



Instructions for Form CT-239 Claim for Credit for Taxicabs and Livery Service Vehicles Accessible to Persons with Disabilities For purchases or costs incurred before January 1, 2011 Tax Law — Article 9-A, Section 210.40

Temporary deferral of certain tax credits

For tax years beginning on or after January 1, 2010, and before January 1, 2013, if the total amount of certain credits that you may use to reduce your tax or have refunded to you is greater than \$2 million, the excess over \$2 million must be deferred to, and used or refunded in, tax years beginning on or after January 1, 2013. For more information about the credit deferral, see Form CT-500, *Corporation Tax Credit Deferral*.

If you are subject to the credit deferral, you must complete all credit forms without regard to the deferral. However, the credit amount that is transferred to your tax return to be applied against your tax due or to be refunded to you may be reduced. Follow the instructions for Form CT-500 to determine the amounts to enter on your tax return.

General information

Effective for tax years beginning on or after January 1, 2011, the credit available under sections 210.40 and 606(oo) of the Tax Law for taxicabs and livery service vehicles accessible to persons with disabilities expired. Credit carryforwards may still be utilized; however, no additional credit can be earned in any tax year beginning on or after January 1, 2011.

For purchases or costs incurred on or after January 1, 2011, use Form CT-236, *Credit for Taxicabs and Livery Service Vehicles Accessible to Persons with Disabilities for costs incurred on or after January 1, 2011*.

Credit amount

The credit may reduce the franchise tax due to zero and is **not** refundable. However, any amount of credit not claimed in the current tax year may be carried forward for an unlimited number of tax years. The credit is not allowed against the metropolitan transportation business tax (MTA surcharge) under Article 9-A.

New York S corporations

Do not complete this form. Shareholders must claim any credit carryforward from preceding tax years on Form IT-239, *Claim for Credit for Taxicabs and Livery Service Vehicles Accessible to Persons with Disabilities for purchases or costs incurred before January 1, 2011*.

Line instructions

Application of credit used and carried forward

Line 2 — Enter the amount from Form CT-3, line 78, or Form CT-3-A, line 77, **plus** any net recaptured tax credits.

Line 3 — If you are claiming more than one tax credit for this year, enter the total amount of credit(s) you want to apply against your franchise tax due before the application of the credit for taxicabs and livery service vehicles accessible to persons with disabilities. Otherwise, enter **0**. You must apply certain credits before the credit for taxicabs and livery service vehicles accessible to persons with disabilities. Refer to Form CT-600-I, *Instructions for Form CT-600*, to determine the order of credits that applies.

If you are included in a combined return, include any amount of tax credit(s), including credit(s) for taxicabs and livery service vehicles accessible to persons with disabilities claimed by other members of the combined group that you want to apply before your credit for taxicabs and livery service vehicles accessible to persons with disabilities.

Line 5 — Enter the lesser of line 1 or line 4.

If your total credits from all sources are **\$2 million or less**, enter the amount from line 5 on your franchise tax return.

If your total credits from all sources are **more than \$2 million**, you may be subject to the temporary credit deferral. Complete line 5 but do not enter the amount from line 5 on your franchise tax return. See Form CT-500 to determine the proper amounts to enter on your franchise tax return.

Need help? and Privacy notification

See Form CT-1, *Supplement to Corporation Tax Instructions*.