

Transportation Companies — Licenses—Taxis—Irregular Routes.

A taxi operated over an irregular route from a point within to a point without the city limits is required to be licensed under chapter 154, laws of 1923.

November 12, 1927.

Francis A. Silver, Esq.,
Secretary, Board of Railroad Commissioners,
Helena, Montana.

My dear Mr. Silver:

You have submitted to this office the provisions of subdivision (C) of section 1, chapter 154, session laws of 1923, defining the term "transportation company," and wish to be advised if in the opinion of this office the operation of a taxi from a point within the city limits to a point without, or from a point without to a point within, where there are no fixed termini, and where transportation is only occasional, comes within the provisions of this section.

The act in question provides:

"The term 'transportation company' when used in this act means every corporation, person, etc., owning or controlling operating or managing, any motor vehicle, motor truck, motor bus, etc., used in the business of transportation of persons or property, or is a common carrier for compensation over any public highway in this state between fixed termini, or over regular or irregular routes not operating exclusively within the limits of any incorporated city or town."

In my opinion, the term "irregular route" would cover a situation such as that suggested by your letter and that the operation of such a taxi is not required to be between fixed termini in order to bring it within the provisions of this section.

It is therefore my opinion that the operation of a taxicab in the manner suggested would come within the provisions of the act and would be required to be licensed by the state board of railroad commissioners.

Very truly yours,

L. A. FOOT,
Attorney General.