

108TH CONGRESS
1ST SESSION

H. R. 727

To amend the Internal Revenue Code of 1986 to include sports utility vehicles in the limitation on the depreciation of certain luxury automobiles.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2003

Ms. ESHOO (for herself, Mr. MATSUI, Mr. KLECZKA, Mr. FRANK of Massachusetts, Mr. BROWN of Ohio, Ms. LEE, Mr. HINCHEY, Mr. ACKERMAN, Mr. WAXMAN, Ms. MCCOLLUM, Mr. FILNER, Mr. RANGEL, Mr. FARR, Mr. GEORGE MILLER of California, Mr. LANTOS, and Mr. MORAN of Virginia) 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 include sports utility vehicles in the limitation on the depreciation of certain luxury automobiles.

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 “SUV Business Tax
5 Loophole Closure Act”.

1 **SEC. 2. INCLUSION OF SPORTS UTILITY VEHICLES IN LIM-**
2 **TATION ON DEPRECIATION OF CERTAIN LUX-**
3 **URY AUTOMOBILES.**

4 (a) **IN GENERAL.**—Section 280F(d)(5)(A) of the In-
5 ternal Revenue Code of 1986 (defining passenger auto-
6 mobile) is amended by striking clause (ii) and all that fol-
7 lows and inserting the following new clause:

8 “(ii)(I) except as provided in sub-
9 clause (II) or (III), which is rated at 6,000
10 pounds unloaded gross vehicle weight or
11 less,

12 “(II) in the case of a truck or van,
13 which is rated at 6,000 pounds gross vehi-
14 cle weight or less, or

15 “(III) in the case of a sports utility
16 vehicle, which is rated at 14,000 pounds
17 gross vehicle weight or less.”.

18 (b) **DEFINITION.**—Section 280F(d)(5) of the Internal
19 Revenue Code of 1986 is amended by adding at the end
20 the following new subparagraph:

21 “(C) **SPORTS UTILITY VEHICLES.**—The
22 term ‘sports utility vehicle’ does not include any
23 vehicle which—

24 “(I) does not have the primary
25 load carrying device or container at-
26 tached,

1 “(II) has a seating capacity of
2 more than 12 individuals,

3 “(III) is designed for more than
4 9 individuals in seating rearward of
5 the driver’s seat,

6 “(IV) is equipped with an open
7 cargo area, or a covered box not read-
8 ily accessible from the passenger com-
9 partment, of at least 72.0 inches in
10 interior length, or

11 “(V) has an integral enclosure,
12 fully enclosing the driver compartment
13 and load carrying device, does not
14 have seating rearward of the driver’s
15 seat, and has no body section pro-
16 truding more than 30 inches ahead of
17 the leading edge of the windshield.”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to property placed in service after
20 the date of the enactment of this Act.

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