

## OPINION NO. 73-025

## Syllabus:

Motorized travel and recreational vehicles are "house trailers" under R.C. 4501.01 (I), and they are subject to a license fee of \$5.00 under R.C. 4503.04 (C).

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To: C. Donald Curry, Registrar, Bureau of Motor Vehicles, Columbus, Ohio  
By: William J. Brown, Attorney General, March 20, 1973

Your request for my opinion states the facts and poses the question as follows:

Your attention is directed to Section 4501.01 (K) of the Ohio Revised Code which reads as follows:

"'Travel trailer' means a vehicular portable structure built on a chassis and not exceeding a gross weight of four thousand five hundred pounds when factory equipped for the road or an overall length of thirty feet and designed to be used as a temporary dwelling for travel, recreational, and vacation uses."

and Section 4503.04 (C) of the Ohio Revised Code which refers to the fee for the above described vehicle and reads as follows:

"For each house trailer and each travel trailer, five dollars."

It is respectfully requested that your formal opinion be given on the following question:

Would the definition "travel trailer" referring to a vehicular portable structure include the large self-propelled so-called recreational and travel vehicles whereby the charge for license plate registration would be \$5.00; or would this type of vehicle be classified in a different category such as a passenger vehicle making the registration fee uniform with the automobile license fee \$10.00; or, in the category where the license plate fee would be determined by weight should the vehicle weigh more than four thousand five hundred pounds?

A number of definitions relative to the regulation of motor vehicles are set forth in R.C. 4501.01, which reads in part as follows:

(A) "Vehicles" means everything on wheels or runners, except vehicles operated exclusively on rails or tracks or from overhead electric trolley wires  
\* \* \*

(B) "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires,  
\* \* \*

\* \* \* \* \* \* \* \*

(E) "Passenger car" means any motor vehicle designed and used for carrying not more than nine persons.

\* \* \* \* \* \* \* \*

(I) "House trailer" means any self-propelled and nonself-propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to indicated utilities, whether resting on wheels, jacks, or other temporary foundation and used as a conveyance upon the public streets or highways.

\* \* \* \* \* \* \* \*

(K) "Travel trailer" means a vehicular portable structure built on a chassis and not exceeding a gross weight of four thousand five hundred pounds when factory equipped for the road on an overall length of thirty feet and designed to be used as a temporary dwelling

for travel, recreational, and vacation uses.

\* \* \* \* \*  
(Emphasis added.)

In R.C. Chapter 4503, the General Assembly has provided for the levy of an annual state license tax upon the operation of various types of "motor vehicles" on the public highways of the state. R.C. 4503.04 enumerates the schedule of rates, and reads in pertinent part as follows:

The rate of the taxes \* \* \* shall be as follows:

\* \* \* \* \*

(B) For each passenger car, ten dollars;

(C) For each house trailer and each travel trailer, five dollars;

\* \* \* \* \*

The minimum tax for any vehicle, having motor power other than a farm truck, a motor bicycle, or motorcycle is nine dollars, and for each trailer or semitrailer, five dollars.

\* \* \* \* \*  
(Emphasis added.)

The meaning of a statute must be found in the language in which the statute is framed, and the intent of the legislature must be gathered from the language used. Katz v. Department of Liquor Control, 166 Ohio St. 229, 231 (1957); Cooper v. Hughes, 39 Ohio App. 281 (1931); Opinion No. 72-103, Opinions of the Attorney General for 1972. Also, it is a fundamental rule of statutory construction that related statutes or sections of statutes should be construed together. Wrenn Paper Co. v. Glander, 156 Ohio St. 583, 591 (1952).

R.C. 4501.01 (B) defines a "motor vehicle" generally as "any vehicle propelled or drawn by power other than muscular power." This definition is clearly designed to include all vehicles propelled or drawn by motor power upon the public highways. However, R.C. 4501.01 also gives a number of other definitions, such as "passenger car", "house trailer", and "travel trailer", and the language of these definitions indicates that they are specific types included under the general definition of a "motor vehicle."

Your letter states that the vehicles involved in your request are designed and used for recreation and vacation travel. You ask whether they should be classified, for license tax purposes, as "travel trailers" or "passenger cars." R.C. 4501.01 (K) lists various construction specifications for a "travel trailer". The subsection is entirely devoid of any language that this type of vehicle is propelled by its own power. This interpretation of R.C. 4501.01 (K) is supported by Leamon v. State, 17 Ohio App. 323, 326 (1923). While not specifically dealing with "travel trailer", the court did hold that a trailer is a separate ve-

hicle, which was not driven or propelled by its own power, but which was drawn by some independent power. Thus it is my conclusion that a "large self-propelled so-called recreational vehicle" is not a "travel trailer."

But though such a self-propelled vehicle does not fit the definition of a "travel trailer", it need not be classified as a "passenger car", for the General Assembly, in R.C. 4501.01 (I), also provided a definition of "house trailer", that is, a vehicle designed and constructed to permit use and occupancy for human habitation by connecting it to utilities, but also so constructed as to permit it being used as a conveyance upon the public streets or highways, propelled by its own power or drawn by some independent power. Opinion No. 1470, Opinions of the Attorney General for 1952; Opinion No. 70-013, Opinions of the Attorney General for 1970.

R.C. 4503.04 (C) provides a schedule of license taxes, on the operation of motor vehicles on the public highways, based on the definitions in R.C. 4501.01. (We are not here concerned, of course, with the use tax on house trailers under R.C. 4503.06.) The motor vehicle you describe fits under the definition of "house trailer." The state has full power to regulate and classify the motor vehicles which use its highways, and the differences upon which the classification and regulation are based need not be great or conspicuous. Citizens Telephone Co. of Grand Rapids v. Fulks, 229 U.S. 322, 331 (1912); Hendrick v. Maryland, 235 U.S. 610, 624 (1914); Saviers v. Smith, 101 Ohio St. 132 (1920); Fisher Bros. Co. v. Brown, 111 Ohio St. 602, 619 (1924).

In specific answer to your question it is my opinion, and you are so advised, that motorized travel and recreational vehicles are "house trailers" under R.C. 4501.01 (I), and they are subject to a license fee of \$5.00 under R.C. 4503.04 (C).