

1980 WL 120831 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 18, 1980

*1 Mr. Emory P. Austin
Director
Motor Vehicle Division
Post Office Box 191
Columbia, South Carolina 29202

Dear Emory:

You have requested an opinion as to whether a person with a handicapped license tag or placard which has been issued pursuant to [Code of Laws of South Carolina § 56-3-1960](#) is exempt from paying municipal, county or state parking fees or fines. [Code § 56-5-2585](#) provides that disabled veterans shall be exempt from the payment of municipal parking meter fees when their vehicle bears a disabled veterans license plate issued by the Department. [Code § 56-3-1960](#) states '[a]ny person who is handicapped as defined in this article, shall be allowed to park in metered or timed parking places without being subject to parking fees or fines.' [Blacks Law Dictionary](#) defines a parking meter as a clock set on a post measuring time of parking. A metered parking place, therefore, would refer to those spaces which have a parking meter.

The meaning of the words 'timed parking' is not as clear. Rules of statutory construction require that words used in the statute be given their usual and ordinary meaning, unless otherwise indicated. [Windham vs. Page](#), 191 S.C. 271, 6 S.E.2d 270 (1939). Timed parking would, therefore, include those places where there is free parking for a specified duration with fines imposed thereafter or where tickets are issued to denote the time of arrival and departure and one is charged according to the amount of time spent in the parking place.

Anyone displaying the required placard or plate would be exempt from parking fees or fines in either a metered spot or a timed spot since the General Assembly used both terms and it is presumed that each and every word of a statute has a separate and distinct meaning. [Southerland on Statutory Construction](#), Vol. 2(a), § 46.6 (4th Ed.).

I trust that this information is of assistance to you.

Very truly yours,

Richard D. Bybee
Assistant Attorney General

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