April 7, 1941

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Mr. Horace Moore, Superintendent
Arizona Highway Patrol
Phoenix, Arizona

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ARIZONA ATTORNEY GENERAL

Dear Sir:

Your letter of April 2 addressed to Joe Conway, Attorney General, concerning the use of dealer number plates in the movement of dump trucks to and from various Federal Projects, has been submitted to this Division for answer.

We have had occasion a number of times to consider trucks leased by contractors for work on their construction projects. We know of no instance where it was ever claimed that these trucks were not subject to the regular license and weight fees imposed upon trucks using the State Highways. The fact that the construction is upon a Federal Aid Project would not appear to change the situation. The Del Webb Construction Company is not a branch of the Federal Government but is a private contractor doing business for compensation. They would pay license fees and weight fees upon rented trucks just the same as upon their regularly owned trucks.

We do not believe that the use of dealer's plates is justified in transporting the dump trucks from the dealer's place of business to the place of construction. Sec. 1644 permits the use of such dealer's plates for the sole purpose of moving, testing, demonstrating or selling the vehicle and then only to a distance of 50 miles from the place of business of selling. Sec. 1644-a permits dealers or manufacturers to move their cars for a limited distance and provides that a greater distance may be allowed under a written permit obtained from the vehicle division. This, however, does not contemplate the use of dealer's plates but contemplates the use of a specific permit for that purpose. We think such vehicles are required to be licensed and pay the weight fees, whether the ownership is in the contractor or they are merely leased by him.

Very truly yours,

JOE CONWAY
Attorney General

A. R. Lynch

A. R. LYNCH
Assistant Attorney General

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