

April 7, 1975

OPINION LETTER NO. 106  
Answer by letter-Mittleman

FILED  
106

Honorable Jim Arnold  
Representative, District 131  
c/o House Post Office  
State Capitol Building  
Jefferson City, Missouri 65101

Dear Representative Arnold:

This letter is issued in response to your request for a ruling on the question of whether a school bus owned by a private contractor and licensed under Section 301.065, RSMo 1969, may be used to transport students to Sunday School.

In our Opinion No. 64 issued June 23, 1953, to the Honorable M. E. Morris, we held that:

". . . a school bus license is not a proper license for a bus used to transport students to Sunday School. This is either in the case of a school bus owned and operated by a political subdivision under provisions of Section 301.260 . . . or a bus licensed under the provisions of Section 301.060, Laws Mo. 1951, page 700 [a statute subsequently repealed and replaced by Sections 301.055 through 301.069, RSMo 1969]."

The term "school bus" is defined in Missouri's Motor Vehicle Registration Law, Section 301.010(24), RSMo Supp. 1973, as:

". . . any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;" (Emphasis added.)

Honorable Jim Arnold

In our Opinion No. 64, we pointed out that this definition of "school bus" should be construed strictly because it in effect creates an exemption allowing a "school bus" to be registered and licensed for a lower fee than other comparable motor vehicles used for the transportation of passengers. We, therefore, regarded the use of a bus to transport students to Sunday School as a use not comprehended in the definition of a "school bus" eligible for such registration and licensing. We adhere to that view in the case of a bus owned by a private contractor. It is our opinion that a bus licensed under Section 301.065 as a "school bus" may not be used to transport students to Sunday School. If it is so used, it must be licensed under other provisions of Chapter 301, RSMo 1969, which apply generally to motor vehicles used for the transportation of passengers.

Yours very truly,

JOHN C. DANFORTH  
Attorney General