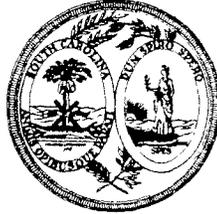


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The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

CHARLES M. CONDON  
ATTORNEY GENERAL

December 21, 1999

The Honorable Danny Singleton  
Municipal Judge, Seneca Municipal Court  
P.O. Box 4773  
Seneca, South Carolina 29679

Dear Judge Singleton,

Thank you for your letter, dated November 11, 1999, to the Office of the Attorney General, which has been referred to me for a response. You ask for an opinion on the applicability of South Carolina Code Section 56-10-225 to recently purchased vehicles.

In a previous opinion of the Office, we concluded that a charge made under § 56-10-225 attaches only when the application for registration and licensing of a motor vehicle has been approved. See enclosed Op. Atty. Gen. Jan. 19, 1999. As for what constitutes proof of insurance once that obligation attaches, the statute is unclear. While Section 56-10-220 requires one applying for registration of a motor vehicle to execute and furnish to the Department of Highways and Public Transportation a certificate of insurance "in the form proscribed by the department," Section 56-10-225 specifies no particular form for the proof of insurance required to be maintained in the vehicle. Legislative clarification may be needed to determine exactly what form of proof Section 56-10-225 requires. Presumably, however, the motorist should provide some evidence that a policy currently covers the particular vehicle being driven. In response to your question, the agent's name and policy number alone are probably insufficient to prove the vehicle is adequately covered in compliance with State law.

This letter is an informal opinion only. It has been written by a designated Senior Assistant Attorney General and represents the position of the undersigned attorney as to the specific question asked. It has not, however, been personally scrutinized by the Attorney General not officially published in the manner of a formal opinion.

With kind regards, I remain

Very truly yours,

A handwritten signature in black ink, appearing to read "R. D. Cook".

Robert D. Cook  
Assistant Deputy Attorney General