

1978 WL 34674 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 26, 1978

*1 Chief W. D. McGarity
Chief of Police
100 Shamrock Avenue
Landrum, SC 29356

Dear Chief McGarity:

Thank you for your letter of January 9, 1978, to the Attorney General regarding the handling of books of traffic tickets and the proper disposition of individual tickets in municipal court.

Section 56-7-30 plainly states, 'the head of each police agency shall be responsible for the required reports upon the completion of each book of tickets accounting for each ticket contained in the completed book.' (Emphasis added). Accordingly, the audit copies of tickets issued to your agency are your responsibility.

Regarding your question as to when tickets should be signed off by the judge, please be generally advised that ideally that task should be performed at the scheduled time for disposition. However, if any further explanation or authoritative opinion is required, please have the judge contact this office directly.

Finally, you have inquired as to the city's responsibility in the area of time payment for fines levied in city court. I am advised by the Office of Court Administration that the cities' representatives may be protected by employing a procedure such as is presently recommended for use in the magistrate courts. That procedure merely requires the notation in the amount of fine box on the uniform traffic ticket of an asterisk and thereafter placing at the bottom of the ticket or on the back thereof next to the corresponding asterisk a notation of the docket number in that court and the fine arrangement as approved by the judge. In this way, the city may protect its representatives by noting on the official record (traffic ticket) the agreement in a manner such as would permit an auditor to make ready reference to the docket book and the city treasurer's records.

If any further explanation is required or if you need any further assistance, please feel free to contact us.

Very truly yours,

Richard P. Wilson
Assistant Attorney General

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