

Commissioner of Motor Vehicles for certificates of registration issued by him, of one-fifth ($1/5$) of a cent per each ton which such motor vehicle, including its capacity load, shall weigh, multiplied by the total number of miles that said application shall show will be traveled by such motor vehicle over State, State Aid, improved county roads and streets and roads of incorporated towns and cities in the State of Maryland, during the year for which said certificate is issued, and no other additional fees, license, or tax shall be charged by the State or any county or municipal sub-division of the State, except the property tax, in respect to such vehicles or their operation. A copy of the application filed with the Commissioner of Motor Vehicles shall be forwarded to the State Roads Commission, which shall thereupon compute the fee payable by such motor vehicle owner for each motor vehicle for which application for registration has been made. Such computation shall be based upon the mileage to be traversed by said motor vehicles upon all roads having a hard, smooth surface, composed of gravel, shells crushed stone, concrete or other similar substances. The State Roads Commission shall have authority, in disputed cases, to determine which roads and streets upon which such motor vehicles are to be operated should be included in the computation. The State Roads Commission after making such computation, shall forthwith certify the same to the Commissioner of Motor Vehicles, whereupon the fee shown to be payable by said computation shall be immediately paid by such motor vehicle owner to the Commissioner of Motor Vehicles.

A dairy company which collects milk in its trucks from producers on regularly scheduled routes is subject to provision of this and following sections. *Pub. Serv. Commn. v. West. Md. Dairy*, 150 Md. 643 (decided prior to Act 1927, ch. 152).

See notes to sec. 259 and 262.

An. Code, 1924, sec. 259. 1924, ch. 291. sec. 195A. 1927, ch. 152, sec. 259.

259. All motor vehicles, except when used exclusively for hauling milk to cooling stations or freight platforms in the counties, operating for hire over the improved roads and streets of this State or any county or municipality thereof on regular schedules or between fixed termini, including those used by corporations, groups of individuals and associations engaged in the transportation of freight or merchandise of their stockholders, shareholders or members, whether on the co-operative plan or otherwise, shall be subject to the provisions of this sub-title, except that the public duties of a common carrier shall not thereby be imposed on the owner of any such vehicle not actually engaged in public transportation.

This section constitutional exercise of legislative power. Under sec. 264 it is duty of Commissioner of Motor Vehicles to prosecute violation; injunction denied. Public business. See notes to art. 23, secs. 346 and 379. *Rutledge Assn. v. Baughman*, 153 Md. 298 (arose prior to Act 1927, ch. 152).

An. Code, 1924, sec. 260. 1912, sec. 196. 1916, ch. 714, sec. 2. 1927, ch. 152, sec. 260.

260. Except as hereinafter provided, each and every such motor vehicle so registered shall operate only on the route and schedule set forth in said application during the year for which said license is issued. It shall be the duty of the Commissioner of Motor Vehicles, upon the presentation of