

## Opinion No. 34-708

January 5, 1934

**BY:** E. K. NEUMANN, Attorney General

**TO:** State Corporation Commission, Motor Transportation Department, Santa Fe, New Mexico.

{\*103} Your letter of December 29, 1933, states that your opinion is that driverless cars and taxis come within and are subject to the provisions of Chapter 154, Laws of 1933 and you ask for our opinion as to the correctness of that view.

We believe that you are entirely correct in that interpretation of said law, provided, however, that said operations do not fall within the exceptions of Section 25 of said Act.

In this connection, however, we wish to recall our opinion of December 29, 1933, relating to paragraph "h" of Section 1 of Chapter 69, Laws of 1933, believing, at this time, that our views therein expressed are erroneous.

If you will refer to paragraph "h", Section 1 of said Chapter 69, Laws of 1933, you will note that those common or contract carriers entitled to a reduction of motor vehicle license fees are those operations defined "bus, truck or trailer." In each case you will note that definitions are given for various types of vehicle such as "bus," "truck," "trailer," "taxi" and "driverless cars." Consequently, when paragraph "h" allows the reduction of registration fees to "bus," "truck," or "trailer," it is only such vehicles that can benefit from such provision. Taxis and driverless cars are excluded and cannot, therefore, in our opinion, be allowed the one-half rate for license fees imposed by law.