

2019 Regular Session

HOUSE BILL NO. 460

BY REPRESENTATIVES TALBOT, DAVIS, HORTON, HUVAL, LACOMBE, AND SCHEXNAYDER

TAX CREDITS: Establishes an income and corporate franchise tax credit for purchase and installation of surveillance cameras in certain commercial vehicles

1 AN ACT

2 To enact R.S. 47:6040, relative to tax credits; to authorize an income or corporate franchise
3 tax credit for purchases and installation of certain camera equipment; to provide for
4 the amount of the credit; to provide for eligibility requirements; to provide for
5 definitions; to authorize the promulgation of rules; to provide for an effective date;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:6040 is hereby enacted to read as follows:

9 §6040. Tax credit for purchase and installation of surveillance cameras in certain
10 commercial vehicles

11 A.(1) There shall be a credit against any Louisiana income or corporation
12 franchise tax for the purchase and installation of surveillance camera equipment in
13 a commercial vehicle required to be operated by a driver who possesses a
14 commercial driver's license. The amount of the credit shall be equal to the cost for
15 purchase and installation of the surveillance camera equipment or five hundred
16 dollars, whichever is less. The credit shall be applicable for each commercial vehicle
17 in which the surveillance camera equipment is purchased and installed.

18 (2) The credit is earned in the year in which installation of the surveillance
19 camera equipment is complete. The credit shall be allowed against the income or

1 franchise tax due from a taxpayer for the taxable period in which the credit is earned.
2 If the tax credit allowed pursuant to the provisions of this Section exceeds the total
3 tax liability of the taxpayer in the taxable year, the amount of the credit not used to
4 offset tax liability may be carried forward by the taxpayer as a credit against
5 subsequent tax liability for a period not to exceed five years. However, in no event
6 shall the amount of the tax credit applied by a taxpayer in a taxable period exceed the
7 amount of taxes due from the taxpayer for that taxable period.

8 B. As used in this Section, the following words shall have the following
9 meanings unless the context clearly indicates otherwise:

10 (1) "Commercial vehicle" means a Class 1 Truck that carries or transports
11 freight, merchandise, or other property as defined by R.S. 47:462 or a vehicle used
12 for the transportation of passengers for hire or fee, as defined by R.S. 32:401.

13 (2) "Commercial driver's license" means a Class "A", "B", or "C" driver's
14 license, or a Class "D" driver's license all as defined by R.S. 32:408(B), issued by the
15 Department of Public Safety and Corrections, office of motor vehicles.

16 (3) "Cost for purchase and installation of the surveillance camera equipment"
17 means the retail cost paid by the owner of the commercial vehicle for the purchase
18 and installation of the surveillance camera equipment, provided that the commercial
19 vehicle is registered and primarily used in this state.

20 C. The secretary of the Department of Revenue may promulgate rules and
21 regulations in accordance with the Administrative Procedure Act as are necessary to
22 implement the provisions of this Section.

23 Section 2. This Act shall become effective on January 1, 2020, and should be
24 applicable to all taxable periods beginning on and after January 1, 2020.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 460 Engrossed

2019 Regular Session

Talbot

Abstract: Establishes an income or corporate franchise tax credit, not to exceed \$500, for the cost for the purchase and installation of surveillance camera equipment in commercial vehicles that require the operator to possess a commercial driver's license.

Proposed law establishes an income or corporate franchise tax credit not to exceed \$500 per vehicle for the cost of the purchase and installation of surveillance camera equipment in Class 1 trucks and vehicles used for the transportation of passengers for hire or fee that are required to be operated by drivers who possess a commercial driver's license. The credit is earned in the year in which installation of the surveillance camera equipment is complete.

Present law defines a "Class 1 Truck" as a vehicle that carries or transports freight, merchandise or other property except those vehicles for city use and vehicles for farm use.

Present law defines "transportation of passengers for hire or fee" as movement of passengers by motor vehicle for direct monetary payment for a service or any common carrier of passengers such as hire bus, taxicab, limousine, and non-emergency medical transportation.

Present law provides that Class A commercial driver's licenses are for the operation of any combination of vehicles with a gross combination weight rating of 26,001 pounds or more, Class B commercial driver's licenses are for the operation of any single vehicle with a gross vehicle weight rating (GVWR) of 26,001 or more, and Class C commercial driver's licenses are for the operation of any single vehicle less than 26,001 pounds GVWR. Present law provides that a Class D commercial driver's license is a chauffeur license.

Proposed law defines, for purposes of eligibility for the tax credit, a "commercial driver's license" as a Class A, B, or C driver's license or a Class D driver's license and a "commercial vehicle" as a Class 1 Truck or a vehicle used for transportation of passengers for hire or fee.

Proposed law defines "cost of purchase and installation of the surveillance camera equipment" as the retail cost paid by the owner of the commercial vehicle for the purchase and installation of the surveillance camera equipment, provided the commercial vehicle is registered and primarily used in La.

Proposed law authorizes rulemaking by the Dept. of Revenue.

Eff. Jan. 1, 2020, and shall be applicable for all taxable periods beginning on and after Jan.1. 2020.

(Adds R.S. 47: 6040)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Specify that the credit is earned in the year in which installation of the surveillance camera equipment is complete.

2. Define "cost for purchase and installation of the surveillance camera equipment".