

A PERSON WHO TIMELY FILES A SALES AND USE TAX RETURN IS ALLOWED, FOR THE EXPENSE OF COLLECTING AND PAYING THE TAX, A CREDIT EQUAL TO 1.2% OF THE GROSS AMOUNT OF SALES AND USE TAX THAT THE PERSON IS TO PAY TO THE COMPTROLLER.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentences of former Art. 81, §§ 338 and 389.

The defined term "person" is substituted for the former references to a "vendor" and "vendor or person subject to tax as provided in this subtitle", for clarity.

The requirement for "timely" filing is substituted for the second sentences of former Art. 81, §§ 338 and 389, which precluded a credit if a person "shall fail or refuse to file his return with the Comptroller within the time prescribed by § 335 of this subtitle" or "by §§ 385 and 387 of this subtitle", for clarity and brevity. For the time limitations on filing returns, see §§ 11-501 through 11-503 of this title.

The reference to the "gross amount of sales and use tax" is substituted for the former references to "the amount of tax payable ... as stated in § 337 of this subtitle" and "as stated in § 338" and the "gross tax", for clarity.

Defined terms: "Comptroller" § 1-101
 "Person" §§ 1-101 and 11-101
 "Sales and use tax" § 1-101

11-106. SAME -- FOR EXCISE TAX PAID ON PASSENGER RENTAL CAR.

(A) "PASSENGER RENTAL CAR" DEFINED.

IN THIS SECTION, "PASSENGER RENTAL CAR" MEANS A PASSENGER CAR, AS DEFINED IN § 11-144.1 OF THE TRANSPORTATION ARTICLE:

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

(2) THAT, AT THE TIME OF PURCHASE, IS PART OF A FLEET OF PASSENGER CARS OWNED BY THE SAME PERSON, AT LEAST 5 OF WHICH MEET THE CRITERIA IN ITEM (1) OF THIS SUBSECTION;

(3) FOR WHICH THE OWNER DOES NOT PROVIDE A DRIVER;
 AND

(4) THAT WILL NOT BE USED TO TRANSPORT INDIVIDUALS OR PROPERTY FOR HIRE.

(B) CREDIT ALLOWED.