or for-hire carrier for regular use in the transportation of persons or property in interstate commerce provided the vehicle is titled in the state of the owner or secured party, and that state does not impose a sales tax or sales tax on motor vehicles used in interstate commerce;

(6) purchase or use of a motor vehicle by a private nonprofit or public educational institution for use as an instructional aid in automotive training programs operated by the institution. "Automotive training programs" includes motor vehicle body and mechanical repair courses but does not include driver education programs;

(7) purchase of a motor vehicle for use as an ambulance by an ambulance service licensed under section 144E.10;

(8) purchase of a motor vehicle by or for a public library, as defined in section 134.001, subdivision 2, as a bookmobile or library delivery vehicle;

(9) purchase of a ready-mixed concrete truck;

(10) purchase or use of a motor vehicle by a town for use exclusively for road maintenance, including snowplows and dump trucks, but not including automobiles, vans, or pickup trucks;

(11) purchase or use of a motor vehicle by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, except a public school, university, or library, but only if the vehicle is:

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(i) a truck, as defined in section 168.002, a bus, as defined in section 168.002, or a passenger automobile, as defined in section 168.002, if the automobile is designed and used for carrying more than nine persons including the driver; and

(ii) intended to be used primarily to transport tangible personal property or individuals, other than employees, to whom the organization provides service in performing its charitable, religious, or educational purpose;

(12) purchase of a motor vehicle for use by a transit provider exclusively to provide transit service is exempt if the transit provider is either (i) receiving financial assistance or reimbursement under section 174.24 or 473.384, or (ii) operating under section 174.29, 473.388, or 473.405;

(13) purchase or use of a motor vehicle by a qualified business, as defined in section 469.310, located in a job opportunity building zone, if the motor vehicle is principally garaged in the job opportunity building zone and is primarily used as part of or in direct support of the person's operations carried on in the job opportunity building zone. The exemption under this clause applies to sales, if the purchase was made and delivery received during the duration of the job opportunity building zone. The exemption under this clause also applies to any local sales and use tax; and

(14) purchase of a leased vehicle by the lessee who was a participant in a lease-to-own program from a charitable organization that is:

(i) described in section 501(c)(3) of the Internal Revenue Code; and

(ii) licensed as a motor vehicle lessor under section 168.27, subdivision 4.

(b) A qualified plug-in electric drive vehicle is exempt from payment of the sales tax on motor vehicles under this chapter, up to a maximum of \$2,000, under the following conditions:

(1) the exemption is limited to one vehicle purchased or leased by an individual and ten vehicles purchased or leased by a corporate or other business entity;

(2) the vehicle is registered in Minnesota; and

(3) the owner has conformed to any applicable state or federal laws or regulations governing clean-fuel vehicle or electric vehicle purchases or leases applicable during the calendar year in which the vehicle is registered.