



**THE ATTORNEY GENERAL
OF TEXAS
AUSTIN, TEXAS**

PRICE DANIEL
ATTORNEY GENERAL

FAGAN DICKSON
FIRST ASSISTANT

December 10, 1948

Hon. J. S. Holleman
District Attorney
9th Judicial District
Conroe, Texas

Opinion No. V-731

Re: Whether the additional 10%
license fee required by Ar-
ticle 6675a-8c, V.C.S., must
be paid for vehicles power-
ed by other than Diesel mo-
tors or engines which burn
butane gas or any distillate
other than gasoline.

Dear Sir:

You have requested the opinion of this office on the
above-captioned matter.

Article 6675a-8c, V.C.S., provides for an additional
license fee for certain vehicles and reads as follows:

"It is expressly provided that the license fees
for all vehicles using or being propelled by Diesel
motors or engines shall be the fees provided above,
plus an additional ten (10%) per cent. It is further
provided that the County Tax Collector, in issuing
the license receipts for motor vehicles provided
for in this Act, shall clearly indicate on the license
receipt the type of motor by which the vehicle is
propelled when such motor is powered by Diesel
fuel, butane gas, or any distillate other than gaso-
line." Acts 1929, 41st Leg., 2nd C.S. p. 172, ch. 88,
§ 8c, added Acts 1941, 47th Leg., p. 144, ch. 110, § 10.

This particular provision of the laws regulating ve-
hicles has not been construed by the courts. We are of the opin-
ion that the plain and unambiguous language of the first sentence
of Article 6675a-8c limits its applicability to "vehicles using or
being propelled by Diesel motors or engines."

SUMMARY

The additional license fee required by Article
6675a-8c, V.C.S., need not be paid for vehicles pow-
ered by other than Diesel motors or engines which

burn butane gas or any distillate other than gaso-
line.

Yours very truly

APPROVED:

ATTORNEY GENERAL OF TEXAS

Fagan Dickson
FIRST ASSISTANT
ATTORNEY GENERAL

By *Marietta Creel*
Mrs. Marietta Creel
Assistant

MC/JCP