

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/17/11

A Bill

HOUSE BILL 1809

5 By: Representative Hyde
6

For An Act To Be Entitled

8 AN ACT TO CREATE AN EXEMPTION FROM THE SALES AND USE
9 TAX FOR ELECTRIC VEHICLES; AND FOR OTHER PURPOSES.
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Subtitle

11 TO CREATE AN EXEMPTION FROM THE SALES AND
12 USE TAX FOR ELECTRIC VEHICLES.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. TEMPORARY LANGUAGE. NOT TO BE CODIFIED.

20 Qualified plug-in electric drive vehicles.

21 (a) As used in this section, "qualified plug-in electric drive
22 vehicle" means a four-wheeled motor vehicle that:

23 (1) Is made by a manufacturer;

24 (2) Is manufactured primarily for use on public streets, roads,
25 and highways;

26 (3) Has not been modified from original manufacturer
27 specifications except for minor cosmetic and equipment changes;

28 (4) Is acquired for use or lease by the taxpayer and not for
29 resale;

30 (5) Is rated at not more than eight thousand five hundred pounds
31 (8,500 lbs.) unloaded gross vehicle weight;

32 (6) Has a maximum speed capability of at least fifty-five miles
33 per hour (55 m.p.h.);

34 (7) Is propelled to a significant extent by an electric motor
35 that draws electricity from a battery that:

36 (A) Has a capacity of not less than four kilowatt hours (4



1 kWh); and

2 (B) Is capable of being recharged from an external source
3 of electricity; and

4 (8) Is acquired by the taxpayer on or before December 31, 2013.

5 (b) Except as otherwise provided in this section, the gross receipts
6 or gross proceeds derived from the sale of a qualified plug-in electric drive
7 vehicle are exempt from the gross receipts tax levied by the Arkansas Gross
8 Receipts Act of 1941, § 26-52-101 et seq., and the compensating use tax
9 levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

10 (c) The exemption provided under this section shall:

11 (1) Not exceed five hundred dollars (\$500);

12 (2) Be limited to the acquisition of:

13 (A) One (1) qualified plug-in electric drive vehicle per
14 individual taxpayer; and

15 (B) Ten (10) qualified plug-in electric drive vehicles per
16 business entity; and

17 (3) Not be allowed if:

18 (A) The qualified plug-in electric drive vehicle is not
19 registered in the state; or

20 (B) The owner of the qualified plug-in electric drive
21 vehicle has not conformed to the state or federal laws or regulations that
22 apply to the purchase of a clean-fuel vehicle or an electric vehicle during
23 the calendar year in which the qualified plug-in electric drive vehicle is
24 titled.

25 (d) The exemption provided under this section is allowed on a first-
26 come, first-serve basis, and the total amount of exemptions provided under
27 this section shall not exceed twenty-five thousand dollars (\$25,000).

28 (e) The Director of the Department of Finance and Administration shall
29 promulgate rules to implement this section.

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31 SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective on the
32 first day of the second calendar month following the effective date of this
33 act.

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35 /s/Hyde