

**Automobiles—Registration—Licenses—Motor Vehicles.**

A used car purchased by a dealer after January 1, 1928, and sold after May 1st to an individual is subject to the additional penalty of 10% provided by chapter 123, laws of 1927.

The same is true as to used cars purchased by an individual before May 1, 1928, and not registered until after May 1st.

The same is true as to cars brought into this state from a foreign state prior to May 1st, and carrying a foreign 1928 license, provided the owner desires to register same in this state.

May 5, 1928.

Austin B. Middleton, Esq.,  
Registrar of Motor Vehicles,  
Deer Lodge, Montana.

My dear Mr. Middleton:

You have submitted for an opinion the following questions:

“1. Is a used car purchased by a dealer after January 1, 1928, and subsequently and after May 1st, sold to an individual subject to the penalty of 10%?”

“2. If a party purchased a used car prior to May 1st, 1928, from an individual, and does not register this car until after May 1st, is it liable to the penalty of 10%?”

“3. Is a car coming into this state from a foreign state prior to May 1st, and carrying a foreign 1928 license subject to the penalty, provided the owner desires to register in this state?”

Apparently all three of your questions must be answered in the affirmative. None of the conditions stated in the three inquiries are embraced in any of the exceptions enumerated in section 4 of chapter 123, laws of 1927.

It is therefore my opinion that cars of the classes referred to in your letter are subject to the 10% penalty prescribed by such act.

Very truly yours,

L. A. FOOT,  
Attorney General.