

1974 WL 27660 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 5, 1974

**\*1 In Re: Official State Highway Department Traffic-Control Devices**

Captain M. W. Cantrell  
State Highway Patrol  
Post Office Box 4706  
Charleston Heights, S.C. 29405

Dear Captain Cantrell:

You have inquired whether or not disobedience to an official State Highway Department traffic sign forbidding entry onto a road under construction constitutes a violation of the law.

Section 46-262, 1962 Code of Laws of South Carolina, defines 'official traffic-control devices' to include 'All signs - - - placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic - - -'. Section 46-304 requires the driver of any vehicle to obey the instructions of any such official traffic-control device placed in accordance with the law.

The penalties for violation of Section 46-304 are contained in Section 46-689.

It is the opinion of this Office that any driver who knowingly fails to obey the instructions of an official traffic-control device placed by proper officials forbidding entry onto a section of roadway under construction is guilty of a misdemeanor and is subject to the penalties provided by Section 46-689.

Very truly yours,

Joseph C. Coleman  
Deputy Attorney General

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