

7790 Library



The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER  
ATTORNEY GENERAL

June 28, 2004

Sam W. White, Chief  
Public Safety Department  
City of Union  
215 Thompson Boulevard  
Union, South Carolina 29379

Dear Chief White:

In a letter to this office you questioned whether there is any penalty provision for a violation of S.C. Code Ann. Section 56-5-1240 (1991) which provides as follows:

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

Such provision is included in Chapter 5 of Title 56 of the Code. Pursuant to S.C. Code Ann. Section 56-5-6190 (1991)

It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony. Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

*Request Letter*

Chief White  
Page 2  
June 28, 2004


In my opinion, Section 56-5-6190 provides the penalty for a violation of Section 56-5-1240 inasmuch as another penalty is not specifically provided for a violation of such provision.

Sincerely,



Charles H. Richardson  
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook  
Assistant Deputy Attorney General