

No. 179

**REGISTRAR OF MOTOR VEHICLES—STATE—  
COUNTY—FEES**

Held: No fees must be charged the state, or any county, or any subdivision thereof, for official services rendered. All such services must be performed without payment of fees.

July 17, 1941

Mr. John M. Comfort  
County Attorney  
Madison County  
Virginia City, Montana

Dear Mr. Comfort:

You have submitted the following:

“Should the county or an officer thereof be required to pay a fee to the Registrar of Motor Vehicles for a certified copy of a record in his office when the same is to be used in government functions of the county?”

This question has been fairly well covered in Attorney General's Opinion No. 175, Volume 19, recently rendered to the County Attorney of Jefferson County, copies of which I am sending to you and the Registrar of Motor Vehicles.

Section 4893, Revised Codes of Montana, 1935, provides:

“No fees must be charged the state, or any county, or any subdivision thereof, or any public officer acting therefor, or in habeas corpus proceedings for official services rendered, and all such services must be performed without the payment of fees.”

The office of the Registrar of Motor Vehicles is a department of our State Government and the County Attorney is an officer of a county. Therefore, no fee should be charged by the former to the latter for a certified copy of a record in his office where the same is to be used in governmental functions of the county.

Sincerely yours,

JOHN W. BONNER  
Attorney General