

1976 WL 30724 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 18, 1976

***1 RE: Driver's License**

Captain Gray Olive
437 ABG/JA
Charleston Air Force Base
Charleston, South Carolina 29404

Dear Gray,

Enclosed please find a copy of the opinion I mentioned to you over the phone. It would seem to me that if the military person's dependants could meet the requirements of § 46-153, then they could continue to operate a motor vehicle under the out-of-state license if it is current.

I believe the position of the Highway Department is that if the persons intend to establish a legal residence in South Carolina, then, they are required to obtain a valid South Carolina driver's license. However, if they intend to return to a place of residence outside South Carolina after leaving the service, then all concerned could operate under a valid out-of-state driver's license.

In any event, each case will probably turn on its own facts. If there is an instance about which you have special concern, it may be wise to contact the Highway Department concerning the situation.

This is not an official opinion but just my ideas on this subject. If you need an official opinion, just drop me a line and I will get something in the mail.

The next time you are in Columbia give me a call, and if I'm in Charleston, I'll do the same.

Looking forward to seeing you in the near future.

Yours very truly,

H. Michael Bowers
Staff Attorney

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