

**OPINION  
45-197**

November 1, 1945            (OPINION)

MOTOR VEHICLES

RE: Scooters License Plates

This will acknowledge your letter of October 24, in which you advise that you are going to manufacture two and three-wheeled scooters and motor chairs and that these machines will be operated by engines powered with from one to three horsepower gas motors, weighing from 125 to 200 pounds, and that they will be sold through dealers and distributors.

You want to know whether or not the State of North Dakota requires a license for such machines, a license for the operator, or title thereto.

I enclose herewith a copy of a letter that was written to a police officer in this state, which, in part, answers your letter. It is the opinion of this office that all motor-propelled scooters and motor chairs must be licensed through the motor vehicle registrar's office of this state. It is further the opinion of this office that the operator of these vehicles must obtain from the state highway patrol a driver's or operator's license. It is further the opinion of this office that these vehicles must be titled and a certificate of title obtained for the same through the motor vehicle registrar of this state, except the following cases:

1. Vehicles owned by the federal government;
2. Vehicles owned by this state or a political subdivision thereof;
3. Vehicles owned by any state institution in this state;
4. Traction engines and road roller; and
5. Motorcycles operated by police officers in the performance of their duties.

Every other motor vehicle is required to be registered under the North Dakota law. See section 39-0502, of the North Dakota Revised Code of 1943.

NELS G. JOHNSON

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