

117TH CONGRESS
1ST SESSION

S. 493

To amend the Internal Revenue Code of 1986 to provide for the issuance of exempt facility bonds for zero-emission vehicle infrastructure.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2021

Ms. CORTEZ MASTO (for herself, Ms. SMITH, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide for the issuance of exempt facility bonds for zero-emission vehicle infrastructure.

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. EXEMPT FACILITY BONDS FOR ZERO-EMISSION**
4 **VEHICLE INFRASTRUCTURE.**

5 (a) IN GENERAL.—Section 142 of the Internal Rev-
6 enue Code of 1986 is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (14), by striking “or” at
9 the end;

1 (B) in paragraph (15), by striking the pe-
 2 riod at the end and inserting “, or”; and

3 (C) by adding at the end the following new
 4 paragraph:

5 “(16) zero-emission vehicle infrastructure.”;

6 and

7 (2) by adding at the end the following new sub-
 8 section:

9 “(n) ZERO-EMISSION VEHICLE INFRASTRUCTURE.—

10 “(1) IN GENERAL.—For purposes of subsection
 11 (a)(16), the term ‘zero-emission vehicle infrastruc-
 12 ture’ means any property (not including a building
 13 and its structural components) if such property is—

14 “(A) made available for use by members of
 15 the general public, and

16 “(B) used to charge or fuel zero-emissions
 17 vehicles, but only if the property is located at
 18 the point where the vehicles are charged or
 19 fueled.

20 “(2) INCLUSION OF UTILITY SERVICE CONNEC-
 21 TIONS.—The term ‘zero-emission vehicle infrastruc-
 22 ture’ shall include any utility service connections,
 23 utility panel upgrades, or contributions in aid of con-
 24 struction (as described in section 118) which are re-

quired for the charging or fueling of zero-emissions vehicles.

“(3) ZERO-EMISSIONS VEHICLE.—

“(A) IN GENERAL.—The term ‘zero-emissions vehicle’ means—

“(i) a zero-emission vehicle as defined in section 88.102–94 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), or

“(ii) a vehicle that, under any possible operational modes and conditions, produces zero exhaust emissions of—

“(I) any criteria pollutant for which there are national ambient air quality standards under section 109 of the Clean Air Act (42 U.S.C. 7409) or precursor pollutant, or

“(II) any greenhouse gas.

“(B) GREENHOUSE GAS.—For purposes of this paragraph, the term ‘greenhouse gas’ means any of the following:

“(i) Carbon dioxide.

“(ii) Methane.

“(iii) Nitrous oxide.

“(iv) Hydrofluorocarbons.

1 “(v) Perfluorocarbons.

2 “(vi) Sulfur hexafluoride.

3 “(4) ZERO-EMISSIONS VEHICLE INFRASTRUC-
 4 TURE LOCATED WITHIN OTHER FACILITIES OR
 5 PROJECTS.—For purposes of subsection (a), any
 6 zero-emission vehicle infrastructure located within—

7 “(A) a facility or project described in sub-
 8 section (a), or

9 “(B) an area adjacent to a facility or
 10 project described in subsection (a) that pri-
 11 marily serves vehicles traveling to or from such
 12 facility or project,

13 shall be treated as described in the paragraph in
 14 which such facility or project is described.”.

15 (b) EFFECTIVE DATE.—The amendments made by
 16 this section shall apply to obligations issued after Decem-
 17 ber 31, 2021.

○