

110TH CONGRESS
2^D SESSION

H. R. 6222

To amend the Internal Revenue Code of 1986 to allow a nonrefundable credit against income tax liability for gasoline and diesel fuel used in highway vehicles for nonbusiness purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 2008

Mr. HASTINGS of Florida (for himself and Mr. HINCHEY) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow a nonrefundable credit against income tax liability for gasoline and diesel fuel used in highway vehicles for nonbusiness 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 “Working Families Gas
5 Tax Credit Act of 2008”.

1 **SEC. 2. CREDIT FOR GASOLINE AND DIESEL FUEL USED IN**
2 **HIGHWAY VEHICLES FOR NONBUSINESS PUR-**
3 **POSES.**

4 (a) IN GENERAL.—Subpart A of part IV of sub-
5 chapter A of chapter 1 of the Internal Revenue Code of
6 1986 (relating to nonrefundable personal credits) is
7 amended by adding after section 25D the following new
8 section:

9 **“SEC. 25E. CREDIT FOR GASOLINE AND DIESEL FUEL USED**
10 **IN HIGHWAY VEHICLES FOR NONBUSINESS**
11 **PURPOSES.**

12 “(a) ALLOWANCE OF CREDIT.—In the case of an in-
13 dividual, there shall be allowed as a credit against the tax
14 imposed by this chapter for the taxable year an amount
15 equal to the aggregate qualified taxable fuel expenditures
16 made by the taxpayer during such year.

17 “(b) LIMITATION.—The credit allowed under sub-
18 section (a) for a taxable year shall not exceed \$500
19 (\$1,000 in the case of a joint return).

20 “(c) QUALIFIED TAXABLE FUEL EXPENDITURES.—
21 For purposes of this section—

22 “(1) IN GENERAL.—The term ‘qualified taxable
23 fuel expenditures’ means amounts paid for a taxable
24 fuel (as defined by section 4083(a) (without regard
25 to paragraph (1)(C) thereof) for a nonbusiness use
26 in a highway vehicle.

1 “(2) EXCEPTION.—Such term does not include
2 amounts paid for any fuel with respect to which a
3 credit is allowed under section 34 or a refund al-
4 lowed under section 6420, 6421, or 6427.

5 “(d) LIMITATION BASED ON MODIFIED ADJUSTED
6 GROSS INCOME.—The amount which would (but for this
7 subsection) be taken into account under subsection (a) for
8 the taxable year shall be reduced (but not below zero) by
9 5 percent of so much of the taxpayer’s adjusted gross in-
10 come as exceeds \$75,000 (\$150,000 in the case of a joint
11 return).

12 “(e) RATE OF INCREASE IN PRICE OF A GALLON OF
13 GASOLINE MUST EXCEED RATE OF INFLATION BY NOT
14 LESS THAN 300 PERCENT.—

15 “(1) GENERAL RULE.—Subsection (a) shall not
16 apply for any taxable year unless the Secretary de-
17 termines that the percentage change in the price of
18 a gallon of gasoline for the taxable year is not less
19 than 300 percent of the change in the inflation rate
20 for such taxable year.

21 “(2) PERCENTAGE CHANGE IN THE PRICE OF A
22 GALLON OF GASOLINE.—For purposes of paragraph
23 (1), the percentage change in the price of a gallon
24 of gasoline for a taxable year is the percentage (if
25 any) by which—

1 “(A) the average price of a gallon of gaso-
2 line as of the close of the taxable year, exceeds

3 “(B) the average price of a gallon gasoline
4 as of the beginning of the taxable year.

5 “(3) INFLATION RATE.—For purposes of para-
6 graph (1), the inflation rate for the determination
7 period is the percentage (if any) by which—

8 “(A) the average of the Consumer Price
9 Index as of the close of the taxable year, ex-
10 ceeds

11 “(B) the average of the Consumer Price
12 Index as of the beginning of the taxable year.

13 “(4) PRICE OF A GALLON OF GASOLINE.—For
14 purposes of this subsection, the price of a gallon of
15 gasoline shall be as determined under the U.S. Reg-
16 ular All Formulations Retail Gasoline Prices by the
17 Energy Information Administration of the Depart-
18 ment of Energy.

19 “(5) CONSUMER PRICE INDEX.—For the pur-
20 poses of this subsection, the term ‘Consumer Price
21 Index’ means the last Consumer Price Index for all-
22 urban consumers published by the Department of
23 Labor. For purposes of the preceding sentence, the
24 revision of the Consumer Price Index which is most

1 consistent with the Consumer Price Index for cal-
2 endar year 1986 shall be used.

3 “(f) ADJUSTMENTS FOR INFLATION.—In the case of
4 a taxable year beginning after December 31, 2008, each
5 of the dollar amounts in subsection (b) and (d) shall be
6 increased by an amount equal to—

7 “(1) such dollar amount, multiplied by

8 “(2) the cost-of-living adjustment determined
9 under section 1(f)(3) for the calendar year in which
10 the taxable year begins, determined by substituting
11 ‘calendar year 2007’ for ‘calendar year 1992’ in sub-
12 paragraph (B) thereof. If any amount as increased
13 under the preceding sentence is not a multiple of
14 \$50, such amount shall be rounded to the nearest
15 multiple of \$50.

16 If, in the case of any amount in subsection (b) as in-
17 creased under the preceding sentence, is not a multiple
18 of \$10, such amount shall be rounded to the nearest mul-
19 tiple of \$10, and if, in the case of any amount in sub-
20 section (d) as increased under the preceding sentence, is
21 not a multiple of \$100, such amount shall be rounded to
22 the nearest multiple of \$100.

23 “(g) GUIDANCE.—Not later than January 31 of each
24 year, the Secretary shall promulgate such guidance as may

1 be necessary or appropriate to carry out the provisions of
2 this section with respect to the preceding taxable year.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for subpart A of such part IV is amended by inserting
5 after the item relating to section 25D the following new
6 item:

“Sec. 25E. Credit for gasoline and diesel fuel used in highway vehicles for non-
business purposes.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to taxable years beginning after
9 December 31, 2007.

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