

1977 WL 37194 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 5, 1977

*1 Colonel P.F. Thompson
Director
Law Enforcement Division
State Highway Department
P.O. Box 191
Columbia, SC 29202

Dear Colonel Thompson:

Your letter to Mr. Coleman requesting the advice of this Office on a recently enacted ordinance of Jasper County has been forwarded to me for reply.

The ordinance in question purports to prohibit a “wrecker driver, wrecker owner or anyone to proceed, solicit, or remain at the scene of an accident in Jasper County unless summoned by a law enforcement officer.” Under the powers given to it by “Home Rule”, the Jasper County Council does not have the authority to enact an ordinance of this type.

You may advise the patrolmen stationed in Jasper County that they should not attempt to enforce this ordinance, and that it will not interfere in any way with the performance of their duties.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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