

**Motor Vehicles—Automobiles—Licenses—Foreign Cars.**

Motor vehicles from foreign states not in this state for more than seven days at a time and used as a means of individual transportation or as a demonstrator are not required to carry a Montana license; neither is such foreign dealer required to have a Montana dealer's license where such dealer does not maintain a place of business in Montana.

Mr. C. C. Guinn,  
County Attorney,  
Hardin, Montana.

March 28, 1932.

My dear Mr. Guinn:

You have requested my opinion on the following questions:

“Two motor companies of Sheridan, Wyoming, send their salesmen with demonstration cars carrying their Wyoming deal-

ers' licenses into this state and make sales of cars and otherwise attend to their business as automobile dealers. Are these companies required to have a Montana license for these demonstration cars and for cars driven by their representatives used in the transaction of their business and would they have to take out a Montana dealer's license?"

Section 1 of chapter 121 of the laws of 1929 provides as follows:

"Every motor or other vehicle of the types required to be licensed under the laws of this state which shall enter this state with proof or evidence that it has paid a license fee for the ensuing year under the laws of some other state, or foreign government, shall within seven days after entering the State of Montana obtain a license for operation in this State in accordance with the provisions of this Act."

I assume from the facts stated by you that the salesmen in question do not make their headquarters in Montana but work in and out of Sheridan, Wyoming, and therefore are not in the state seven days at any one time. If this is a fact I fail to see where they could be required to register under the Montana law. It is true that section 7 of said act requires foreign motor vehicles operated on the highways of this state for compensation or profit to take out a license but, in my opinion, this refers to motor vehicles operated for the purpose of carrying freight or passengers and does not apply where such motor vehicle is used as a means of individual transportation or as a demonstrator. Neither, in my opinion, are these dealers required to take out a Montana dealer's license for the reason that they are not maintaining a place of business in this state.

Very truly yours,

L. A. FOOT,

Attorney General.