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The State of South Carolina



Office of the Attorney General

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April 13, 1989

The Honorable Irene K. Rudnick
Member, House of Representatives
310-D Blatt Building
Columbia, South Carolina 29211

Dear Representative Rudnick:

In a letter to this Office you referenced the situation involving Michael Lee Bryan who was convicted in Georgia of driving under the influence. You indicated that Mr. Bryan surrendered his driver's license at the time of his arrest in Georgia. However, the State of South Carolina did not recognize the suspension until officials at the Department of Highways and Public Transportation were notified of the conviction.

Section 56-1-320 of the Code states:

(t)he Department may, in its discretion, suspend or revoke the license of any resident of this State...upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this State, would be grounds for the suspension or revocation of the South Carolina license. (emphasis added.)

It appears that the action by South Carolina officials was consistent with such provision. The statute does not provide for credit for the time involved in the loss of a license in another state prior to the conviction.

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If there is anything further, please advise.

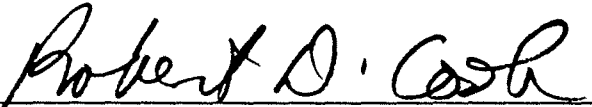
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR:sds

REVIEWED AND APPROVED BY:



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