



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

El Paso

April 17, 1939

Honorable David E. Mulcahy
County Attorney
El Paso, Texas

Dear Sir:

Attention: Mr. Leon Kotosky
Assistant County
Attorney

Opinion No. O-527
Re: Interpretation of Article
6675a-6a

Your request for an opinion involving a construction of Article 6675a-6a has been received by this office. The Article involved reads as follows:

"Art. 6675a-6a. When a commercial motor vehicle sought to be registered and used by the owner thereof only in the transportation of his own poultry, dairy, livestock and farm products to market, or to other points for sale or processing, or the transportation by the owner thereof of laborers from their place of residence, and materials, tools, equipment and supplies, without charge, from the place of purchase or storage, to his own farm or ranch, exclusively for his own use or use on such farm the registration license fee, for the weight classifications herein mentioned, shall be fifty per cent (50%) of the registration fee prescribed for weight classifications in Section 16 - -"

The question is whether the benefit of this Article providing for the payment of only fifty per cent registration fee in certain instances, applies to the situation where a person raises certain products of his own and also purchases products of other farmers, conveys and transports both classes of products to his own cannery and after processing them in turn transports them to market.

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We do not believe that the stipulation of the statute providing for transportation to market or other points for sale or processing permits a person, in first operating a commercial enterprise such as a cannery, to transport the products of such cannery to market in a vehicle registered under Article 6675a-6a. Nor do we believe it was intended to permit a person to transport products purchased from others, with the aid of the cheaper license.

We are of the opinion, therefore, that the benefits of the Article accrue only to a person who transports his own products to market or other points for sale or processing, and is not for the benefit of a person, as indicated in your inquiry, that would be transporting products purchased from another farmer or who would be transporting processed goods as distinguished from farm products as specified in the statute.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Hugh Q. Buck*
Hugh Q. Buck
Assistant

HQB:LM

APPROVED:

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ATTORNEY GENERAL OF TEXAS