

July 3, 2007

B. V. Strickland, Commander of Operations
North Myrtle Beach Department of Public Safety
1015 2nd Avenue South
North Myrtle Beach, South Carolina 29582

Dear Commander Strickland:

In a letter to this office you questioned whether golf carts and four wheelers (ATVs) are exempt from Department of Motor Vehicle registration if owned by a municipality.

Pursuant to S.C. Code Ann. § 56-3-115, the owner of a golf cart must obtain a permit from the Department of Motor Vehicles which permits the owner to operate the golf cart on highways or streets as specifically authorized by such provision. I am unaware of any exemption for golf carts owned by a municipality.

As to registration of ATVs, a prior opinion of this office dated January 5, 2006, a copy of which is enclosed, determined that while generally, motor vehicles, which would include an ATV, must be registered as required by S.C. Code Ann. § 56-3-110, it is our understanding that the Department of Motor Vehicles will not register or license an ATV. As stated in that opinion, it is our information that "...such registration and licensing are denied because it has been determined that ATVs are not designed to be road vehicles." I am unaware of any exemption or variance for an ATV owned by a municipality.

You also questioned whether ATVs may operate on State public roadways if owned by a municipality. As stated in the January 5, 2006 opinion, it is the understanding of this office that the State "...will not register or license ATVs. Without such registration and licensing, ATVs cannot be operated on public highways of this State." Again, I am unaware of any exemption or exception for an ATV owned by a municipality.

Commander Strickland
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With kind regards, I am,

Very truly yours,

Henry McMaster
Attorney General

By: Charles H. Richardson
Senior Assistant Attorney General

Enclosure

REVIEWED AND APPROVED BY:

Robert D. Cook
Assistant Deputy Attorney General