

The State of South Carolina



Office of the Attorney General

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May 17, 1991

Sheriff Gene Taylor
Anderson County Sheriff's Office
P. O. Box 5497
Anderson, SC 29623

Dear Sheriff Taylor:

You ask whether a citizen in a funeral procession can "proceed through [an] intersection against a traffic light . . . with or without a police escort." Clearly, the local police have the authority to regulate traffic intersections within their jurisdiction. S.C. Code Ann., §56-5-710(2) (1976). Additionally, §56-5-710(3) specifically provides that police officers may regulate processions on the highways within their jurisdictions. Therefore, an officer stationed at an intersection may direct a funeral procession to proceed against the traffic light. However, the Supreme Court held in Nabors v. Spencer, 207 S.E.2d 79 (1974), that when there is no police officer directing traffic so as to supersede the traffic light, no South Carolina law "exempts the driver of a vehicle in a funeral procession from the obligation to observe traffic control devices." 207 S.E.2d at p. 80.

Sincerely,

A handwritten signature in cursive script that reads "Ralph K. Anderson, III".

Ralph K. Anderson, III
Assistant Attorney General

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REVIEWED AND APPROVED:

A handwritten signature in cursive script that reads "Edwin E. Evans".

EDWIN E. EVANS
Chief Deputy Attorney General

A handwritten signature in cursive script that reads "Robert D. Cook".

ROBERT D. COOK
Executive Assistant for Opinions