



STATE OF KANSAS

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August 8, 1979

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ATTORNEY GENERAL OPINION NO. 79-169

Mr. William T. North
Chase County Attorney
Cottonwood Falls, Kansas 66845

Re: Automobiles and Other Vehicles--Annual
Registration Requirements--Certain Exemptions for Farm Trailers

Synopsis: A farm trailer is exempt from registration as long as it carries no more than six thousand (6,000) pounds over the actual empty weight of the trailer.

* * *

Dear Mr. North:

In your letter of April 13, 1979, you requested this office's opinion of a provision within K.S.A. 1979 Supp. 8-143(2)(a) dealing with the registration of farm trailers and the enforcement of the statute, which reads in part,

"A farm trailer used in carrying not more than six thousand (6,000) pounds owned by a person engaged in farming and which trailer is used exclusively by the owner to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm owned or rented by the owner of such trailer shall not be subject to the registration and registration fees prescribed by this act for trailers, and the weight of any such farm trailer, plus the cargo weight of six thousand (6,000) pounds or less, shall not be considered in determining the gross weight for which

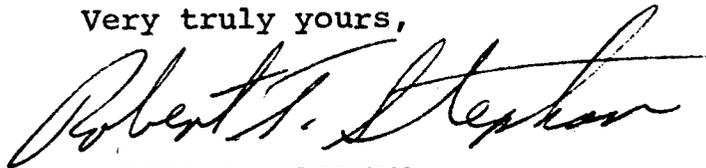
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the farm truck or truck tractor
propelling the same shall be
registered." (Emphasis added.)

Although the registration statutes of Kansas speak in terms of gross vehicle weight, this particular provision speaks to payload or cargo weight. It is a well-known rule of statutory construction that where a statute is not clear it must be interpreted where possible in order to carry out the legislative intent. In a letter opinion of this office on January 3, 1956, this office ruled that it was the legislature's intent to exempt a farm trailer from registration if its payload or cargo does not exceed six thousand (6,000) pounds.

This office concurs in that early opinion that a farm trailer may transport six thousand (6,000) pounds or less without being registered.

Very truly yours,



ROBERT T. STEPHAN
Attorney General of Kansas



Steven R. Wiechman
Assistant Attorney General

RTS:ALR:SRW:gk