

No. 126

**TIME—COUNTY OFFICES, hours of opening and closing—  
DAYLIGHT SAVING TIME—STANDARD TIME—  
MUNICIPALITIES—CITIES AND TOWNS**

**Held:** Hours of opening and closing of state and county offices prescribed by Sections 453 and 4736, Revised Codes of Montana, 1935, refer to Rocky Mountain Standard Time and are not affected by local municipal adoptions of daylight saving time.

May 26, 1941.

Mr. John M. Lexcen  
County Attorney  
Richland County  
Sidney, Montana

Dear Mr. Lexcen;

You request a ruling as to the effect of local daylight saving time on the opening and closing hours of county offices.

Standard time was established for the United States by the Act of Congress of March 19, 1918 (15 U. S. C. A., Sections 261-265). By that Act provision was made for dividing the territory of the United States into five zones and a standard time for each zone was fixed, based on the mean astronomical time of a specified degree of longitude.

*McFarlane v. Whitney* (Tex.), 134 S. W. (2nd) 1047, 1051.

Congress made this time standard applicable only to the number of common carriers engaged in interstate and foreign commerce, to its own officials and departments, and to all acts done by any person under federal statutes, orders, rules and regulations.

*Massachusetts State Grange v. Benton*, 272 U. S. 525, 47 S. Ct. 189, 71 L. Ed. 387.

As a practical effect, such standard has been adopted for general use by the people throughout the United States in the conduct of business and social affairs. Of this the courts may and should take judicial notice.

20 Am. Jur., Section 18.

The adoption of daylight saving time locally by a city or town council prescribes only the standard time by which its own local affairs and purely municipal transactions shall be operated and regulated.

State ex rel. Metcalfe v. Donahey, 101 Ohio St. 534, 129 N. E. 594.

The opening and closing hours for state and county offices designated by Sections 453 and 4736 of the Revised Codes of Montana, 1935, undoubtedly refer to Rocky Mountain zone standard time, although such statutes were passed and approved prior to the Act of Congress, and are unaffected by local municipal daylight saving time adoptions.

Sincerely yours,

JOHN W. BONNER  
Attorney General