

use or control of a vehicle, under lease or otherwise, for a period of thirty or more successive days shall be defined as the owner thereof."

The Massachusetts tourists operating the leased bus, **if the lease covers not less than thirty** successive days, are entitled to the privileges granted non-resident owners under Chapter 126, heretofore referred to, which permits operation of busses in this state by non-residents for a period of thirty days without any charge by the state for license fee, and on proper showing, such privilege may be extended for thirty days additional.

Opinion No. 531

Motor Vehicles—Licenses—Truckers, Owners Trucking for Own Use —Leased Bus—Tourists.

HELD: Truck owners from Canada who buy produce in Montana and haul it home for their own use are not within the provisions of Section 7, Chapter 126, Laws of 1933, subjecting foreign licensed trucks to Montana license fee.

Tourists operating a leased bus, if the lease covers not less than thirty (30) successive days, are entitled to the privileges granted non-resident owners, under Chapter 126, Laws of 1933, of thirty (30) days operation in the state without payment of license fee.

May 1, 1934

You request an opinion on the following propositions:

1. A number of Alberta farmers cross the international boundary line, purchase at Whitlash, Montana, and haul in their own trucks into Alberta, crude petroleum for their own use. Should they be required to obtain Montana license plates for such trucks?

2. A club or organization whose members are residents of Massachusetts, chartered or leased a bus for the purpose of touring the country. The expense is paid by the members and the bus is not operated for profit. Should persons operating such busses be required to obtain Montana license plates?

We do not think the purchasing and hauling home of a product for the use of the truck owner would constitute hauling for hire or profit so as to come within the provisions of Section 7, Chapter 126, Laws of 1933, subjecting foreign licensed trucks to the Montana license fee.

In reply to No. 2, Section 1758, R. C. M., 1921, as amended by Chapter 159, Laws of 1933, provides, among other things, that "a person having the lawful use or control, or right to the