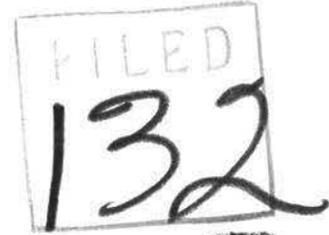


(Opinion Request No. 132 answered by this letter.)

March 20, 1962



Honorable William J. Esely
Prosecuting Attorney
Harrison County
Post Office Box 104
Bethany, Missouri

Dear Mr. Esely:

This is in answer to your letter dated February 28, 1962, in which you request an opinion of this office concerning motor vehicle registration and eligibility of county officials to hold elective offices at the city level.

The first portion of your opinion request can be briefly answered by the fact that the information presented to you by a member of the Highway Patrol is inaccurate. The position of the Department of Revenue is to issue a motor vehicle license plate for the month of January if the licensee applies for the plate during the first half of February. If application is made during the second half of the month, then a February license plate is issued. A member of my staff explained this procedure to you in a recent telephone conversation.

The second portion of your opinion request concerns itself with the doctrine of "incompatibility of public offices". This case law theory is discussed in two previously written opinions by this office; the first being written on March 2, 1961, and addressed to the Honorable A. J. Anderson, Prosecuting Attorney of Cass County; the second being written on March 12,

Hon. William J. Esely

-2-

March 20, 1962

1954, and addressed to the Honorable Lane Harlan, Prosecuting Attorney of Cooper County. The theories contained in these previously written opinions and the conclusions reached therein should sufficiently answer your problems. I am enclosing these opinions for your information.

It is the understanding of this office that the information contained in this letter should sufficiently answer your opinion request.

Very truly yours,

THOMAS F. EAGLETON
Attorney General

Enclosures

EGB:mc