

Opinion No. 31-306

November 13, 1931

BY: E. K. Neumann, Attorney General

TO: Mrs. Georgia L. Lusk, Supt. of Public Instruction, Santa Fe, New Mexico.

{*117} We have your letter of November 9th, in which you inquire if the law requires insurance policies to be taken out by drivers of school busses.

You are advised that the law which requires insurance to be carried by motor carriers is found in the 1929 Compilation beginning with Section 11-1001.

Section 11-1042 provides exemption under paragraph "a" as follows:

"Motor vehicles used exclusively to convey passengers to and from schools, churches, or religious services of any kind, or to or from picnics."

It is therefore my opinion that a driver of a school bus is not required to carry insurance if his vehicle is used exclusively as in this section provided.

We may suggest, however, as a matter of policy and protection to all concerned, that such drivers should carry insurance.

By Frank H. Patton,

Asst. Attorney General