



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

March 3, 1939

Hon. Bart Ford, Administrator
Texas Liquor Control Board,
Austin, Texas

Dear Mr. Ford:

Opinion No. 0-10
Re: Wholesaler of liquor and
Class B wholesaler of
liquor may import liquors
through the use of their
licensed vehicles.

In your letter of February 22, 1939, you inquire:

"1. Do you find that by law a wholesaler of liquor or a class B wholesaler of liquor is prohibited from importing liquor from outside the State of Texas to premises covered by respective permits through the medium of vehicles licensed as private carriers under the privileges extended by law to the representative wholesalers mentioned?

"2. ***

"3. ***"

Subdivision 3 of Section 15 of the Liquor Control Act, Par. (d), provides that a person applying for a wholesaler's permit shall be authorized to include in a single application his petition for such permit, as well as for private storage, storage in a public bonded warehouse, and private carrier's permit, and any other permit which he is qualified to receive under the provisions of this Act. Provided, however, that such wholesaler shall pay the fees prescribed by this Act for each such permit covered in such wholesaler's application. This same subdivision shall apply to a class B wholesalers, rectifiers, brewers, distillers, class A winery, and class B winery permits.

This secures to the wholesaler the right to apply for and receive a private carrier's permit, and seems to specifi-

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cally recognize the right of the wholesaler to transport his own liquors. We do not find in the act any specific prohibition against such transportation. We therefore answer your inquiry that the wholesaler may import liquors from outside the state to premises covered by his permit through the medium of vehicles licensed as private carriers.

We understand that your questions numbers "2" and "3" were submitted only in the event that we were of the opinion that the wholesaler might not transport his own liquors.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By



A. S. Rollins
Assistant

ASR-MR

APPROVED:



ATTORNEY GENERAL OF TEXAS

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