

**SUPPORTING STATEMENT**  
**Qualified Plug-in Electric Drive Motor Vehicle Credit**  
**Form 8936 and Notice 2009-89**  
**OMB # 1545-2137**

1. **CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION**

The Energy Improvement and Extension Act of 2008 added § 30D of the Internal Revenue Code to authorize a credit for new qualified plug-in electric drive motor vehicles. This notice provides procedures for a vehicle manufacturer to certify that a motor vehicle meets certain requirements for the qualified plug-in electric drive motor vehicle credit, and to certify the amount of the credit available with respect to the motor vehicle. The notice also provides guidance to taxpayers who purchase motor vehicles regarding the conditions under which they may rely on the vehicle manufacturer's certification.

Under the procedures prescribed in this notice, a manufacturer submits to the Service, under penalties of perjury, a certification containing certain information relevant to the determination that a particular make, model, and model year of motor vehicle qualifies for the new qualified plug-in electric drive motor vehicle credit, as well as the amount of the credit. After reviewing the original signed certification, the Service will issue an acknowledgement letter stating whether purchasers may rely on the certification. The acknowledgment letter, however, will not constitute a determination by the Service that a vehicle qualifies for a credit, or that the amount of the credit is correct. Because the new qualified plug-in electric drive motor vehicle credit for passenger vehicles and light trucks begins to phase out in the second quarter after the quarter in which 250,000 qualified passenger vehicles and light trucks have been sold predominantly for use in the United States, a manufacturer that has received an acknowledgement letter is required to file quarterly reports of sales of qualified passenger vehicles and light trucks. If a manufacturer files an erroneous certification or quarterly report, or fails to file a quarterly report, the manufacturer's right to provide a certification to future purchasers of vehicles will be withdrawn. However, purchasers may continue to rely on the certification for vehicles they acquired before the date of withdrawal (including in cases in which the vehicle is not placed in service and the credit is not claimed until after the withdrawal).

For tax years beginning after 2008, Form 8936 is used to figure the credit for qualified plug-in electric drive motor vehicles placed in service during the tax year. The credit attributable to depreciable property (vehicles used for business or investment purposes) is treated as a general business credit. Any credit not attributable to depreciable property is treated as a personal credit.

The likely respondents are individual, households, businesses, and other for-profits.

2. **USE OF DATA**

The data will be used by (1) manufacturers to certify both that a particular make, model, and model year of motor vehicle is a new qualified plug-in electric drive motor vehicle that

meets the requirements of § 30D, and also the amount of the credit allowable with respect to the motor vehicle; and (2) the data will be used to notify purchasers of these motor vehicles if the vehicles qualify for the credit and the amount of the credit.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

Form 8936 is in fillable and file-able format.

4. EFFORTS TO IDENTIFY DUPLICATION

The information obtained through this collection is unique and is not already available or use or adaption from another source.

5. METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES

There are no small entities affected by this collection.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES

The information required is needed to verify compliance with the Internal Revenue Code of the Treasury Regulations. A less frequent collection of taxes and tax information could adversely affect the government's effectiveness and would reduce the oversight of the public in ensuring compliance with Internal Revenue Code and hinder the IRS from meeting its mission. .

7. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.5(d)(2)

There are no special circumstances requiring data collection to be inconsistent with Guidelines in 5 CFR 1320.5(d)(2).

8. CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS

In response to the **Federal Register** notice dated December 3, 2019 (83 FR 62402), we received no comments during the comment period regarding Form 8936 and Notice 2009-89.

9. EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS

No payment or gift has been provided to any respondents.

10. ASSURANCE OF CONFIDENTIALITY OF RESPONSES

Generally, tax returns and tax return information are confidential as required by 26 USC 6103.

11. JUSTIFICATION OF SENSITIVE QUESTIONS

A privacy impact assessment (PIA) has been conducted for information collected under this request as part of the “Individual Master File (IMF)” system and a Privacy Act System of Records notice (SORN) has been issued for this system under: IRS Treas/IRS 24.046 BMF, and Treas/IRS 34.047 audit trail and security records. The Internal Revenue Service PIAs can be found at

<https://www.irs.gov/uac/Privacy-Impact-Assessments-PIA> .

Title 26 USC 6109 requires inclusion of identifying numbers in returns, statements, or other documents for securing proper identification of persons required to make such returns, statements, or documents and is the authority for social security numbers (SSNs) in IRS systems.

12. ESTIMATED BURDEN OF INFORMATION COLLECTION

| Form   | Description   | # Respondents | # Responses Per Respondent-Approximate | Total Annual Responses | Hours Per Response | Total Burden |
|--------|---|---------------|--|------------------------|--------------------|--------------|
| 8936   | Qualified Plug-in Electric Drive Motor Vehicle Credit     | 500           | 1                                      | 500                    | 5.35 hr.           | 2675 hours   |
| Notice | New Qualified Plug-in Electric Drive Motor Vehicle Credit | 12            | 1                                      | 12                     | 23.33 hr.          | 280 hours    |
| TOTAL  |   | 512           |  | 512                    |                    | 2955 hours   |

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

To ensure more accuracy and consistency across its information collections, IRS is currently in the process of revising the methodology it uses to estimate burden and costs. Once this methodology is complete, IRS will update this information collection to reflect a more precise estimate of burden and costs.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

The Federal government cost estimate is based on a model that considers the following three cost factors for each information product: aggregate labor costs for development, including annualized start up expenses, operating and maintenance expenses, and distribution of the product that collects the information.

The government computes cost using a multi-step process. First, the government creates a

weighted factor for the level of effort to create each information collection product based on variables such as; complexity, number of pages, type of product and frequency of revision. Second, the total costs associated with developing the product such as labor cost, and operating expenses associated with the downstream impact such as support functions, are added together to obtain the aggregated total cost. Then, the aggregated total cost and factor are multiplied together to obtain the aggregated cost per product. Lastly, the aggregated cost per product is added to the cost of shipping and printing each product to IRS offices, National Distribution Center, libraries and other outlets. The result is the Government cost estimate per product.

The government cost estimate for this collection is \$ 43,743.

15. REASONS FOR CHANGE IN BURDEN

There are no changes to the form that would affect burden, however, the agency has updated the estimates based on most recent filing data and due to the creation of 1545-0123 and 1545-0074, separating burden for individuals and partnerships. The burden associated with this collection is for all other filers only such as trusts and estates and others.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

There are no plans for tabulation, statistical analysis, and publication.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

IRS believes that displaying the OMB expiration date is inappropriate because it could cause confusion by leading taxpayers to believe that the regulations sunsets as of the expiration date. Taxpayers are not likely to be aware that the Service intends to request renewal of the OMB approval and obtain a new expiration date before the old one expires.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions to the certification statement.

Note: The following paragraph applies to all of the collections of information in this submission:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.