

1972 S.C. Op. Atty. Gen. 101 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3290, 1972 WL 20434

Office of the Attorney General

State of South Carolina

Opinion No. 3290

March 27, 1972

*1 The Honorable Philip H. Arrowsmith
County Attorney
Post Office Box 1206
Florence, South Carolina

Dear Mr. Arrowsmith:

I regret that I have not previously confirmed our conversation of sometime ago with regard to the obligation of a county to erect street signs (traffic control devices) on roads that the county has taken over as a part of the public highways of the county.

The placement of signs for traffic control in county roadways is governed by the provisions of Section 46–303, Code of Laws of South Carolina, 1962, which requires that local authorities in their respective jurisdictions shall place and maintain such traffic control devices upon highways under their jurisdiction as they may deem necessary to comply with State regulations and to regulate, warn, or guide local traffic. The placement of signs is subject to the overall guidance as provided in the manual of traffic control devices promulgated by the South Carolina State Highway Department.

Where roads are not subject to the jurisdiction of county authorities, such as private roads or privately constructed roads not made a part of the county system of highways, it is my opinion that public funds may not be expended for the placement of signs therein. Once local roads, not a part of the State highway system, are accepted into the county system of highways, the public authorities of that county are required to place traffic control devices thereon. See Section 31–801.

I am of the opinion also that privately constructed roads may be accepted into a county system, with an attached condition precedent that the cost of erecting traffic control devices be borne by the individuals desiring to have such roads placed in the county system.

Very truly yours,

Daniel R. McLeod
Attorney General

1972 S.C. Op. Atty. Gen. 101 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3290, 1972 WL 20434

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.