

said that that expenditure is necessary in order to employ a driver the board clearly would have no right to make such an expenditure.

Inasmuch as the statute sets forth the qualifications that a school bus driver must possess before he may be employed as such, it behooves the driver to bring himself within those qualifications before he may be employed, and in doing so it will be necessary for him to pay whatever fee must be paid for the chauffeur's license. There would be no more authority for a board of education to pay the fee for a chauffeur's license for their school bus driver than there would be for the board to pay the fee a teacher must pay in procuring a teacher's license.

A special statute, Section 9573-1, General Code, authorizes a board of education or a state, county, township or municipality to pay the premium of any duly licensed surety company on the bond of any public officer, deputy or employee. Such payment to be made from public funds, but there is no similar provision of law authorizing or permitting the payment of such fees as the license fee for a "chauffeur."

I am therefore of the opinion that a board of education is not authorized or permitted by law to pay the fee which must be paid by a school motor bus driver for a chauffeur's license to properly qualify him.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1552.

APPROVAL, NOTES OF MENTOR RURAL SCHOOL DISTRICT, LAKE COUNTY—\$200,000.00.

COLUMBUS, OHIO, February 24, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1553.

APPROVAL, CONTRACT FOR ELIMINATION OF GRADE CROSSING NEAR HEBRON, LICKING COUNTY, OHIO.

COLUMBUS, OHIO, February 24, 1930.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your letter under date of February 21, 1930, enclosing copy of a contract providing for the elimination of a grade crossing about one and three-fourths miles north of Hebron in Licking County, Ohio, where the right of way of The New York Central Railroad Company crosses State Highway No. 359.

I have carefully examined the agreement and find it correct in form and hereby approve the same.

Respectfully,
GILBERT BETTMAN,
Attorney General.