

License of Engineer. Engineer, License. Renewal, Engineer's License.

An engineer who has been granted a first class license may renew same by accepting a third class license, but upon the expiration of such third class license, he cannot be again granted a first class license without a re-examination satisfactory to the inspector.

January 8th, 1914.

Hon. Percy L. Brown,
State Boiler Inspector,
Helena, Montana.

Dear Sir:

I am in receipt of letter from Mr. W. Hoskin, transmitted by you to this department involving the question:

"When an engineer has received a first class license, can he thereafter be granted a third class license, without further examination, and if granted a third class license, can he subsequently be granted a first class license without examination?"

Sec. 1636, Revised Codes, as amended by Chap. 30, Laws of 1913, provides that licenses of all classes shall be renewed yearly, and prescribes fee therefor, which is one dollar if renewed within thirty days after the close of the year, and the fee for the original license if not renewed within the thirty days. A person qualified to hold a first grade license, as a matter of law, is qualified to hold a third grade license. That is, the third grade license is included in the first grade. If, thereafter, the engineer holding a first grade license desires to in effect surrender the same, and take in lieu thereof a third grade license, he may be permitted so to do but as the third grade does not include the first grade, he could not thereafter be granted a first grade license without an examination, sufficient to satisfy you as to his qualifications at the time the application is made for the first grade license. In this particular case, it appears that the first grade license was granted to Mr. Hoskin in the year 1900 and expired about February, 1901. It appears, therefore, that nearly twelve years has elapsed since the expiration of this first class license. Under this state of facts, you will be justified, if you deem it advisable, to require the applicant to submit to an examination before issuing any license whatsoever, but this is a matter which rests quite largely in your discretion.

Yours very truly,

D. M. KELLY,
Attorney General.