

Opinion No. 36-1366

May 20, 1936

BY: FRANK H. PATTON, Attorney General

TO: Port of Entry Board, Santa Fe, New Mexico. Attention: Al S. Roughton, Director.

{*118} We have your letter of May 20th, 1936, in which you ask for our opinion regarding certain sections of the Port of Entry Law. You wish to know whether an operator described in Subsection (d) of Section 6, Chapter 136, Laws of 1935, **who has New Mexico license plates on his vehicle**, should pay the mileage tax provided for in Section 8, Chapter 136, Laws of 1935, or the mileage tax provided in Section 39, Chapter 154, Laws of 1933.,

I call your attention to the fact that an operator who **has New Mexico license plates on his vehicle** is **not** an operator described in Subsection (d), Section 6, Chapter 136, Laws of 1935, consequently Section 8 of the Port of Entry Law could not apply to him. An operator with New Mexico license plates on his vehicle transporting passengers or property for hire should, in my opinion, comply with provisions of Chapter 154, Laws of 1933.

By QUINCY D. ADAMS,

Asst. Atty. General