

CITY VEHICLES:

A City owned truck operated on City business side of the municipality does not have to be registered and the employees driving the trucks are not violating any criminal law.

9-17

September 11, 1935.

Hon. F. C. Bollow
Prosecuting Attorney
Shelbyville, Missouri



Dear Mr. Bollow:

This is to acknowledge your letter
as follows:

"The City of Shelbina has made an inquiry concerning whether or not City owned trucks used in the business of the City are required to carry State license plates when operated on the City's business outside the corporation limits of the City.

"No doubt you have already prepared an opinion on this character and have the same on file in your office.

"About two years ago the City of Shelbina sent in the license fee for its trucks and the money was returned to the City by the Motor Vehicle Registration Department with a letter stating that the City was not required to carry license plates. The Highway Patrol has threatened to arrest the City drivers if they catch them outside the corporation limits.

"The City of Shelbina always wants to do the right thing about the matter and if licenses are required are perfectly willing to buy them, and are very anxious to have your opinion on the matter at once."

9/11/35

The answer to your question is found in Section 7767, R. S. Mo. 1929, which in part provides as follows:

"(b) Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of this article while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of this article requiring registration, proof of ownership and display of number plates: ****."

We are also enclosing copy of opinion dated June 21, 1935, to Colonel B. M. Gasteel, Superintendent, Missouri State Highway Patrol, pertaining to the necessity of municipal employees to be registered as registered operators, wherein you will note our conclusion in the matter to the effect that employees of a municipality or political subdivision do not have to be registered operators.

It is our opinion, from the above and foregoing, that the City of Shelbina is not required to register city owned trucks used on business of the city, or have license plates therefor, whether such trucks are operated inside or outside of the incorporated limits of the City.

It is our further opinion that the drivers of these city owned trucks, when on business of the city outside of the limits of the city, are not violating any State law, whether from the standpoint of operating the truck without a license or by not being registered operators.

Yours very truly,

APPROVED:

James L. HornBostel
Assistant Attorney-General.

JOHN W. HOFFMAN, Jr.,
(Acting) Attorney General