



Instructions for Form IT-253

Claim for Alternative Fuels Credit

IT-253-I

General information

The claim for alternative fuels tax credit expired on December 31, 2010. For tax years beginning after December 31, 2010, you may only claim a tax credit carryover or recapture from previous years.

Chapter 59 of the Laws of 2013 enacted another alternative fuels and electric vehicle recharging property credit. You must use Form IT-637, *Alternative Fuels and Electric Vehicle Recharging Property Credit*, to claim this credit.

Credit calculation

Only use Form IT-253 to claim any carryover credit or to calculate any recapture of credit. You cannot request a refund for any unused portion of this credit.

Partnerships or estates or trusts: Complete this form only if you are reporting a recapture of the alternative fuels credit.

If you claimed the credit on alternative fuels vehicle refueling property and that property ceases to be qualifying property at any time before the end of the recovery period, you may be required to recapture all or part of the credit you claimed.

Additional forms: If you have more entries than will fit on the lines provided in Schedule B, submit additional Forms IT-253, completing only Schedule B. Include your name and taxpayer identification number on each form. On the indicated lines of the first Form IT-253, include the totals from all additional Forms IT-253. Place the extra forms behind the first Form IT-253 and submit them with your return.

Line instructions

Schedule A: Calculation of alternative fuels tax credit used and carried over

Line 2 Form IT-201 filers: Enter the tax from Form IT-201, line 39, **plus** any amount from Form IT-201-ATT, line 21.

Form IT-203 filers: Enter the tax from Form IT-203, line 46, **plus** any amount from Form IT-203-ATT, line 20.

Form IT-205 filers: Enter the tax from Form IT-205, line 8 (for residents), or line 9 (for nonresidents), **plus** any credits shown on line 1 of the *Addbacks worksheet*, in the instructions for Form IT-205, line 12.

Line 3: If you are applying any credits against the tax before this credit, enter those amounts here.

Apply credits in the following order:

1. household credit
2. any credits that cannot be carried over or refunded
3. any credits that can be carried over for a limited duration
4. any credits that can be carried over for an unlimited duration
5. refundable credits

For more information, see *Ordering of personal income tax credits*, or www.tax.ny.gov (search: *ordering*).

Line 5: Enter this amount and code **253** on:

- Form IT-201-ATT, line 6; or
- Form IT-203-ATT, line 7; or
- Form IT-205, line 10.

Schedule B: Recapture of alternative fuels vehicle refueling property credit

If **alternative fuels vehicle refueling property** ceases to qualify at any time before the end of its recovery period (depreciable life), you must recapture all or part of the credit that was previously allowed.

Alternative fuels vehicle refueling property ceases to be qualified if **one or more** of the following applies:

1. the property no longer qualifies as property described in IRC section 30C; **or**
2. fifty percent or more of the use of the property in a tax year is other than in a trade or business in New York State; **or**
3. you previously claimed the credit and sold or disposed of the property and know or have reason to know that the property will be used in a manner described in 1 or 2 above.

Complete columns A through G for each piece of qualifying property a recapture is required for. If needed, see *Additional forms*.

Column B: Enter the total recovery period (depreciable life) of the property.

You must recapture an amount that is equal to the credit allowed multiplied by a fraction. The numerator of the fraction is the total recovery years of the property minus the years the property was in service (not including the recapture year), and the denominator is the total recovery years.

Example: In Tax Year 1, a taxpayer claims a credit of \$10,000 on refueling property that had a recovery period of ten years. The taxpayer uses the property for three years and disposes of it in Tax Year 4. The recapture is calculated as follows:

- $\frac{\text{total recovery period minus years in service prior to recapture year} \times \text{original credit allowed, or total recovery period}}{\text{total recovery period}}$
- $\frac{(10 \text{ years} - 3 \text{ years}) \times \$10,000}{(10 \text{ years})} = \$7,000$

Line 8 Partner in a partnership, **shareholder** of an S corporation, or **beneficiary** of an estate or trust: Enter your share of the credit recapture. Your partnership, S corporation, estate or trust should provide you with this information.

Line 10 Fiduciaries: Enter the total amount of recapture allocated to beneficiaries. Provide the beneficiaries with their share of the recapture to be claimed on their tax returns.

Line 11 Fiduciaries: Transfer this amount to Form IT-205, line 12.