

Opinion No. 36-1403

July 9, 1936

BY: FRANK H. PATTON, Attorney General

TO: State Corporation Commission, Santa Fe, New Mexico. Attention: Robert Valdez.

{*129} This is in reply to your letter of July 6, 1936, wherein you state certain certificates of registration were issued to individuals whose applications were restricted to transporting their own commodities. You wish to know whether or not these certificates should now be cancelled and proper Contract Motor Carrier Permits issued in lieu thereof.

Relying upon the Rountree case, it seems to me that such certificates should not have been required in the first place and that our Motor Carriers Act (Chapter 154, Laws of 1933) does not apply in such cases. They should, therefore, not be required to obtain either a Certificate of Registration or a Contract Motor Carrier Permit.

By QUINCY D. ADAMS,

Asst. Atty. General