

Motor Vehicles—Trucks—License—Automobiles.

Ford automobiles with truck boxes are "motor trucks" within the meaning of section 1763, R. C. M. 1921, and should be licensed accordingly. .

Eugene Harpole, Esq.,

February 4, 1925.

County Attorney,

Superior, Montana.

My dear Mr. Harpole:

You have requested an opinion whether Ford runabouts from which the turtle-backs have been removed and a small truck box substituted and which are then sometimes used for commercial purposes should be classed as motor trucks under section 1763, R. C. M. 1921.

The section above referred to provides in part as follows:

“The term ‘motor truck’ shall include all motor vehicles used for commercial purposes in carrying freight and merchandise.”

This section as originally adopted (section 12, chapter 17, session laws of Montana of 1917), read:

“The term ‘motor truck’ shall include all motor vehicles used for commercial purposes in carrying freight.”

It was amended by section 3, chapter 207, session laws of 1919, by adding thereto the words “and merchandise,” it being clearly the intention of the legislature to include under the term “motor truck” all motor vehicles used for any other purposes than that of carrying passengers. The fact that these automobiles are so constructed as to make them convenient for carrying freight and merchandise is a plain indication that they are intended for that purpose.

It is, therefore, my opinion that Ford automobiles constructed with truck boxes should be classed as “motor trucks” and licensed accordingly.

Very truly yours,

L. A. FOOT,
Attorney General.