

Motor Vehicles, Registration of. Registration, of Motor Vehicles. Chauffeurs, License of. License, of Chauffeurs.

But one registration of motor vehicles by dealers or owners is necessary. Chauffeurs need register but once, and as the law now exists such registration is good for all time.

August 4th, 1913.

Hon. A. M. Alderson,
Secretary of State,
Helena, Montana.

Dear Sir:

I am in receipt of yours of the 31st ultimo, submitting for my consideration the question of whether or not it is necessary for owners of automobiles, dealers in automobiles, and chauffeurs to procure a license yearly under Chap. 73 of the Session Laws of 1913, or whether the language of the act is such as to make it necessary for such owner, dealer or chauffeur to receive but one license and to pay but one fee.

Going to the title of the act for light upon this matter, I find it to be:

"An act providing for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of this state."

Neither the title nor the body of the act indicates that it is a revenue measure and one which attempts to raise revenue by means of a license tax provided for in Sec. 1 of Art. XII of the Constitution. The word "license" is nowhere used in the act, and there is nothing in the act to indicate that the fees to be collected upon registration are intended to be in the nature of a license tax. On the other hand, the whole purport of the law seems to be for police regulation and for identification, and it is doubtful whether any other construction would be allowable under the provisions of Sec. 23, Art. V, of the Constitution, since there is no expression in the title of the act to indicate that it was intended to be a revenue measure or license tax.

You are, therefore, advised that in my opinion but one registration of motor vehicles by dealers or owners is necessary, and that chauffeurs need register but once, and that such registration is good for all time, as the law now exists.

Yours very truly,

D. M. KELLY,
Attorney General.