

1978 WL 34825 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 31, 1978

*1 Michael A. Molony, Esquire
Staff Counsel
Labor, Commerce and Industry Committee
House of Representatives
State House
Columbia, SC 29211

Dear Mr. Molony:

Your letter to the Attorney General regarding Act No. 145 of 1977 has been referred to me for reply. Specifically, you have asked whether the provisions of Act No. 145 of 1977 (codified as [Section 56-5-3180 of the 1976 Code of Laws of South Carolina](#), as amended) applies to the solicitation by wreckers at the scene of automobile accidents or other traffic mishaps.

[Section 56-5-3180](#), *supra*, in pertinent part, provides:

(b) No person shall stand on a highway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.

The above-referenced section purports to apply only to persons standing on a highway for the purpose of soliciting business. One not standing on a highway, therefore, is by the plain terms of the act outside the proscription of the law. Nevertheless, the statute is otherwise quite clear in proscribing persons from standing on a highway for the purpose of soliciting business.

I trust the preceding discussion adequately answers your question, however, if any further explanation is required, please feel free to contact me.

With best regards, I am
Very truly yours,

Richard P. Wilson
Assistant Attorney General

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