

Opinion No. 23-3706

May 12, 1923

BY: MILTON J. HELMICK, Attorney General

TO: Requested by: Hon. R. H. Carter, State Comptroller, Santa Fe, New Mexico.

Non-Resident Owners of Trucks Operating in New Mexico Must Procure Licenses.

OPINION

{*56} This inquiry arises on the following question:

A truck driver who holds a Colorado automobile license and is employed by a Colorado company, will come into New Mexico to a sawmill to haul ties for a while. His residence would still be in Colorado. It is asked whether or not he will be amenable to New Mexico Motor Vehicle Law regarding licenses, etc.

The new Motor Vehicle Law passed by the last Legislature, which is Chapter 96 of the Session Laws of 1923, very clearly answers this question. Section 6 of said Chapter provides that non-resident owners of commercial trucks operating between points within this state and points without, shall be amenable to the Act. The same section also provides that no registration shall be required of visitors operating automobiles not for commercial purposes, {*57} thereby indicating that non-residents operating commercial vehicles must procure licenses.

I am therefore of the opinion that the question asked must be answered in the affirmative and that the party referred to must procure a license under the New Mexico Law.