

1977 S.C. Op. Atty. Gen. 306 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-382, 1977 WL 24719

Office of the Attorney General

State of South Carolina

Opinion No. 77-382

December 5, 1977

*1 Mr. John Hamilton
Director
S. C. Aeronautics Commission
P. O. Box 1769
Columbia, South Carolina 29202

Dear Mr. Hamilton:

You have requested an opinion interpreting Section 55-7-20 of the 1976 Code, as to requirements for the South Carolina Aeronautics Commission in registering aircraft within the State of South Carolina. The statute plainly requires a person desiring registration to annually file in the Office of the Aeronautics Commission an application for registration on the form required by the Commission together with a fee, and a policy of liability insurance on the aircraft providing certain minimum coverage established by the statute. The Commission can only issue registration number after compliance with the filing of the application, tender of the fee, and submission of a policy of liability insurance. I would not advise the Commission to register any aircraft without compliance with these requirements.

I recognize that the statute may place a burden on applicants and the Commission in requiring the filing of a policy of liability insurance with the application. However, the statute is plain and, in the absence of legislative amendment, should be complied with. I would suggest an amendment to the statute to permit filing of evidence of liability insurance rather than a policy of liability insurance.

Yours very truly,

Victor S. Evans
Deputy Attorney General

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