



**Note:** *The draft you are looking for begins on the next page.*

## **Caution: DRAFT—NOT FOR FILING**

This is an early release draft of an IRS tax form, instructions, or publication, which the IRS is providing for your information. **Do not file draft forms** and do **not** rely on draft forms, instructions, and publications for filing. We do **not** release draft forms until we believe we have incorporated all changes (except when explicitly stated on this coversheet). However, unexpected issues occasionally arise, or legislation is passed—in this case, we will post a new draft of the form to alert users that changes were made to the previously posted draft. Thus, there are never any changes to the last posted draft of a form and the final revision of the form. Forms and instructions generally are subject to OMB approval before they can be officially released, so we post only drafts of them until they are approved. Drafts of instructions and publications usually have some changes before their final release.

Early release drafts are at [IRS.gov/DraftForms](https://www.irs.gov/DraftForms) and remain there after the final release is posted at [IRS.gov/LatestForms](https://www.irs.gov/LatestForms). All information about all forms, instructions, and pubs is at [IRS.gov/Forms](https://www.irs.gov/Forms).

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product.

If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).



# Instructions for Form 8911

(Rev. December 2022)

## Alternative Fuel Vehicle Refueling Property Credit

Section references are to the Internal Revenue Code unless otherwise noted.

### Future Developments

For the latest information about developments related to Form 8911 and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form8911](https://www.irs.gov/Form8911).

### What's New

**Credit extension.** The Inflation Reduction Act of 2022 (IRA 2022) extended the alternative fuel vehicle refueling property credit to cover refueling property placed in service after 2021 and before 2033.

**Credit modification.** IRA 2022 also modified the credit for certain refueling property placed in service after 2022 as discussed in these instructions.

**New Form 8911 lines 4a through 5c.** Lines 4 and 5 were divided to break out amounts subject to the lower credit rate that applies to certain refueling property placed in service after 2022 that does not meet the new prevailing wage and apprenticeship requirements.

## General Instructions

### Purpose of Form

Use Form 8911 to figure your credit for alternative fuel vehicle refueling property you placed in service during your tax year. The credit attributable to depreciable property (refueling property 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.

Partnerships and S corporations must file this form to claim the credit. All other taxpayers aren't required to complete or file this form if their only source for this credit is a partnership or S corporation. Instead, they can report this credit directly on line 1s in Part III of Form 3800, General Business Credit.

### Which Revision To Use

Use the December 2022 revision of Form 8911 for tax years beginning in 2022 or later, until a later revision is issued. Use prior revisions of the form for earlier tax years. All revisions are available at [IRS.gov/Form8911](https://www.irs.gov/Form8911).

### Amount of Credit

For property of a character subject to an allowance for depreciation (business/investment use property), the credit for all property placed in service before 2023 at each location is generally the smaller of 30% of the property's cost or \$30,000. For property of a character not subject to an allowance for depreciation placed in service before 2023 at your main home (personal use property), the credit for all property placed in service at your main home is generally the smaller of 30% of the property's cost or \$1,000.

For property of a character subject to an allowance for depreciation (business/investment use property), the credit for each item of property placed in service after 2022 is generally the smaller of 30% of the property's cost or \$100,000. For property of a character not subject to an allowance for depreciation placed in service after 2022 at your main home (personal use property), the credit for each item of property is generally the smaller of 30% of the property's cost or \$1,000.

Each property's cost must first be reduced by any section 179 expense deduction taken for the property.

### Qualified Alternative Fuel Vehicle Refueling Property

Qualified alternative fuel vehicle refueling property is any property (other than a building or its structural components) used for either of the following.

- To store or dispense an alternative fuel (defined below) other than electricity into the fuel tank of a motor vehicle propelled by the fuel, but only if the storage or dispensing is at the point where the fuel is delivered into that tank.
- To recharge an electric vehicle, but only if the recharging property is located at the point where the vehicle is recharged.

In addition, the following requirements must be met to qualify for the credit.

- You placed the refueling property in service during your tax year.
- The original use of the property began with you.
- The property isn't used predominantly outside the United States.
- If the property isn't business/investment use property, the property must be installed on property used as your main home.
- Property placed in service after 2022 must be located in an eligible census tract.

**Exception.** If you are the seller of new refueling property to a tax-exempt organization, governmental unit, or a foreign person or entity, and the use of that property is described in section 50(b)(3) or (4), you can claim the credit, but only if you clearly disclose in writing to the purchaser the amount of the tentative credit allowable for the refueling property (included on line 7 of Form 8911). Treat all property eligible for this exception as business/investment use property. If you elect to claim the credit, you must reduce cost of goods sold by the amount you entered on line 7 for that property.

**Alternative fuel.** The following are alternative fuels.

- Any fuel at least 85% of the volume of which consists of one or more of the following: ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas, or hydrogen.
- Any mixture which consists of two or more of the following: biodiesel (as defined in section 40A(d)(1)), diesel fuel (as defined in section 4083(a)(3)), or kerosene, and at least 20% of the volume of which consists of biodiesel determined without regard to any kerosene in such mixture.

- Electricity.

**Bidirectional charging equipment.** Property placed in service after 2022 will not fail to be treated as qualified alternative fuel vehicle refueling property solely because it:

- Is capable of charging the battery of a motor vehicle propelled by electricity, and
- Allows discharging electricity from such battery to an electric load external to the motor vehicle.

**Property must be located in an eligible census tract.**

Property placed in service after 2022 will not be treated as qualified alternative fuel vehicle refueling property unless the property is placed in service in an eligible census tract.

**Eligible census tract.** For this purpose, an eligible census tract is any population census tract that:

- Is described in section 45D(e), or
- Is not an urban area.

For this purpose, an urban area is a census tract (as defined by the Bureau of the Census) that, according to the most recent decennial census, has been designated as an urban area by the Secretary of Commerce.

**Electric charging stations for certain vehicles with two or three wheels.** Property of a character subject to an allowance for depreciation (business/investment use property) placed in service after 2022 for the recharging of a motor vehicle is qualified alternative fuel vehicle refueling property.

**Motor vehicle.** For this purpose, a motor vehicle:

- Is manufactured primarily for use on public streets, roads, or highways (not including a vehicle operated exclusively on a rail or rails);
- Has two or three wheels; and
- Is propelled by electricity.

## Wage and Apprenticeship Requirements

If a qualified alternative fuel vehicle refueling project does not meet the new project requirements discussed in this section, the amount of credit that applies to qualified alternative fuel vehicle refueling property subject to an allowance for depreciation (business/investment use property) that is part of the project will be figured using a credit rate of 6% (0.06) instead of 30% (0.30).

**Qualified alternative fuel vehicle refueling project.** A qualified alternative fuel vehicle refueling project is a project consisting of one or more properties that are part of a single project.

**Project requirements.** A project meets the project requirements if it is one of the following.

- A project the construction of which begins prior to the date that is 60 days after the Secretary publishes guidance on the new prevailing wage and apprenticeship requirements. This date will be added to these instructions once the guidance is issued.
- A project that satisfies the new prevailing wage and apprenticeship requirements.

**Prevailing wage requirements.** The taxpayer will ensure that any laborers and mechanics employed by the taxpayer or any contractor or subcontractor in the construction of any qualified alternative fuel vehicle refueling property that is part of the project will be paid wages at rates not less than the prevailing rates for construction, alteration, or repair of a similar character in the locality in which the project is located

as most recently determined by the Secretary of Labor, in accordance with subchapter IV of chapter 31 of title 40, United States Code.

**Apprenticeship requirements.** Rules similar to the rules of section 45(b)(8) will apply.

**Regulations and guidance.** The Secretary will issue such regulations or other guidance as the Secretary determines necessary to carry out the purposes of these requirements, including regulations or other guidance which provides for requirements for recordkeeping or information reporting for purposes of administering these requirements. Additional guidance issued to address the prevailing wage and apprenticeship requirements will be added to these instructions at a later date.

## Basis Reduction

Unless you elect not to claim the credit, you must reduce the basis of the property by the sum of the amounts entered on lines 7 and 13 for that property.

## Recapture

If the property no longer qualifies for the credit, you may have to recapture part or all of the credit. For more details, see section 30C(e)(5).

---

## Specific Instructions

### Line 2

To figure the business/investment use part of the total cost, multiply the cost of each separate refueling property by the percentage of business/investment use for that property. If during the tax year you convert property used solely for personal purposes to business/investment use (or vice versa), figure the percentage of business/investment use only for the number of months you use the property in your business or for the production of income. Multiply that percentage by the number of months you use the property in your business or for the production of income and divide the result by 12.

### Line 3

Enter any section 179 expense deduction you took for the property from Part I of Form 4562, Depreciation and Amortization.

### Line 4b

Enter any amount included on line 4a attributable to property placed in service after 2022 as part of a project subject to project requirements that were not met. See [Wage and Apprenticeship Requirements](#), earlier.

### Line 6

If you placed refueling property with business/investment use in service before 2023, but all property placed in service at any one location would result in an amount of not more than \$30,000 if property from that location was reported separately on line 5c, include the amount from line 5c on both line 6 and line 7.

If you placed refueling property with business/investment use in service before 2023, and property in at least one location would result in an amount of more than \$30,000 if property from that location was reported separately on line 5c, add the separate amounts for each location, but don't include in the total more than \$30,000 for any single location.

If you placed more than one item of refueling property in service after 2022, but each item of property would result in a credit amount of not more than \$100,000 if each item of property was reported separately on line 5c, include the amount from line 5c on both line 6 and line 7.

If you placed more than one item of refueling property with business/investment use in service after 2022, and at least one item of property would result in an amount of more than \$100,000 if that item of property was reported separately on line 5c, add the separate amounts for each item of property, but don't include in the total more than \$100,000 for any single item of property.

## Line 8

Enter total alternative fuel vehicle refueling property credits from:

- Schedule K-1 (Form 1065), Partner's Share of Income, Deductions, Credits, etc., box 15 (code P); and
- Schedule K-1 (Form 1120-S), Shareholder's Share of Income, Deductions, Credits, etc., box 13 (code P).

Partnerships and S corporations report the above credits on line 8. All other filers figuring a separate credit on earlier lines also report the above credits on line 8. All others not using earlier lines to figure a separate credit can report the above credits directly on Form 3800, Part III, line 1s.

## Line 12

For refueling property placed in service before 2023, generally, enter \$1,000. However, if the location of your main home changed during the tax year and you placed personal use refueling property in service before 2023 at both locations during the tax year, enter \$2,000.

For refueling property placed in service after 2022, enter \$1,000 for each item of refueling property you placed in service during your tax year. The \$1,000 limit changed from per location in 2022 to per item of property in 2023.

## Line 15b

Follow the instructions below and refer to your income tax return to figure the amount to enter on line 15b.

**Form 1040, 1040-SR, or 1040-NR.** Enter the total of any credits on Form 1040, 1040-SR, or 1040-NR, line 19, and Schedule 3 (Form 1040), lines 2 through 5, and 7 (reduced by any general business credit reported on line 6a, any credit

for prior year minimum tax reported on line 6b, or any credit to holders of tax credit bonds reported on line 6k).

**Form 1041, Schedule G.** Enter the total of any write-in credits on line 2e (not including any credits from lines 2a through 2d).

## Line 17

Although you may not owe alternative minimum tax (AMT), you must still figure the tentative minimum tax (TMT) to figure your credit. Complete and attach the applicable AMT form or schedule and enter the TMT on line 17.

## Line 19

If you can't use part of the personal portion of the credit because of the tax liability limit, the unused credit is lost. The unused personal portion of the credit can't be carried back or forward to other tax years.

---

**Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for taxpayers filing this form is approved under OMB control number 1545-0074 and 1545-0123 and is included in the estimates shown in the instructions for their income tax return.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the instructions for the tax return with which this form is filed.

---