

**Opinion No. 52-5583**

September 4, 1952

**BY:** JOE L. MARTINEZ, Attorney General

**TO:** Mr. Richard H. Robinson Assistant District Attorney Fifth Judicial District Carlsbad, New Mexico

{\*291} This is in reply to your letter of July 30th, in which you request an opinion as to whether or not Daniels Well Service of Artesia, New Mexico, who is the owner of a Reo Truck with oil well swabbing unit on the back of the truck, is exempt from Section 68-203, N.M.S.A., 1941 Compilation, from obtaining a license for said motor vehicle.

Section 68-203, N.M.S.A., 1941 Compilation exempts from registration tractors, road rollers, and road machinery except truck trailers, semi-trailers, pleasure cars, temporarily operated or moving upon the highways.

Although this truck is used permanently in the oil fields for the purpose of moving from one location to another and for repairs, it must and does pass upon highways of the State of New Mexico.

This truck is not exempt under the Statutes. Under Section 68-202, N.M.S.A., 1941 Compilation, the truck in question should be registered and licensed.

Trusting that this fully answers your inquiry, I remain