



**THE ATTORNEY GENERAL
OF TEXAS**

GERALD C. MANN

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ATTORNEY GENERAL

AUSTIN 11, TEXAS

May 4, 1939

Hon. Gordon C. Cass
County Attorney
Lampasas, Texas

Dear Sir:

Opinion No. 0-706

Re: Use of a pickup licensed with a
farm license tag.

Your question as to whether a farmer can take his family to church in his Ford pickup, licensed with a farm license tag, and not violate the law, has been received by this department.

We believe that the intention of the Legislature in passing section 6a of article 6675a of our statutes was to lessen the burden upon the farmer of operating a motor vehicle that he uses for farm purposes. In order to lessen that burden the Legislature provided that the farmer might obtain a license tax, known as a farm license for fifty percent (50%) of the regular commercial license fee.

The Legislature named certain specific purposes for which a farmer might use a car or other vehicle licensed with a farm tag, but they obviously could not name all of the particular fact situations that might arise, that would entitle the farmer to use the car bearing such a license tag. An examination of the statute reveals to us an intention that the farmer with a vehicle bearing such a license might use our roads and highways for such purposes as were necessary and incidental to the operation of his farm. Most assuredly, the Legislature knew that the average farmer in Texas could not afford one vehicle to be used for farm purposes and another Sunday car that he could use only on Sunday to take his family to church. In our opinion the Legislature contemplated that the farmer might use such vehicle to carry his family to church on Sunday, if he so desired.

We think that it would be a harsh and unsound construction of this article to hold that the vehicle licensed with a farm tag must not be used for any other purpose than

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that specifically named in the statute. So long as the farmer does not abuse the privilege, created by the exemption provided for in section 6a of article 6675a, he may use his automobile or vehicle to take his family to church.

In our opinion the farmer that uses his motor vehicle regularly and continuously for farm purposes as outlined in our statutes, and on Sunday takes his family to church or drives to a neighbor's house, he may do so without violating article 6675a, section 6a.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By /s/ Morris Hodges
Morris Hodges
Assistant

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APPROVED: /s/ H.Q.B.

Gerald C. Mann
ATTORNEY GENERAL OF TEXAS