

MOTOR VEHICLES:

Only State owned cars are permitted to bear the official license tag of the State.

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Sec 7767 R.S. Mo. 1929

September 16, 1933

Mr. Dwight H. Brown,  
Secretary of State,  
Jefferson City, Missouri.

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Dear Sir:

We are acknowledging receipt of your letter in which you inquire as follows:

"There are frequent requests directed to this office for the issuance of official tags to be used on privately owned automobiles which are used in official business by the personnel of agencies of Government. The enclosed letter is self-explanatory and is being forwarded for your information. We are requesting that it be left attached to the file and passed back to this office with your communication. We have held that we are without authority to issue official tags to other than cars owned by the State of Missouri. We are asking to have your opinion in this particular."

Section 7767, R. S. Mo. 1929, provides as follows:

"(a) The commissioner shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: 'State of Missouri, official car number . . . .' (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employe or other person shall use such a motor vehicle for other than official use."

It is apparent from the foregoing Section that the only cars which are entitled to bear the official tag are cars owned by the State of Missouri. Privately owned cars used by officials in State business are not entitled under any Section which we have knowledge to bear the official tag. The right to bear the official tag, to the exclusion of all others, must be found in the Motor Vehicle Law, and no where do we find any authority for any cars to bear the official tag except cars owned by the State of Missouri.

It is therefore our opinion that you, as Secretary of State, have no authority to issue an official tag to be used on cars other than those owned by the State of Missouri. The mere

Mr. Dwight H. Brown,

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fact that a privately owned car is used in official business does not make it a State owned car nor entitle it to bear an official tag.

Very truly yours,

A handwritten signature in cursive script, reading "Frank W. Hayes", is written over a horizontal line.

Assistant Attorney General.

APPROVED:

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Attorney General.

FWH:3