

It is an elementary rule of construction that if a statute is plain, certain and unambiguous, so that no doubt arises from its own terms as to its scope and meaning, a bare reading suffices; then interpretation is needless." (Sutherland, Section 363.)

It is beyond question the duty of the courts in construing statutes to give effect to the intent of the law making power, and seek for that intent in every legitimate way. But first of all in the words and language employed; and if the words are free from ambiguity and doubt, and express plainly, clearly and distinctly the sense of the framers of the instrument, there is no occasion to resort to other means of interpretation. It is not allowable to interpret what has no need of interpretation." (Sutherland, Section 366.)

The Legislature must be understood to mean what it has plainly expressed and this excludes construction.

Woodberry vs. Berry, 18 O. S., 456.

This rule has been very clearly expressed in the second paragraph of the syllabus in the case of Slingluff vs. Weaver, 66 O. S., 621, which reads:

"But the intent of the law-makers is to be sought first of all in the language employed, and if the words be free from ambiguity and doubt, and express plainly, clearly and distinctly, the sense of the law-making body, there is no occasion to resort to other means of interpretation. The question is not what did the general assembly intend to enact, but what is the meaning of that which it did enact. That body should be held to mean what it has plainly expressed, and hence no room is left for construction."

In conclusion I am of the opinion that it is unlawful for any person, firm or corporation to transport, in any vehicle equipped with tires of solid rubber or other similar substance, propelled by either muscular, motor or other power, any burden whatever, unless the width of that portion of the tire coming in contact with the surface of the road be at least two-thirds the width of the tire between the flanges.

Following this conclusion you are advised that your question should be answered in the negative.

Respectfully,
C. C. CRABBE,
Attorney-General.

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APPROVAL, FINAL RESOLUTIONS. ROAD IMPROVEMENTS IN THE FOLLOWING COUNTIES: 2 IN ALLEN, 1 IN FAIRFIELD, 1 IN LORAIN, 1 IN JEFFERSON, 1 IN MUSKINGUM, 1 IN TRUMBULL AND 1 IN BUTLER.

COLUMBUS, OHIO October 8, 1923.

HON. L. A. BOULAY, *Director of Highways and Public Works, Columbus, Ohio.*