

Schedule AFTC-1

ALTERNATIVE FUEL TAX INFORMATION AND INSTRUCTIONS

****The following information, instructions and forms are not a substitute for tax laws and regulations.****

Significant changes to the Alternative-Fuel Tax Credit Program took effect in 2013. These include:

- For purchases made on or after April 15, 2013, the only vehicles qualifying for tax credits are natural gas fueled vehicles.
- Alternative-Fuel Home Infrastructure Tax Credits only apply to qualified installations made prior to April 15, 2013.

Due to the mid-year effective date of these substantive tax changes, the bill of sale must be attached to every valid claim for tax credit in 2013.

Please note: claiming this credit may result in additional processing time and may delay the issuance of your refund.

These instructions are for the Schedule AFTC-1 for Periods beginning on or after January 1, 2015.

The purpose of the Alternative-Fuel Tax Credits is to encourage the use of alternatively-fueled motor vehicles and possibly reduce unnecessary pollution of the environment and reduce dependence on foreign sources of energy.

An Alternative-Fuel Tax Credit is available for the following:

- The purchase of a new dedicated or bi-fueled alternative-fuel motor vehicle for which the purchaser then obtains a valid West Virginia vehicle registration.
- The conversion of a motor vehicle that is presently registered in West Virginia to operate exclusively on an alternative fuel.
- Constructs or purchases and installs a qualified vehicle refueling infrastructure that is capable of dispensing alternative fuel for alternative-fuel motor vehicles.
- Constructs and installs a qualified alternative fuel vehicle refueling infrastructure that is capable of dispensing alternative fuel for alternative-fuel motor vehicles.

The Alternative-Fuel Tax Credit is not available to any taxpayer under any obligation pursuant to any federal or state law, policy or regulation to convert to the use of alternative fuels for any motor vehicle.

Available Alternative-Fuel Tax Credit may be applied against tax liability attributable to Personal Income Tax (WV Code §11-21 et seq.), or Corporation Net Income Tax (WV Code §11-24 et seq.). **In no case may more than one credit be granted for the same alternative-fuel vehicle.** No Alternative-Fuel Tax Credit may be applied against employer Withholding Tax Imposed by WV Code §11-21 et seq.

The Alternative-Fuel Tax Credit is available for tax years beginning on or after January 1, 2011.

ALTERNATIVE-FUEL TAX CREDIT DEFINITIONS

"Alternative fuel" includes:

1. Compressed natural gas;

2. Liquefied natural gas;
3. Liquefied petroleum gas;
4. Fuel mixtures that contain eighty-five percent or more by volume, when combined with gasoline or other fuels, of the following:
 - A. Methanol,
 - B. Ethanol, or
 - C. Other alcohols;
5. Natural gas hydrocarbons and derivatives;
6. Hydrogen; and
7. Electricity, including electricity from solar energy.

"Alternative-fuel motor vehicle" means a motor vehicle that is a new or retrofitted or converted fuel vehicle:

1. Operates solely on one alternative fuel;
2. Is capable of operating on one or more alternative fuels, singly or in combination; or
3. Is capable of operating on an alternative fuel and is also capable of operating on gasoline or diesel fuel.

"Bi-fueled" means the ability of an alternative-fuel motor vehicle to operate on an alternative fuel and another form of fuel.

"Plug-in hybrid electric vehicle" means:

1. A plug-in hybrid electric vehicle manufactured by an established motor vehicle manufacturer of plug-in hybrid electric vehicles that can operate solely on electric power and that is capable of recharging its battery from an on-board generation source and an off-board electricity source; and
2. A plug-in electric vehicle conversion that provides an increase in city fuel economy of seventy-five percent or more as compared to a comparable non-hybrid version vehicle for a minimum of twenty miles and that is capable of recharging its battery from an on-board generation source and an off-board electricity source. A vehicle is comparable if it is the same model year and the same vehicle class as established

by the United States Environmental Protection Agency and is comparable in weight, size, and use. Fuel economy comparisons shall be made using city fuel economy in a manner that is substantially similar to the manner in which city fuel economy is measured in accordance with procedures set forth in 40 C.F.R. 600 as in effect on January 1, 2011.

“Qualified alternative fuel vehicle refueling infrastructure” means property owned by the applicant for the tax credit and used for storing alternative fuels for dispensing such alternative fuels into fuel tanks of motor vehicles, including, but not limited to, compression equipment, storage tanks, and dispensing units for alternative fuel at the point where the fuel is delivered: *provided*, that the property is installed and located in this state and is not located on a private residence or private home.

“Qualified alternative fuel vehicle home refueling infrastructure”¹ means property owned by the applicant for the tax credit located on a private residence or private home and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles, including, but not limited to, compression equipment, storage tanks and dispensing units for alternative fuel at the point where the fuel is delivered or for providing electricity to plug-in hybrid electric vehicles or electric vehicles: *provided*, that the property is installed and located in this state.

“Taxpayer” means any natural person, corporation, limited liability company or partnership subject to the tax imposed under article twenty-one, article twenty-three, or article twenty-four of this chapter or any combination thereof.

AFTC-1 INSTRUCTIONS

Taxpayers desiring to claim the Alternative-Fuel Motor Vehicle Tax Credit must complete Parts A and B of Schedule AFTC-1.

Taxpayers desiring to claim the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure Tax Credit must complete Parts A and C of Schedule AFTC-1.

Taxpayers desiring to claim the Qualified Alternative-Fuel Vehicle Refueling Infrastructure Tax Credit must complete parts A and D of Schedule AFTC-1.

ALTERNATIVE FUEL MOTOR VEHICLE INFRASTRUCTURE CREDIT AND ELECTRICAL INSTALLATIONS

No part of any investment in or expenditure for commercial or non-home alternative fuel vehicle refueling infrastructure for charging or serving plug-in hybrid electric vehicles or electric vehicles will qualify for the tax credit.

The tax credit base for, qualified alternative fuel vehicle home refueling infrastructure for charging or serving plug-in hybrid electric vehicles or electric vehicles is limited to dispensing units for providing electricity to plug-in hybrid electric vehicles or electric vehicles, in West Virginia.

Purchase, construction and installation costs for qualified home infrastructure property that is exclusively dedicated to providing electricity to plug-in hybrid electric vehicles or electric vehicles, in West Virginia, owned by the tax credit applicant, will qualify for the tax credit without regard to whether the property is solar power

related or not.

Solar panels cannot store or dispense electrical power, therefore they do not qualify for the alternative fuel vehicle home refueling infrastructure tax credit, set forth in West Virginia Code §11-6D-1 et seq. However, the “dispensing units” for “providing electricity to plug-in hybrid electric vehicles or electric vehicles” will qualify as credit base for alternative fuel vehicle home refueling infrastructure.

Purchase, construction and installation costs for the following will typically qualify for the qualified alternative fuel vehicle home refueling infrastructure tax credit for providing electricity to plug-in hybrid electric vehicles or electric vehicles:

Electric car charging stations, including plugs, sockets (other than standard domestic wall sockets), cables, circuit wiring, safety equipment, grid interface equipment, including smart grid equipment, current sensors and monitors, feedback sensors and sensor wires and other apparatus and equipment exclusively used to provide electricity to plug-in hybrid electric vehicles or electric vehicles, in West Virginia.

An owner taxpayer desiring to claim Alternative-Fuel Tax Credit allocated by a Pass-Through Entity subsidiary must complete Parts A and E of Schedule AFTC-1.

PART A – ALTERNATIVE-FUEL TAX CREDIT SUMMARY

- Line 1** Enter the total Alternative-Fuel Motor Vehicle Tax Credit as shown on Part B, line 9. A completed Part B must be attached for each qualifying vehicle. Amounts not supported by completed Part B information will be denied.
- Line 2** Enter the total Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure Tax Credit as shown on Part C, line 7. Amounts not supported by completed Part C information will be denied.
- Line 3** Enter the total Qualified Alternative-Fuel Vehicle Refueling Infrastructure Tax Credit as shown on Part D, line 7. A completed Part D must be attached for each qualifying refueling infrastructure. Amounts not supported by completed Part D information will be denied.
- Line 4** Enter the amount of Alternative-Fuel Motor Vehicle Tax Credit Qualified Alternative-Fuel Vehicle Refueling Infrastructure Tax Credit, as shown in Part E, allocated to you as an owner of a Pass-Through Entity that earned the credit. A completed Part E must be attached. Amounts not supported by completed Part E information will be denied.
- Line 5** Enter any Alternative-Fuel Tax Credit earned or allocated in a previous year that was not used or allocated. An AFTC-1 supporting the entered amounts must have been previously filed. In order to claim previously unclaimed Alternative Fuel Tax Credit for prior years, an amended tax return (IT-140, IT-140NRC, CNF-120, and/or SPF-100) must be filed for each previous year that credit is being claimed. Any and all supporting documentation must be presented or the claim for credit will be denied.

¹ Applicable only if installed prior to April 15, 2013.

- Line 6** Add the amounts on lines 1 through 5. This is the total Alternative-Fuel Tax Credit available to you for the current tax period.
- Line 7** Enter your Personal Income Tax liability after application of any other applicable tax credit (Line 10 of Form IT-140).
- Line 8** Enter the smaller of the value on line 6 and the value on line 7. This is the amount of Alternative-Fuel Tax Credit to be applied against your Personal Income Tax liability. Also, enter this amount on the appropriate line of the Tax Credit Recap Schedule of your Personal Income Tax return.
- Line 9** Compute the remaining Alternative-Fuel Tax Credit by subtracting the amount on line 8 from the amount on line 6.
- Line 10** Enter your Corporation Net Income Tax liability after application of any other applicable tax credit (Line 16 of CNF-120).
- Line 11** Enter the smaller of the value on line 9 and the value on line 10. This is the amount of Alternative-Fuel Tax Credit to be applied against your Corporation Net Income Tax liability. Also, enter this amount on the appropriate line of the Tax Credit Recap Schedule of your Corporation Net Income Tax return.
- Line 12** Compute the remaining Alternative-Fuel Tax Credit by subtracting the amount on line 11 from the amount on line 9.
- Line 13** If you are a Pass-Through Entity and any of the amount on line 12 is to be allocated to the owners of the Pass-Through Entity complete Part F and enter the total amount of credit to be allocated.
- Line 14** Enter the amount of unused, unallocated Alternative-Fuel Tax Credit for carry forward to subsequent years.

PART B – ALTERNATIVE-FUEL MOTOR VEHICLE TAX CREDIT

****A COPY OF THE BILL OF SALE IS REQUIRED FOR NEW VEHICLE PURCHASES OR ANY INVOICES ASSOCIATED WITH A CONVERSION.****

- Line 1** Enter the Vehicle Identification Number (VIN) for which an Alternative-Fuel Motor Vehicle Tax Credit is to be claimed. **A separate Part B must be completed for each vehicle for which credit is to be claimed.**
- Line 2** Check the box for the predominant alternative fuel used by the vehicle identified on line 1. **NOTE: Any options other than Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG) or Liquefied Petroleum Gas (LPG) are not available for vehicles purchased on or after April 15, 2013.**
- Line 3** Enter the West Virginia Division of Motor Vehicles Registration Number for the vehicle identified on line 1.
- Line 4** Enter the gross vehicle weight, in pounds, of the vehicle identified on line 1.

- Line 5** Enter the purchase date and purchase price or the conversion date and actual cost of conversion for the vehicle identified on line 1. Purchase price means the sales price of the vehicle less any amount deducted therefrom for any trade-in allowance and/or rebates from the manufacturer or dealer.

- Line 6** Enter the appropriate credit factor for the vehicle identified on line 1. Enter 0.35 (35%) if the vehicle was purchased new; enter 0.50 (50%) if the vehicle was converted to use alternative fuel and was previously registered with the West Virginia Division of Motor Vehicles.

- Line 7** Compute the potential credit by multiplying the price (line 5A) or the actual cost of conversion (line 5B) by the value on line 6.

- Line 8** Enter the maximum allowable credit. Enter \$7,500 if the gross vehicle weight (from line 4) is less than 26,000 pounds, otherwise enter \$25,000.

- Line 9** Compute Available Alternative-Fuel Motor Vehicle Credit as the smaller of the value on line 7 (potential credit) and the value on line 8 (maximum allowable credit). Also, enter this value on Part A, line 1.

Check the boxes under line 9 to certify the following:

- Payment for the vehicle entered on line 1 has been made after January 1, 2011 and on or before April 14, 2013.
- Person claiming the credit on line 9 has taken possession of the vehicle after January 1, 2011 and on or before April 14, 2013.
- Person claiming the credit on line 9 maintained ownership of the vehicle entered on line 1 through December 31, 2013.

By checking these boxes and signing the tax return, the purchaser certified this information to be true.

PART C – QUALIFIED ALTERNATIVE-FUEL HOME REFUELING INFRASTRUCTURE TAX CREDIT

****APPLICABLE ONLY FOR INSTALLATIONS MADE PRIOR TO APRIL 15, 2013****

- Line 1** Enter the city, state, and Zip Code of the location of the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure.
- Line 2** Enter the date of installation. Submit all documentation related to the construction of the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure. All documentation submitted must have dates on or before April 14, 2013.
- Line 3** Enter the total cost of the construction or purchase of the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure. Do not include costs associated with exploration, development, or production activities necessary for severing natural resources from the soil or ground.
- Line 5** Compute the potential credit by multiplying the actual

cost of the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure (from line 3) by the value on line 4.

Line 7 Compute the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure as the smaller of the value on line 5 (potential credit) and the value on line 6 (\$10,000 maximum allowable credit). Also, enter the value on Part A, line 2.

(b). For tax periods after January 1, 2014 but prior to January 1, 2018 – Maximum credit is 20% of the total cost per facility up to a maximum of \$400,000.

When the purchase and installation or qualified alternative fuel vehicle infrastructure begins prior to January 1, 2014, but is not completed and placed into service until after January 14, the taxpayer may choose to fall under the rules of either (a) or (b) but not both.

Line 7 Compute the Qualified Alternative-Fuel Vehicle Refueling Infrastructure as the smaller of the value on line 5 (potential credit) and the value on line 6 (maximum allowable credit). Also, enter the value on part A, line 3.

PART D – QUALIFIED ALTERNATIVE-FUEL REFUELING INFRASTRUCTURE TAX CREDIT

Line 1 Enter the city, state, and Zip Code of the location of the Qualified Alternative-Fuel Vehicle Home Refueling Infrastructure. **A separate Part D must be completed for each alternative-fuel refueling infrastructure for which credit is to be claimed.**

Line 2 Enter the total cost of the construction or purchase of the Qualified Alternative-Fuel Vehicle Refueling Infrastructure. Do not include costs associated with exploration, development, or production activities necessary for severing natural resources from the soil or ground.

Line 3 Enter the appropriate public accessibility factor. If the Qualified Alternative-Fuel Vehicle Refueling Infrastructure identified above is generally available for public use enter 1.25, otherwise enter 1.00.

Line 4 Enter the appropriate credit factor. If the value on line 3 is 1.25 then enter 0.625 (62.5%), otherwise enter 0.50 (50%).

Line 5 Compute the potential credit by multiplying the actual total cost of the Qualified Alternative-Fuel Vehicle Refueling Infrastructure (from line 2) by the value on line 4.

Line 6 The maximum allowable credit is to be determined by following either of these two rules:

(a). For tax periods after December 31, 2010 but prior to January 1, 2014 – If line 3 is 1.00, the maximum credit is \$250,000. If Line 3 is 1.25, maximum credit is \$312,000.

PART E – ALTERNATIVE-FUEL MOTOR VEHICLE TAX CREDIT AND/OR QUALIFIED ALTERNATIVE-FUEL REFUELING INFRASTRUCTURE TAX CREDIT ALLOCATED FROM PASS-THROUGH ENTITY

Enter the name and Employer Identification Number (EIN) of the Pass-Through Entity and the amount of Alternative-Fuel Motor Vehicle Tax Credit and/or Qualified Alternative-Fuel Refueling Infrastructure Tax Credit allocated to you as an owner of the Pass-Through Entity. The Pass-Through Entity must establish original entitlement to Alternative-Fuel Motor Vehicle Tax Credit and/or Qualified Alternative-Fuel Refueling Infrastructure Tax Credit through the filing of their own Schedule AFTC-1

Enter the total of credit allocated on Part A, line 4.

PART F – UNUSED ALTERNATIVE-FUEL TAX CREDIT ALLOCATION TO OWNERS

When the Taxpayer that earns original entitlement to Alternative-Fuel Tax Credit is a pass-through entity, any credit unused to offset the tax liability of the pass-through entity is to be allocated to the owners of the pass-through entity in the same manner that distributive share flows through to the equity owners.

Enter the name, identification number, ownership percentage, and amount of unused credit allocated for each equity owner.

Enter the total allocated credit on Part A, line 16.