

OPINION
53-77

December 8, 1953 (OPINION)

MOTOR VEHICLES

RE: Out of State Registered Vehicles

This office is in receipt of your request of December 7, 1953, submitting for our interpretation and opinion a request from the Highway Patrol of Grand Forks, North Dakota, the question as to whether the Packard Motor Car Company of Minneapolis, Minnesota may operate in this state one of their automobiles owned by the said concern but used by a block man for the company and who lives in North Dakota.

In answer to said request, it is the opinion of this office that Section 39-0446 of the North Dakota Revised Code of 1943 controls the registration of non resident owner of motor vehicles operating in this state. In this section you will note that it is provided that a non resident owner of any foreign vehicle which has been duly registered for the current calendar year in the state, county or other place of which the owner is a resident and which at all times, when operated in this state, has displayed upon it a number plate or plates issued for such vehicle may operate or permit the operation of such vehicle within North Dakota without registering said vehicle for a total period of not longer than 30 days in any one registration year.

The salesman referred to in your communication is a resident of the State of North Dakota and the vehicle involved is in his possession at all times in the State of North Dakota and is not only temporarily in the state in the course of traveling between the two states.

It is, therefore, our opinion that if this foreign company owns this vehicle which is being operated permanently in the State of North Dakota by one of its salesmen, it may not operate beyond the period of 30 days without obtaining a license therefor.

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Attorney General