

1972 WL 25283 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 18, 1972

**\*1 Re: Titling of Mobile Homes Highway-Auto Licenses No, 125**

Donald W. Harper, Esq.  
Roddey, Sumwait & Carpenter  
Attorneys at Law  
P. O. Box 1060  
Rock Hill, South Carolina 29730

Dear Mr. Harper:

By your letter of April 13, 1972, you requested this office to render an opinion as to whether mobile homes are required to be registered and licensed as motor vehicles under the applicable sections of Title 46 of the Code of Laws of South Carolina.

At the outset, I must point out that this office does not render official opinions except to other governmental offices and agencies. Nevertheless, I have looked into the question for you and conclude that Title 46 of the South Carolina Code does not require the registration and licensing of mobile homes as motor vehicles.

Section 46-11 of the Code of Laws of South Carolina requires that:

Every motor vehicle trailer . . . operated or moved upon a highway in this State shall be registered and licensed in accordance with the provisions of this chapter.

Section 46-2(13) defines 'trailer' as:

Every vehicle with or without motive power other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle . . . (emphasis added)

The language contained in §46-2(13) indicates that 'mobile homes' do not come within the coverage of § 46-11. This construction is further buttressed by reference to § 46-35.3 of the Code of Laws of South Carolina which sets for the annual license and registration that must be paid on 'house trailers'. Section 46-35.3 defines 'house trailers' as:

. . . every trailer or semitrailer which is designed, constructed and equipped as a dwelling, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets or highways . . . (emphasis added).

Section 46-35.3 further provides that:

'The Department may not license and register a house trailer which exceeds the permissible size limitations prescribed in §§ 46-654, 46-657 and 46-657.1.'

Section 46-654 states in part that 'the total outside width of any vehicle . . . shall not exceed ninety-six inches'. Section 46-657 provides in part that 'no vehicle . . . shall exceed a height of thirteen feet six inches'. Finally Section 46-657.1 provides in part that:

No motor vehicle shall exceed a length of forty feet extreme overall dimension, inclusive of front and rear bumpers . . . No combination of vehicles coupled together shall . . . have an overall length, inclusive of front and rear bumpers, in excess of fifty-five feet, except a house trailer and its pulling unit which may be sixty feet in overall length.

The above mentioned sections of Title 46 would clearly require the licensing and registering of most 'camper trailers'. The applicable Sections of Title 46 would not require and in fact expressly prohibit the registration and licensing of any trailers over 8' wide, or 13'6" high or 40' long.

\*2 I am informed that most 'mobile homes' exceed 8' in width and 40' in length. If this is the case, then Section 46-35.3 of the Code of Laws of South Carolina would clearly prohibit their licensing and registration.

I hope that I have sufficiently covered the questions which you posed.

Sincerely,

Ellison D. Smith, IV  
Assistant Attorney General

1972 WL 25283 (S.C.A.G.)

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.