

**Opinion No. 323A****Motor Vehicles—Registrar—Licenses  
—Number on License Plates.**

HELD: Under Chapter 158, Laws of 1933, it is the duty of the Registrar of Motor Vehicles to assign the number to be placed upon the license plates for motor vehicles.

August 29, 1933.

We acknowledge receipt of yours of August 23rd requesting an opinion by this office upon the following matter:

"On page 315 of the 1933 Session Laws under Article 3 'issuance of receipt and assignment of number plates,' in this section it states on page 316 as follows:

'Upon receipt of duplicate applications, the Registrar of Motor Vehicles shall assign such motor vehicle a distinctive number and mail to the applicant two number plates which shall bear such distinctive number together with the certificate of registration as provided in Section 1758 as amended.'

On page 323, Section 3, the following words appear:

'The Registrar shall file applications for registration received by him from

the county treasurers of the state and register the vehicle therein described and the owner thereof in suitable book or on index cards as follows:

'(a). Under distinctive license number assigned to each vehicle by the county treasurer,' etc.

The question arises in our minds which department shall number the application cards; whether it will be the county treasurer or whether the Registrar of Motor Vehicles."

These questions are dealt with by both Chapters 158 and 159, 1933 Session Laws. Both of these Chapters amend various sections of R. C. M. 1921, and previous session laws relating to the registration of motor vehicles.

Section 1755 as amended by Chapter 159 provides for the details relative to application for license and the "Warden of the State Penitentiary is constituted the Registrar of Motor Vehicles," but amongst the provisions set out in the application for registration taken by the county treasurer is the following quoted by you: "(a) Under distinctive license number assigned to each vehicle by the county treasurer". The language of this clause is confusing and its wording was poorly chosen to express the meaning it was intended to convey. It cannot mean that the county treasurers shall select and assign the numbers to be placed on the plates attached to the vehicles. That part of Section 1755 first quoted above implies that the Registrar of Motor Vehicles shall attend to assigning the numbers assigned to vehicles licensed. Other provisions of the law clearly place this duty and power in the Registrar as note sub-section 5, Chapter 158, Laws of 1933, amending section 1759, R. C. M. 1921, and Section 1757, R. C. M. 1921, as amended by Chapter 158, supra.

It will be noted that the 1933 amendment to Section 1757 carries some distinct additions to the registration laws in that each county is given a distinct number, Silver Bow County 1, Cascade 2, etc., and this clause appears in the amendment: "The distinctive registration number assigned to the vehicle and the numeral or symbol for the county in which the number plate is issued shall appear on the plate." This means that all licenses issued to owners of vehicles in Silver Bow County, in addi-

tion to the usual license number, shall have distinctively thereon the figure showing the license to be issued through the treasurer of Silver Bow County, and other counties likewise under their respective numbers as assigned to each county by the statute.

The only way that we can reconcile the various provisions of the statutes referred to is to assume that the expression "license number assigned to vehicles by the County Treasurers" (subdivision "a" of Section 3, Chapter 159) refers to the number of the license issued to the applicant when such applicant pays his license fee to the county treasurer and that such license number and the plate number assigned to the vehicle by the Registrar of Motor Vehicles are separate and distinct. The application giving the number assigned by the county treasurers is for your information and your records and has nothing to do with the plate number assigned to the vehicle by you. (We call your attention to the fact that chapters 158 and 159 do not become effective until January 1, 1934.)