



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

GERALD C. MANN
~~XXXXXXXXXXXXXXXXXXXX~~
ATTORNEY GENERAL

May 1, 1939

Hon. John C. Marburger, County Attorney
Fayette County
La Grange, Texas

Dear Sir:

Opinion No. 0-652
Re: Construction of Article 6675a-2

We acknowledge receipt of your request for an opinion as to whether a gravel company which operates its trucks only from its gravel pit to a railroad and in so doing only crosses a public highway of this state, must register said trucks as provided in Article 6675a-2.

We are not permitted to decide questions of fact and for that reason, and for the purpose of this opinion we are assuming that the trucks are not implements of husbandry.

Article 6675a-2 provides that all motor vehicles which are used or to be used upon the public highways of this state must be registered, unless it comes within certain exceptions. The statutes does not define "used or to be used upon the public highways" but it is our opinion that the use of any motor vehicle upon the public highways to any extent brings such motor vehicles within the purview of the Motor Vehicle Registration Law.

It is, therefore, our opinion that any motor vehicle which is to be operated to any extent upon the public highways of this state and is not within the exceptions provided by law, must be registered.

Yours very truly

APPROVED:
s/ GERALD C. MANN
ATTORNEY GENERAL OF TEXAS

ATTORNEY GENERAL OF TEXAS
s/ Richard H. Cocks

APPROVED OPINION COMMITTEE
BY H.Q. B.
Chairman

By
Richard H. Cocks
Assistant

REC:ob:-ldw