

SUBSTITUTE FOR  
HOUSE BILL NO. 6611

A bill to amend 2007 PA 36, entitled  
"Michigan business tax act,"  
(MCL 208.1101 to 208.1601) by adding section 434.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 434. (1) THE MICHIGAN ECONOMIC GROWTH AUTHORITY IS  
2        AUTHORIZED TO ENTER INTO AGREEMENTS TO PROVIDE TAX CREDITS  
3        AVAILABLE UNDER THIS SECTION TO STIMULATE THE DOMESTIC  
4        COMMERCIALIZATION AND AFFORDABILITY OF HIGH-POWER ENERGY BATTERIES,  
5        THE LACK OF WHICH TODAY IS LIMITING HYBRID, PLUG-IN HYBRID BATTERY-  
6        ELECTRIC, AND FUEL CELL VEHICLE APPLICATIONS, AND TO HELP INSURE  
7        THAT JOB GROWTH FROM BATTERY TECHNOLOGY AND COMMERCIAL PRODUCTION  
8        DEVELOPS ALONGSIDE ADVANCED VEHICLE TECHNOLOGY DEVELOPMENT AND  
9        RENEWABLE POWER GENERATION INITIATIVES BOTH WITHIN AND OUTSIDE THE  
10       TRANSPORTATION SECTOR.

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1       (2) SUBJECT TO THE LIMITATIONS PROVIDED UNDER THIS SECTION,  
2       FOR TAX YEARS THAT BEGIN ON OR AFTER JANUARY 1, 2010 AND END BEFORE  
3       JANUARY 1, 2015, A TAXPAYER THAT HAS ENTERED INTO AN AGREEMENT WITH  
4       THE MICHIGAN ECONOMIC GROWTH AUTHORITY THAT PROVIDES THAT THE  
5       TAXPAYER WILL MANUFACTURE PLUG-IN TRACTION BATTERY PACKS IN THIS  
6       STATE MAY CLAIM A CREDIT AGAINST THE TAX IMPOSED BY THIS ACT FOR  
7       THE MANUFACTURE OF THOSE PLUG-IN TRACTION BATTERY PACKS AS PROVIDED  
8       IN THIS SECTION. THE MICHIGAN ECONOMIC GROWTH AUTHORITY MAY ENTER  
9       INTO MORE THAN 1 AGREEMENT UNDER THIS SECTION. HOWEVER, THE TOTAL  
10      NUMBER OF PLUG-IN TRACTION BATTERY PACKS ELIGIBLE FOR ALL CREDITS  
11      UNDER ALL AGREEMENTS ALLOWED UNDER THIS SECTION SHALL NOT EXCEED  
12      THE NUMBER OF PLUG-IN TRACTION BATTERY PACKS ELIGIBLE FOR A CREDIT  
13      AS PROVIDED IN THIS SECTION. A TAXPAYER SHALL NOT CLAIM A CREDIT  
14      UNDER THIS SECTION FOR MORE THAN 3 YEARS. THE TOTAL OF ALL CREDITS  
15      ALLOWED UNDER THIS SECTION SHALL BE AS FOLLOWS:

16           (A) FOR TAX YEARS BEGINNING AFTER DECEMBER 31, 2010 AND ENDING  
17      BEFORE JANUARY 1, 2012, \$500.00 FOR AN EQUIVALENT OF 4 KILOWATT  
18      HOURS OF BATTERY CAPACITY PLUS \$125.00 FOR EACH KILOWATT HOUR OF  
19      BATTERY CAPACITY IN EXCESS OF 4 KILOWATT HOURS OF BATTERY CAPACITY  
20      NOT TO EXCEED \$2,000.00 FOR EACH PLUG-IN TRACTION BATTERY PACK. THE  
21      TOTAL NUMBER OF TRACTION BATTERY PACKS SHALL NOT EXCEED 20,000  
22      PLUG-IN TRACTION BATTERY PACK UNITS UNDER THIS SUBDIVISION.

23           (B) FOR TAX YEARS BEGINNING AFTER DECEMBER 31, 2011 AND ENDING  
24      BEFORE JANUARY 1, 2013, \$375.00 FOR AN EQUIVALENT OF 4 KILOWATT  
25      HOURS OF BATTERY CAPACITY PLUS \$93.75 FOR EACH KILOWATT HOUR OF  
26      BATTERY CAPACITY [    ] IN EXCESS OF 4 KILOWATT HOURS OF BATTERY  
27      CAPACITY NOT TO EXCEED \$1,500.00 FOR EACH PLUG-IN TRACTION BATTERY

1 PACK. THE TOTAL NUMBER OF TRACTION BATTERY PACKS SHALL NOT EXCEED  
2 40,000 PLUG-IN TRACTION BATTERY PACK UNITS UNDER THIS SUBDIVISION.  
3 A SINGLE TAXPAYER SHALL NOT CLAIM A CREDIT FOR MORE THAN 25,000  
4 PLUG-IN TRACTION BATTERY PACK UNITS UNDER THIS SUBDIVISION. THE  
5 NUMBER OF BATTERY PACK UNITS NOT USED FOR CREDITS UNDER THIS  
6 SUBDIVISION MAY BE ADDED TO THE TOTAL NUMBER OF BATTERY PACK UNITS  
7 FOR WHICH A CREDIT IS AVAILABLE UNDER THIS SUBDIVISION, AND THE  
8 CREDITS FOR THOSE UNITS SHALL BE CALCULATED AS DESCRIBED IN THIS  
9 SUBDIVISION AND SHALL BE IN ADDITION TO THE MAXIMUMS ALLOWED FOR  
10 ANY 1 TAXPAYER UNDER THIS SECTION.

11 (C) FOR TAX YEARS BEGINNING AFTER DECEMBER 31, 2012 AND ENDING  
12 BEFORE JANUARY 1, 2014, \$375.00 FOR AN EQUIVALENT OF 4 KILOWATT  
13 HOURS OF BATTERY CAPACITY PLUS \$93.75 FOR EACH KILOWATT HOUR OF  
14 BATTERY CAPACITY IN EXCESS OF 4 KILOWATT HOURS NOT TO EXCEED  
15 \$1,500.00 FOR EACH PLUG-IN TRACTION BATTERY PACK. THE TOTAL NUMBER  
16 OF TRACTION BATTERY PACKS SHALL NOT EXCEED 40,000 PLUG-IN TRACTION  
17 BATTERY PACK UNITS UNDER THIS SUBDIVISION. A SINGLE TAXPAYER SHALL  
18 NOT CLAIM A CREDIT FOR MORE THAN 25,000 PLUG-IN TRACTION BATTERY  
19 PACK UNITS UNDER THIS SUBDIVISION.

20 (D) FOR TAX YEARS BEGINNING AFTER DECEMBER 31, 2013 AND ENDING  
21 BEFORE JANUARY 1, 2015, \$375.00 FOR AN EQUIVALENT OF 4 KILOWATT  
22 HOURS OF BATTERY CAPACITY PLUS \$93.75 FOR EACH KILOWATT HOUR OF  
23 BATTERY CAPACITY IN EXCESS OF 4 KILOWATT HOURS NOT TO EXCEED  
24 \$1,500.00 FOR EACH PLUG-IN TRACTION BATTERY PACK. THE TOTAL NUMBER  
25 OF TRACTION BATTERY PACKS SHALL NOT EXCEED 25,000 PLUG-IN TRACTION  
26 BATTERY PACK UNITS UNDER THIS SUBDIVISION.

27 (3) FOR TAX YEARS THAT BEGIN ON OR AFTER JANUARY 1, 2012 AND

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1 SUBJECT TO THE LIMITATIONS OF THIS SUBSECTION, AN AUTHORIZED  
2 BUSINESS MAY CLAIM A CREDIT OF UP TO 75% OF THE QUALIFIED EXPENSES  
3 FOR VEHICLE ENGINEERING IN THIS STATE TO SUPPORT BATTERY  
4 INTEGRATION, PROTOTYPING, AND LAUNCH EXPENSES INCURRED FOR TAX  
5 YEARS THAT BEGIN ON OR AFTER JANUARY 1, 2009 AND END BEFORE JANUARY  
6 1, 2014. [ ]

7 THIS CREDIT SHALL NOT EXCEED \$15,000,000.00 PER YEAR AS AGREED TO  
8 AND CERTIFIED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY. ANY  
9 EXPENSES FOR WHICH A CREDIT IS CLAIMED UNDER THIS SUBSECTION SHALL  
10 NOT BE INCLUDED IN COSTS AND EXPENSES USED FOR CREDITS AVAILABLE  
11 UNDER SECTIONS 403 AND 405 OF THIS ACT. THE MICHIGAN ECONOMIC  
12 GROWTH AUTHORITY MAY NOT AUTHORIZE MORE THAN \$90,000,000.00 IN  
13 TOTAL CREDITS TO ALL AUTHORIZED BUSINESSES UNDER THIS SUBSECTION.  
14 TO CLAIM THE CREDIT UNDER THIS SUBSECTION, A TAXPAYER MUST  
15 MANUFACTURE A CUMULATIVE TOTAL OF AT LEAST 1,000 MOTOR VEHICLES  
16 THAT WOULD QUALIFY FOR THE CREDIT UNDER SECTION 30D OF THE INTERNAL  
17 REVENUE CODE AND THE CREDIT SHALL BE AVAILABLE TO THE TAXPAYER ONLY  
18 FOR THE FOLLOWING PERCENTAGES OF THE TOTAL AUTHORIZED ANNUAL  
19 EXPENSES:

20 (A) IN A TAX YEAR IN WHICH THE TAXPAYER HAS MANUFACTURED A  
21 CUMULATIVE TOTAL OF AT LEAST 1,000 MOTOR VEHICLES [ ] AND  
22 FEWER THAN 2,000 MOTOR VEHICLES THAT QUALIFY FOR THE CREDIT UNDER  
23 SECTION 30D OF THE INTERNAL REVENUE CODE, 20%.

24 (B) IN A TAX YEAR IN WHICH THE TAXPAYER HAS MANUFACTURED A  
25 CUMULATIVE TOTAL OF AT LEAST 2,000 MOTOR VEHICLES BUT FEWER THAN  
26 3,000 MOTOR VEHICLES [ ] THAT QUALIFY FOR THE CREDIT  
27 UNDER SECTION 30D OF THE INTERNAL REVENUE CODE, 40%.

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1 (C) IN A TAX YEAR IN WHICH THE TAXPAYER HAS MANUFACTURED A  
2 CUMULATIVE TOTAL OF AT LEAST 3,000 MOTOR VEHICLES [ ] BUT  
3 FEWER THAN 4,000 MOTOR VEHICLES THAT QUALIFY FOR THE CREDIT UNDER  
4 SECTION 30D OF THE INTERNAL REVENUE CODE, 60%.

5 (D) IN A TAX YEAR IN WHICH THE TAXPAYER HAS MANUFACTURED A  
6 CUMULATIVE TOTAL OF AT LEAST 4,000 MOTOR VEHICLES [ ] BUT  
7 FEWER THAN 5,000 MOTOR VEHICLES THAT QUALIFY FOR THE CREDIT UNDER  
8 SECTION 30D OF THE INTERNAL REVENUE CODE, 80%.

9 (E) IN A TAX YEAR IN WHICH THE TAXPAYER HAS MANUFACTURED A  
10 CUMULATIVE TOTAL OF AT LEAST 5,000 MOTOR VEHICLES [ ]  
11 THAT QUALIFY FOR THE CREDIT UNDER SECTION 30D OF THE INTERNAL  
12 REVENUE CODE, 100%.

13 (4) FOR TAX YEARS THAT BEGIN ON OR AFTER JANUARY 1, 2012 AND  
14 END BEFORE JANUARY 1, 2015, A TAXPAYER THAT HAS ENTERED INTO AN  
15 AGREEMENT WITH THE MICHIGAN ECONOMIC GROWTH AUTHORITY THAT PROVIDES  
16 THAT THE TAXPAYER WILL ENGAGE IN ENGINEERING IN THIS STATE FOR  
17 ADVANCED AUTOMOTIVE BATTERY TECHNOLOGIES IN THIS STATE MAY CLAIM A  
18 CREDIT UNDER THIS SUBSECTION. THE MICHIGAN ECONOMIC GROWTH  
19 AUTHORITY MAY ENTER INTO NOT MORE THAN 1 AGREEMENT FOR ADVANCED  
20 BATTERY ENGINEERING CREDITS, AND THE TOTAL VALUE OF CREDITS  
21 AVAILABLE UNDER THIS SUBSECTION IS LIMITED TO \$30,000,000.00. THE  
22 CREDITS UNDER THIS SUBSECTION SHALL BE ALLOWED AS FOLLOWS:

23 (A) UP TO 75% OF THE ANNUAL AND TOTAL DOLLAR AMOUNT OF THE  
24 QUALIFIED ADVANCE BATTERY ENGINEERING EXPENSES OF AN AUTHORIZED  
25 BUSINESS INCURRED DURING TAX YEARS BEGINNING ON OR AFTER JANUARY 1,  
26 2009 AND ENDING BEFORE JANUARY 1, [2014]. THE TAXPAYER MUST SUBMIT TO  
27 THE MICHIGAN ECONOMIC GROWTH AUTHORITY AN AFFIDAVIT CERTIFYING THE

1 AMOUNT OF QUALIFIED ADVANCED BATTERY ENGINEERING EXPENSES FOR EACH  
2 YEAR FOR WHICH THE CREDIT IS ACCRUED.

3 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A  
4 TAXPAYER MAY CLAIM NO MORE THAN \$10,000,000.00 IN CREDITS UNDER  
5 THIS SUBSECTION IN ANY TAX YEAR.

6 (C) THE CREDITS AVAILABLE UNDER THIS SUBSECTION SHALL NOT BE  
7 ALLOWED IF THE TAXPAYER CLAIMS CREDITS UNDER SUBSECTION (2) FOR  
8 BATTERY PACK ASSEMBLY FOR THE TAX YEAR. NOTWITHSTANDING THIS  
9 LIMITATION, THE CREDITS AVAILABLE UNDER THIS SUBSECTION ARE IN  
10 ADDITION TO ANY OTHER INCENTIVES WHICH MAY BE AUTHORIZED UNDER THE  
11 MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.801 TO  
12 207.810, FOR OTHER RELATED OR UNRELATED PROJECTS INCLUDING THE  
13 VEHICLE RESEARCH AND DEVELOPMENT EXPENSES AUTHORIZED UNDER  
14 SUBSECTION (3). ANY EXPENSES FOR WHICH A CREDIT IS CLAIMED UNDER  
15 THIS SUBSECTION SHALL NOT BE INCLUDED IN COSTS AND EXPENSES USED  
16 FOR CREDITS AVAILABLE UNDER SECTIONS 403 AND 405.

17 (5) A TAXPAYER THAT HAS ENTERED INTO AN AGREEMENT WITH THE  
18 MICHIGAN ECONOMIC GROWTH AUTHORITY MAY CLAIM A CREDIT EQUAL TO 50%  
19 OF THE CAPITAL INVESTMENT EXPENSES FOR ANY TAX YEAR FOR THE  
20 CONSTRUCTION OF AN INTEGRATIVE CELL MANUFACTURING FACILITY THAT  
21 INCLUDES ANODE AND CATHODE MANUFACTURING AND CELL ASSEMBLY. NOT  
22 MORE THAN 2 AGREEMENTS MAY BE ENTERED INTO UNDER THIS SECTION AND  
23 THE MAXIMUM ALLOWABLE CREDIT UNDER ANY SINGLE AGREEMENT SHALL NOT  
24 EXCEED \$100,000,000.00. NOT MORE THAN 25% OF THE MAXIMUM ALLOWABLE  
25 AMOUNT OF THE CREDIT MAY BE CLAIMED BY THE TAXPAYER IN A SINGLE TAX  
26 YEAR, AND NO CREDIT SHALL BE CLAIMED IN A TAX YEAR BEGINNING BEFORE  
27 2012. HOWEVER, TAX CREDITS MAY BE BASED ON EXPENSES INCURRED IN

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1 PRIOR YEARS.

2 (6) THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL APPOINT A  
3 REVIEW BOARD TO ADVISE IT ABOUT DECISIONS CONCERNING CREDITS UNDER  
4 SUBSECTION (5). THE REVIEW BOARD SHALL BE COMPOSED OF NOT FEWER  
5 THAN 2 REPRESENTATIVES FROM AUTOMOTIVE MANUFACTURERS AND 2  
6 INDEPENDENT SCIENTISTS OR TECHNOLOGISTS. ADDITIONAL EXPERTS MAY BE  
7 SOUGHT ON AN AD HOC BASIS TO REVIEW BUSINESS PLANS AND ADDRESSABLE  
8 MARKETS. IN MAKING ITS RECOMMENDATIONS, THE REVIEW BOARD SHALL GIVE  
9 PREFERENCE TO TECHNOLOGIES PRESENTING NOVEL MATERIALS,  
10 MANUFACTURING, AND PERFORMANCE QUALITIES. THE REVIEW BOARD SHALL  
11 ALSO CONSIDER ALL OF THE FOLLOWING:

12 (A) ACTIVITIES OCCURRING EXCLUSIVELY IN MICHIGAN.

13 (B) ACTIVITIES DIRECTLY RELATED TO WHOLE CELL PRODUCTION, FROM  
14 MATERIALS TO LARGE FORMAT CELLS, IN MICHIGAN.

15 (C) SCALABILITY OF MANUFACTURING PROCESSES THAT ARE  
16 ESTABLISHED, ARE ROBUST, AND ADDRESS GLOBAL AUTOMOTIVE MARKET  
17 REQUIREMENTS.

18 (7) [CREDITS UNDER THIS SECTION SHALL BE TAKEN AFTER NONREFUNDABLE  
CREDITS AVAILABLE UNDER THIS ACT.] IF A CREDIT [OR THE SUM OF CREDITS]  
19 ALLOWED UNDER THIS SECTION EXCEEDS THE TAX  
20 LIABILITY OF THE TAXPAYER FOR THE TAX YEAR, THE TAXPAYER MAY ELECT  
21 TO HAVE THAT PORTION THAT EXCEEDS THE TAX LIABILITY OF THE TAXPAYER  
22 REFUNDED OR TO HAVE THE EXCESS CARRIED FORWARD TO OFFSET TAX  
23 LIABILITY IN SUBSEQUENT TAX YEARS FOR 10 YEARS OR UNTIL USED UP,  
24 WHICHEVER OCCURS FIRST. AMOUNTS CARRIED FORWARD SHALL NOT AFFECT  
25 THE MAXIMUM AMOUNT OF CREDITS THAT MAY BE CLAIMED IN SUBSEQUENT  
26 YEARS.

26 (8) AN AGREEMENT ENTERED INTO FOR TAX CREDITS UNDER THIS  
27 SECTION SHALL SPECIFY ALL OF THE FOLLOWING:

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(A) FOR CREDITS PROVIDED UNDER SUBSECTION (2), THE NUMBER OF  
PLUG-IN TRACTION BATTERY PACKS ELIGIBLE FOR A CREDIT FOR EACH TAX  
YEAR COVERED BY THE PERIOD OF THE AGREEMENT AND THE MAXIMUM AMOUNT  
OF THE CREDIT THAT MAY BE CLAIMED BY THE TAXPAYER IN EACH TAX YEAR.

[

(B) IF THE TAXPAYER CLAIMS A CREDIT UNDER SUBSECTION (3), THE  
QUALIFIED EXPENSES FOR VEHICLE ENGINEERING, PROTOTYPE, AND LAUNCH  
COSTS AND THE ANNUAL AND TOTAL DOLLAR AMOUNT OF THE CREDITS THAT  
MAY BE CLAIMED UNDER SUBSECTION (3).

(C) IF THE TAXPAYER CLAIMS A CREDIT UNDER SUBSECTION (4), THE  
ANNUAL AND TOTAL DOLLAR AMOUNT OF THE CREDITS THAT MAY BE CLAIMED  
UNDER SUBSECTION (4).

(D) IF A TAXPAYER CLAIMS A CREDIT UNDER SUBSECTION (5), ALL OF  
THE FOLLOWING:

(i) THE LOCATION OF THE FACILITY.

(ii) THE ESTIMATED TOTAL COST OF THE FACILITY.

(iii) THE CAPITAL INVESTMENT EXPENSES THAT QUALIFY FOR THE  
CREDIT UNDER SUBSECTION (5).

(iv) THE ANNUAL AND TOTAL DOLLAR AMOUNT OF THE CREDITS THAT MAY  
BE CLAIMED UNDER SUBSECTION (5).

(9) A TAXPAYER SHALL NOT CLAIM A CREDIT UNDER THIS SECTION  
UNLESS THE MICHIGAN ECONOMIC GROWTH AUTHORITY HAS ISSUED A  
CERTIFICATE TO THE TAXPAYER. THE TAXPAYER SHALL ATTACH THE



1 CERTIFICATE TO THE ANNUAL RETURN FILED UNDER THIS ACT ON WHICH A  
2 CREDIT UNDER THIS SECTION IS CLAIMED. THE CERTIFICATE REQUIRED  
3 UNDER THIS SUBSECTION SHALL STATE ALL OF THE FOLLOWING:

4 (A) THE TAXPAYER IS LOCATED IN THIS STATE AND ENGAGED IN  
5 ACTIVITY THAT QUALIFIES FOR THE CREDIT UNDER THIS SECTION.

6 (B) THE TAXPAYER'S FEDERAL EMPLOYER IDENTIFICATION NUMBER OR  
7 THE MICHIGAN DEPARTMENT OF TREASURY NUMBER ASSIGNED TO THE TAXPAYER  
8 AND, FOR A TAXPAYER THAT IS A UNITARY BUSINESS GROUP, THE FEDERAL  
9 EMPLOYER IDENTIFICATION NUMBER OR MICHIGAN DEPARTMENT OF TREASURY  
10 NUMBER ASSIGNED TO THE MEMBER OF THE GROUP ENGAGED IN THIS STATE IN  
11 THE MANUFACTURING OF PLUG-IN TRACTION BATTERY PACKS.

12 (C) IF APPLICABLE, THE NUMBER OF PLUG-IN TRACTION BATTERY  
13 PACKS MANUFACTURED BY THE TAXPAYER DURING THE DESIGNATED TAX YEAR  
14 AND THE AMOUNT OF THE CREDIT UNDER THIS SECTION FOR WHICH THE  
15 TAXPAYER IS ALLOWED TO CLAIM FOR THE DESIGNATED TAX YEAR.

16 (D) FOR CREDITS AVAILABLE UNDER SUBSECTIONS (3), (4), AND (5),  
17 THE AMOUNT OF THE CREDIT AVAILABLE FOR THE TAX YEAR AND SUCH OTHER  
18 INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT.

19 (10) AS USED IN THIS SECTION:

20 (A) "ADVANCED AUTOMOTIVE BATTERY TECHNOLOGY" MEANS A  
21 RECHARGEABLE LITHIUM BATTERY THAT SUPPORTS VEHICLE PROPULSION OR  
22 OTHER ADVANCED TECHNOLOGIES AS MAY BE FURTHER DEFINED BY THE  
23 MICHIGAN ECONOMIC GROWTH AUTHORITY.

24 (B) "BATTERY CELL" MEANS THE BASIC ELECTROCHEMICAL UNIT THAT  
25 PROVIDES A SOURCE OF ELECTRICAL ENERGY BY DIRECT CONVERSION OF  
26 CHEMICAL ENERGY AND CONSISTS OF AN ASSEMBLY OF ELECTRODES,  
27 SEPARATORS, ELECTROLYTE, CONTAINER, AND TERMINALS.

1 (C) "CAPITAL INVESTMENT" MEANS EXPENSES INCURRED DURING THE  
2 TAX YEAR AND INCLUDED IN AN AGREEMENT UNDER THIS SECTION THAT ARE  
3 ASSOCIATED WITH FACILITIES, EQUIPMENT, TOOLING AND ENGINEERING, AND  
4 MANUFACTURING, INCLUDING SALARIES, CONTRACT SERVICES, TAXES,  
5 UTILITIES, RAW MATERIALS, AND SUPPLIES.

6 (D) "MICHIGAN ECONOMIC GROWTH AUTHORITY" MEANS THE MICHIGAN  
7 ECONOMIC GROWTH AUTHORITY CREATED IN THE MICHIGAN ECONOMIC GROWTH  
8 AUTHORITY ACT, 1995 PA 24, MCL 207.801 TO 207.810.

9 (E) "PLUG-IN TRACTION BATTERY PACK" MEANS AN ELECTROCHEMICAL  
10 ENERGY STORAGE DEVICE THAT MEETS THE FOLLOWING REQUIREMENTS:

11 (i) HAS A TRACTION BATTERY CAPACITY OF NOT LESS THAN 4.0  
12 KILOWATT HOURS.

13 (ii) IS EQUIPPED WITH AN ELECTRICAL PLUG BY MEANS OF WHICH IT  
14 CAN BE ENERGIZED AND RECHARGED WHEN PLUGGED INTO AN EXTERNAL SOURCE  
15 OF POWER.

16 (iii) CONSISTS OF STANDARDIZED CONFIGURATION AND IS MASS-  
17 PRODUCED.

18 (iv) HAS BEEN TESTED AND APPROVED BY THE NATIONAL HIGHWAY  
19 TRANSPORTATION SAFETY ADMINISTRATION AS COMPLIANT WITH APPLICABLE  
20 MOTOR VEHICLE AND MOTOR VEHICLE EQUIPMENT SAFETY STANDARDS WHEN  
21 INSTALLED BY A MECHANIC WITH STANDARDIZED TRAINING IN PROTOCOLS  
22 ESTABLISHED BY THE MANUFACTURER AS PART OF A NATIONWIDE  
23 DISTRIBUTION PROGRAM.

24 (v) IS INSTALLED IN A NEW QUALIFIED PLUG-IN ELECTRIC DRIVE  
25 MOTOR VEHICLE THAT QUALIFIES FOR THE CREDIT UNDER SECTION 30D OF  
26 THE INTERNAL REVENUE CODE.

27 (F) "QUALIFIED ADVANCED BATTERY ENGINEERING EXPENSES" MEANS

1 THAT PART OF A TAXPAYER'S QUALIFIED RESEARCH EXPENSES AS DEFINED  
2 UNDER SECTION 41(B) OF THE INTERNAL REVENUE CODE RELATED TO  
3 ENGINEERING RESEARCH AND DEVELOPMENT RELATED TO ADVANCED AUTOMOTIVE  
4 BATTERY TECHNOLOGY.

5 (G) "QUALIFIED EXPENSES FOR VEHICLE ENGINEERING" MEANS THAT  
6 PART OF A TAXPAYER'S EXPENSES FOR ACTIVITIES WITHIN THIS STATE  
7 RELATED TO INTEGRATING BATTERIES INTO A MOTOR VEHICLE THAT WOULD  
8 QUALIFY FOR THE CREDIT UNDER SECTION 30D OF THE INTERNAL REVENUE  
9 CODE INCLUDING SUCH QUALIFIED RESEARCH EXPENSES AS DEFINED UNDER  
10 SECTION 41(B) OF THE INTERNAL REVENUE CODE.

11 (H) "TRACTION BATTERY CAPACITY" IS THE NUMBER OF KILOWATT  
12 HOURS MEASURED FROM A 100% STATE OF CHARGE TO A 0% STATE OF CHARGE.