

Opinion No. 32-366

January 28, 1932

BY: E. K. Neumann, Attorney General

TO: Mr. Max Fernandez, Supt., Insurance Department, State Corporation Commission, Santa Fe, New Mexico.

{*133} Your letter of January the 26th, enclosing a letter from Carl A. Bishop, has been received.

You desire to know whether an accident, such as a workman in a garage being overcome with carbon monoxide gas while working on an automobile, is within the purview of the Workman's Compensation Act.

If the garage employs as many as four workmen, we believe the answer to be in the affirmative. Under Section 156-112 of the 1929 Compilation, which is a part of the Act, we find definitions of the terms "workshop" and "mill". Apparently a garage falls within these terms, and under Section 156-100 there appears to be little doubt that such a workman as described in your letter is within the terms of this provision.

By: Frank H. Patton,

Asst. Attorney General