

1978 WL 34879 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 28, 1978

**\*1 RE: Section 56-3-690 of the 1976 Code**

Colonel W. J. Seaborn  
Director of Law Enforcement  
South Carolina Department of Highways and Public Transportation  
Post Office Box 191  
Columbia, SC 29202

Dear Colonel Seaborn:

You have asked whether a special farm truck license as provided by Section 56-3-690 may be used by a landscaper who also engages in horticultural operations.

Section 56-3-690 provides, in pertinent part:

. . . a 'farm truck' is hereby defined as a truck used exclusively by the owner for . . . horticultural . . . operations . . .

Inasmuch as horticultural operations and landscaping are separate and distinct activities one involving the growth of fruits, vegetables, flowers, or ornamental plants and the other involving the planting of gardens and grounds, the two cannot be viewed as synonymous. Accordingly, if a truck is used in the landscaping business, it cannot be said to be 'used exclusively for horticultural operations,' and, therefore, does not qualify for the special farm truck license provided by Section 56-3-690.

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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