

**Opinion No. 19-2269**

May 19, 1919

**BY:** HARRY S. BOWMAN, Assistant Attorney General

**TO:** Hon. Manuel Martinez, Secretary of State, Santa Fe, New Mexico.

Automobile Dealers Must Procure Separate Licenses for Businesses in Different Cities.

**OPINION**

We have your letter of May 17, requesting an opinion from this office as to the right of automobile dealers to use duplicate tags of their dealer's licenses upon cars which are used for demonstration purposes in different cities and towns in this state.

The authority for the issuing and use of dealer's license is contained in section 384, Code 1915, and it is our opinion that this section does not authorize a dealer who operates in more than one city to use his license in all of the cities in which he demonstrates his cars, that is, if he maintains a place of business in each locality. It is the opinion of this office that a dealer who has a place of business in more than one locality in the state should be required to procure a dealer's license for each locality, it matters not whether he conducts his business under the same name in each place.

The section above mentioned specifically provides that nothing therein shall be construed to apply to a motor vehicle operated by a manufacturer or dealer for private use, or for hire.

No question can be raised as to the right of a dealer to use the dealer's license upon cars which are used for private purposes. The statutes strictly forbid any such use of the dealer's license provided for therein, and it is our opinion that a person using a car to which is attached the dealer's license, for private use, is subject to the penalties imposed by the statutes.