

## Opinion No. 32-483

June 28, 1932

**BY:** E. K. Neumann, Attorney General

**TO:** Hon. Juan N. Vigil, State Comptroller, Santa Fe, New Mexico.

{\*166} Your letter of June 25th, 1932, requests an opinion as to whether the Middle Rio Grande Conservancy District is entitled to free license plates for cars and trucks belonging to said district.

Section 11-335, New Mexico Statutes, Annotated, 1929 Compilation, reads as follows:

"Motor vehicles or trailers owned by and used in the service of the state of New Mexico or any county or municipality thereof, or the United States, or any other state or country need not be registered but must continually display plates or signs plainly setting forth the name of the state, county, municipality or government in whose service they are operated. It shall be unlawful for any person to operate or transport any such vehicle upon any highway in this state or display such plates or signs without authority from such state, county, municipality or government."

Under the law of conservancy districts, which provides for the filing in the district court of a petition for the organization of the district, bond of petitioners, notice of hearing on petition and protesting petitions and hearing thereon, we find that in Section 30-206 that the court finding that the allegations of the petition are true, that the lands described conform to the requirements of law, and that no protesting petition has been filed or if filed, has been dismissed, the court by order shall adjudicate all questions of jurisdiction and declare the district organized.

Under Sub-section 2 of said Section 30-206 it is provided as follows:

"Thereupon the district shall be a political subdivision of the state of New Mexico and a body corporate with all the powers of a public or municipal corporation; shall have power to sue and be sued, to incur debts, liabilities and obligations, to exercise the right of eminent domain and of taxation and assessment as herein provided, to issue negotiable bonds; and to do and perform all acts herein expressly authorized, and all acts necessary and proper for carrying out the purposes for which the district was created and for exercising the powers with which it is invested."

In view of the law exempting vehicles owned by and used in the service of the State of New Mexico or any municipality thereof from payment of license fees, and in view of the further fact that the district when organized becomes a political subdivision of the state and a body corporate with all the powers of a municipal corporation, it is our opinion, that the Middle Rio Grande Conservancy District is entitled to free license plates upon cars and trucks owned by said district.

By Frank H. Patton,  
Asst. Attorney General