Honorable D. C. Greer
State Highway Engineer
Texas Highway Department
Austin 14, Texas

Dear Mr. Greer:

In your recent letter you have propounded the following question to this office for an opinion: Whether Certificates of Number issued by the Texas Highway Department are valid for a period of three years or for a period of two years.

House Bill 11, Acts of the 56th Legislature, Regular Session, 1959, Chapter 179, Page 369, provides for the registration of motorboats with the Texas Highway Department. The pertinent sections of the Act are as follows:

"Sec. 4.(f) Every Certificate of Number awarded pursuant to this Act shall continue in full force and effect for a period of three (3) years unless sooner terminated or discontinued in accordance with the provision of this Act. Certificates of Number shall be valid for the biennium from April 1 of one year to March 31 of the second succeeding year, both days inclusive."

"Sec. 17.(a) There is hereby levied a three (3) year fee in Section 4 of this Act as follows:

". . . ."
The last sentence of Section 4(f) may cast doubt as to the period of time which the Legislature intended for a Certificate of Number to be valid. However, the first sentence of the same Section (4(f)) together with Section 17(a) reveal the intention of the Legislature to be that a Certificate of Number be valid for three years.

In **Wood v. State**, 133 Tex. 110, 126 S.W.2d 4, the Supreme Court used the following language in construing a statute:

"It is the settled law that statutes should be construed so as to carry out the legislative intent, and when such intent is once ascertained, it should be given effect, even though the literal meaning of the words used therein is not followed. Also, statutes should never be given a construction that leads to uncertainty, injustice, or confusion, if it is possible to construe them otherwise. . . ."

It is therefore the opinion of this office a three year period of validity was contemplated by the Legislature and that such a construction is the only reasonable construction that can be placed on the Act.

**SUMMARY**

The Certificates of Number of motorboats issued by the Texas Highway Department pursuant to House Bill 11, Acts of the 56th Legislature, Regular Session, 1959, Chapter 179, Page 369, are valid for a three year period.

Yours very truly,

WILL WILSON
Attorney General of Texas

[Signature]

by John L. Estes
Assistant
APPROVED:

OPINION COMMITTEE
Geo. P. Blackburn, Chairman

Houghton Brownlee, Jr.
Mrs. Marietta Payne
Charles D. Cabaniss
Dean Davis

REVIEWED FOR THE ATTORNEY GENERAL
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