

**Opinion No. 39-3215**

July 19, 1939

**BY:** FILO M. SEDILLO, Attorney General

**TO:** Sergeant Albert Hathaway, New Mexico State Police, Las Vegas, New Mexico.

{\*85} Your request to this office for an opinion as to whether or not non-resident owners of automobiles who are drawing compensation from the state for work shall be required to register such vehicles in New Mexico is duly acknowledged.

I call your attention to Chapter 117, Section 1 (a) of the Laws of 1939, which states that a non-resident owner, except as otherwise provided in this section, owning any foreign vehicle which has been registered for the current calendar year in the state of which the owner is a resident may operate such vehicle within the state without registering for a period of three months. Under Section (d) of this same chapter we find the exception which requires that every non-resident carrying on business within the state and owning or regularly operating in the state of New Mexico a motor vehicle shall be required to register such vehicle and pay the same fee as is required of like vehicles owned by residents of the state.

It therefore follows that the non-resident who engages in a business becomes subject to this Act which requires that they register such vehicle and pay the same fees as any other resident working in this state for the reason that they cease to be tourists and visitors to which the state desires to extend courtesies, and it is, therefore, my opinion that a person working and drawing compensation in the state becomes subject to the registration fees for motor vehicles.

By: GEORGE LOUGEE,

Asst. Atty. Gen.