

(A) FOR THE PURPOSE OF THIS SECTION, THE TERM PASSENGER RENTAL CAR MEANS A PASSENGER CAR AS THAT TERM IS DEFINED IN THE TRANSPORTATION ARTICLE:

(1) WHICH IS ACQUIRED SOLELY FOR RENTAL PURPOSES BUT WHICH WILL NOT BE RENTED TO THE SAME PERSON FOR MORE THAN 180 CONSECUTIVE DAYS;

(2) WHICH AT THE TIME OF PURCHASE IS PART OF A FLEET OF PASSENGER CARS OWNED BY THE SAME PERSON, AT LEAST FIVE OF WHICH ARE USED SOLELY FOR RENTAL PURPOSES AS DESCRIBED IN SUBSECTION (A)(1) OF THIS SECTION;

(3) FOR WHICH THE OWNER WILL NOT FURNISH A DRIVER; AND

(4) WHICH WILL NOT BE USED TO TRANSPORT PASSENGERS OR PROPERTY FOR HIRE.

(B) THE VENDOR SHALL BE ENTITLED TO APPLY AND CREDIT AGAINST THE AMOUNT OF TAX PAYABLE BY HIM, UNDER §§ 335 THROUGH 339 OF THIS SUBTITLE, AN AMOUNT EQUAL TO THE EXCISE TAX IMPOSED BY § 13-809 OF THE TRANSPORTATION ARTICLE AND PAID BY HIM ON OR AFTER JULY 1, 1981 ON ANY PASSENGER RENTAL CAR.

(C) A VENDOR SHALL CLAIM THE CREDIT AUTHORIZED BY SUBSECTION (B) OF THIS SECTION UPON FORMS PRESCRIBED BY THE COMPTROLLER, FILED WITH ANY RETURN REQUIRED BY § 335 OF THIS SUBTITLE FOR THE PERIOD DURING WHICH THE EXCISE TAX WAS PAID. THE COMPTROLLER SHALL ALLOW SUCH CREDIT IF APPLICATION IS MADE WITHIN 3 YEARS FROM THE DUE DATE OF THE RETURN FOR THE PERIOD DURING WHICH THE EXCISE TAX WAS PAID.

373.

(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A), THERE IS HEREBY LEVIED AND IMPOSED UPON THE USE OR STORAGE OF ANY PASSENGER CAR (1) WHICH IS RENTED FOR A PERIOD OF 180 DAYS OR LESS, (2) FOR WHICH THE VENDOR DOES NOT FURNISH A DRIVER, AND (3) WHICH IS NOT TO BE USED FOR TRANSPORTING PERSONS OR PROPERTY FOR HIRE, A TAX OF 8 CENTS ON EACH EVEN DOLLAR, PLUS 2 CENTS ON EACH 25 CENTS OR FRACTION THEREOF IN EXCESS OF THE EVEN DOLLARS. THIS TAX APPLIES TO ALL TRANSACTIONS COMPLETED ON OR AFTER JULY 1, 1981.

375A.

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