

1973 WL 26861 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 27, 1973

**\*1 In Re: Case of Bourne**

Colonel P. F. Thompson  
Commander  
South Carolina Highway Patrol  
Post Office Box 191  
Columbia, South Carolina 29202

Dear Colonel Thompson:

It is my understanding that the Bourne case from North Charleston held simply that a municipal court does not have exclusive jurisdiction of traffic violations under state law, but that it has concurrent jurisdiction with magistrates in state traffic cases within its jurisdictional limits committed within the municipality, when such jurisdiction is conferred by state law—such as, violations of state driver license laws and the uniform traffic code.

The rule remains as it was in the past:

(1) Magistrates have concurrent jurisdiction of violations of state traffic laws committed within a municipality. Fines imposed in magistrates' courts go to the County.

(2) Municipal courts have exclusive jurisdiction of all violations of municipal ordinances, and concurrent jurisdiction with magistrates of violations of most state traffic laws committed within the municipality. All fines imposed in municipal courts go to the municipality.

Yours very truly,

Joseph C. Coleman  
Deputy Attorney General

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