

Motor Vehicles—Trailers—Registration—Licenses.

Trailers or semi-trailers of less than one and one-half tons capacity are not required to be registered and licensed under Chapter 182, Laws of 1929. Motor vehicles that have never been registered in Montana, and where registration is first sought to be made between June 30 and September 30, take a fee of one-half the regular fee, and one-fourth of the regular fee if registration is first applied for after September 30. The motor vehicle that has been registered in the State of Montana prior to 1930, is liable for the full regular fee, though as to 1930 or subsequent years application for registration is not made until sometime after June 30th.

S. C. Small, Esq.,
Deputy Registrar of Motor Vehicles,
Deer Lodge, Montana.

December 17, 1929.

My dear Mr. Small:

You have requested my opinion whether a trailer or semi-trailer of less than 1½ tons capacity is required to be licensed under Chapter 182, Laws of 1929, relating to the registration fees for motor vehicles, trailers, etc.

Section 1 of said chapter sets out the various vehicles which are required to have a license, and insofar as trailers or semi-trailers are concerned, it merely provides that trailers or semi-trailers of 1½ tons capacity, or over, shall take a license fee of \$5.00. Nothing is said of the necessity of having a license for trailers or semi-trailers with a capacity less than 1½ tons, nor is any fee prescribed for such vehicles. It is my opinion that trailers or semi-trailers of less than 1½ tons capacity are not required to be registered and licensed under the act.

You also ask for an interpretation of Section 2 of said act, reading as follows:

“If any dealer or motor vehicle or trailer or semitrailer is originally registered between June 30th and September 30th, in any year, the registration fee for the remainder of such year shall be one-half of the regular fee above given, and if originally registered after September 30th in any year, one-fourth of the regular fee.”

My understanding of this provision is that as to any motor vehicle or trailer or semi-trailer that has never been registered in Montana and where registration is first sought to be made between June 30th and September 30th, the registration fee shall be one-half of the regular fee; and as to any of such vehicles which have never been registered in Montana and which are sought to be first registered at some time after September 30th, one-fourth the regular fee shall be charged.

Answering the precise question submitted by you, my opinion is that a person whose car has been registered in 1929 or previous years, does not come within the provision as the registration next year between the dates mentioned would not be an original registration within the meaning of the act. Any car that has been registered in the State of Montana prior to 1930 would be liable for the full regular fee though as to 1930 or subsequent years application for registration was not made until some time after June 30th of those years.

Very truly yours,
L. A. FOOT,
Attorney General.