

Motor Vehicles—License—Automobiles.

A resident of Montana using an automobile in this state bearing a foreign license must purchase a Montana license.

Motor trucks bearing a foreign license temporarily used in this state in a trucking business for hire must bear a Montana license.

A. V. Lawrence, Esq.,
Sheriff,
Scobey, Montana.

May 2, 1925.

My dear Mr. Lawrence :

You have requested my opinion whether a car purchased by a resident of Montana, used in Montana and bearing a 1925 license plate issued by another state, should be required to secure a Montana license for the year 1925.

Section 1759, R. C. M. 1921, par. 6, provides as follows :

“6. Exemption of non-resident owners. The provisions of the foregoing sections relative to registration and display of

registration number shall not apply to a motor vehicle owned by a non-resident of this state temporarily sojourning in this state, if such motor vehicle be registered in the state in which the owner thereof resides and there be displayed thereon the proper number plate of such state."

This is the only exemption contained in the motor registration law and it is, therefore, my opinion that a resident of the state of Montana is required to purchase a Montana license regardless of the fact that the license on the car in question had been paid in another state for such resident is clearly not a temporary sojourner in the state and is not entitled to any greater privilege under the foreign license than a non-resident.

You also inquire if this exemption applies to non-resident owners of trucks who enter the state for the purpose of carrying on a trucking business within the state for a period of from two to three months during the year. It is my opinion that these trucks so operated do not come within the exemption. While being non-residents they are not merely temporarily sojourning within the state but are here for the distinct purpose of carrying on a business within the state for a certain length of time or for such length of time as such business will prove profitable.

Very truly yours,

L. A. FOOT,

Attorney General.