



OFFICES OF THE

ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

JOHN C. DANFORTH
ATTORNEY GENERAL

January 19, 1976

OPINION LETTER NO. 7

Mr. John Brawley, Director
Department of Transportation
Broadway Office Building, 4th Floor
Jefferson City, Missouri 65101

Dear Mr. Brawley:

This letter is in response to your request as stated:

"(1) Does the Department of Transportation have the authority to charge a fee to cover the costs of an aeronautical chart and directory of aviation facilities in the state?

"(2) If so, are the proceeds deposited in the general revenue fund?"

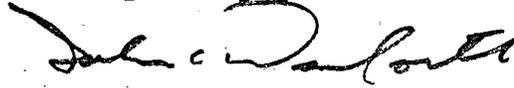
You have informed us that your department has prepared an aeronautical chart of airports in the state and an airport directory of state airports. You have asked if your department has authority to charge a fee to cover the expense of preparation and handling.

We enclose a copy of Opinion No. 37, rendered June 13, 1949, to David E. Harrison, the holding of which we believe is applicable in the premises. You will note that the opinion points out that the law is well established that a fee may be charged by a public official for the rendition of services only when expressly provided for by statute. In view of the fact that we find no statutory authorization for the Department of Transportation to make a charge for copies of the chart, it is our view that the department has no authority to do so.

Mr. John Brawley

In view of our holding as to the first question, it is unnecessary to answer the second question.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John C. Danforth".

JOHN C. DANFORTH
Attorney General

Enclosure: Op. No. 37,
6-13-49, Harrison