

Opinion No. 60-89

May 17, 1960

BY: OPINION of HILTON A. DICKSON, JR., Attorney General

TO: Mr. Benny E. Sanchez Commissioner of Motor Vehicles State Capitol Santa Fe, New Mexico

QUESTION

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Is a lighted plastic sign, approximately 4'-4" in length and 2'-3" in height, to be installed on the front of a trailer and held by braces, legal?

CONCLUSION

Yes, see analysis.

OPINION

{*452} **ANALYSIS**

The sign will be lighted by electrical connections to the storage battery on the cab. The face of the sign will be dark green and the letters "CARLING" and the oval border will be white.

We find no statute prohibiting the installation of such a sign as the one described above on trailers.

Subsection (a) of § 64-20-46, N.M.S.A., 1953 Compilation, provides that no person shall drive any motor vehicle with any sign, poster, or other nontransparent material upon or in the front windshield, side wings, or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway.

As long as this sign will not obstruct the view of the driver, we see no violation of the above quoted statute.

It is, therefore, the opinion of {*453} this office that since the proposed sign does not obstruct the view of the driver in violation of the above statute, and this is the only statute limiting such use, that the installation of such a sign is not in violation of our statutes.

By: Hilario Rubio

Assistant Attorney General