

Opinion No. 130

**County Commissioners, Authority of
Automobiles, Authority to Purchase
County Officers**

**Held: Boards of county commission-
ers may not purchase county**

automobiles for their own official use, or the use of other county officers.

August 4, 1948

Mr. Robert F. Swanberg
County Attorney
Missoula, Montana

Dear Mr. Swanberg:

You have requested my opinion on whether the board of county commissioners may purchase an automobile for its use. You call my attention to Opinion No. 415, Volume 19, Report and Official Opinions of the Attorney General, wherein it was held an automobile could not be purchased by the county for the use of the county superintendent of schols.

The reasoning and holding in Opinion No. 415, applies equally to the purchase of a county automobile by the county commissioners for their own use or for the use of other officers in the county.

Opinion No. 415, Volume 19, Report and Official Opinions of the Attorney General, was rendered in May, 1942. Since that time the legislature has been in session three different times and has not seen fit to enact legislation to permit county commissioners to purchase automobiles for the use of the county officials.

We must take the law as the legislature has given it to us and until the legislature grants such authority it is my opinion boards of county commissioners may not purchase county automobiles for their own official use, or the use of other county officers.

Sincerely yours,
R. V. BOTTOMLY,
Attorney General.