

Opinion No. 52-5520

March 26, 1952

BY: JOE L. MARTINEZ, Attorney General

TO: Honorable T. K. Campbell District Attorney Las Cruces, New Mexico. Attention:
Robert J. Seller Assistant District Attorney

{*229} In reply to your letter of February 20, 1952, with regard to Section {*230} 68-220, Sub-section (d), New Mexico Statutes, 1941 Annotated, it is stated that in order to be required to become regularly licensed in this State in order to operate motor vehicles, a foreign corporation must carry on a business within this State, and in such business, any motor vehicle shall be required to be registered and the owner must pay the same fee therefore as is required with reference to like vehicles owned by residents of the State.

It is the opinion of this office that the Hertz Drive-it-Yourself system licensed by the State of Texas and operating from El Paso cannot be considered to be carrying on a regular business in the State of New Mexico because of frequent unscheduled appearances of Hertz vehicles near the Alamogordo Holloman Air Force Base Area.

I trust that this fully answers your inquiry.