

MOTOR VEHICLES)
SCHOOL BUS)

School bus privately owned must be registered and obtain license plates.

April 22, 1938

4-22



Hon. John C. Pope
Prosecuting Attorney
Webster County
Marshfield, Missouri

Dear Sir:

This will acknowledge receipt of your letter of April 8, 1938, in which you request an opinion on the following question:

"Is a school bus driver, who owns his own bus and uses it only for the transportation of school children, required to purchase state automobile license plates?"

Section 7761, Extra Session Laws of 1933-34, is in part as follows:

"Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, shall except as herein otherwise expressly provided, cause to be filed, by mail or otherwise, in the office of the commissioner, an application for registration on a blank to be furnished by the commissioner for that purpose,".

The exception to the provisions of this section appear in Section 7767, R.S. Missouri, 1929, which is in part as follows:

"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

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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:"

It is to be noticed that these exempted vehicles must be owned by the municipality, county or other political subdivision of the state.

Section 7761, supra, requires all motor vehicles to be registered and a license plate obtained except as "otherwise expressly provided". The exceptions to Section 7761 do not expressly exempt a motor vehicle unless it is owned by a political subdivision of the state. This school district - the political subdivision here - does not own this bus, but it is privately owned.

CONCLUSION

Therefore, it is the opinion of this department that a school bus, owned privately, even though used exclusively for the transportation of school children, must be registered and a license plate obtained therefor as provided in Section 7761, supra.

Respectfully submitted,

TYRE W. BURTON
Assistant Attorney General

APPROVED By:

J.E. TAYLOR
(Acting) Attorney General

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