

**Opinion No. [30-41]**

March 27, 1930

**BY:** J. A. MILLER, Assistant Attorney General

**TO:** Clinton P. Anderson, 514 West Central Avenue, Albuquerque, New Mexico.

MOTOR VEHICLES -- Persons under fourteen not to operate. Exception.

**OPINION**

I have yours of the 26th inst. addressed to the Attorney General and in which you ask for information concerning the legal age requirements of chauffeurs and operators of auto vehicles in the State of New Mexico.

We do not seem to have any legislation covering this subject very satisfactorily. Section 11-227, Codification of 1929, which is section 27, chapter 150, Laws of 1919, is as follows:

"Operation by a minor. No owner of a motor vehicle shall permit any person under the age of fourteen years to operate or drive said motor vehicle upon any public highway within this state unless said person under fourteen years of age shall have proven his or her competence to the satisfaction of the secretary or his authorized agent, as attested by a certificate to be granted in accordance with rules and regulations to be provided by the secretary, and nothing in this section contained shall be construed to release the owner thereof from the operation of this act or from liability for damage or accident caused by said motor vehicle while being so operated."

In addition to this, local authorities may also adopt and enforce ordinances not in conflict with the provisions of chapter 75 of the Laws of 1929 relative to the operation of vehicles upon the highways within their respective jurisdictions. § 11-832, Compilation of 1929.