

1979 WL 43183 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 26, 1979

\*1 Mr. Jerry E. Stevens  
Vice President for Finance and Administration  
Trident Technical College  
Post Office Box 10367  
Charleston, South Carolina 29411

Dear Mr. Stevens:

In a recent letter to this Office you referenced that pursuant to Act No. 1098 of 1972, Trident Technical College issues parking and traffic tickets for violations of traffic regulations promulgated pursuant to such Act. You further stated that the Administration of the College has established a Parking and Traffic Appeals Board of hear and dispose of cases brought against individuals for violating such traffic regulations. You have asked the following question.

'Does the locally established Traffic Appeals Board have the authority to hear and dispose of appeals on moving violations written on the Uniform Traffic Citation or must these cases by heard in the local traffic courts?'

It was indicated that parking violations are no problem but you were concerned with disposing of moving violations.

Please be advised that pursuant to Section 5 of such Act:

'(t)the recorder, judge or the magistrate having jurisdiction within the area where such State institution is situate shall have jurisdiction to hear, try and determine violations of the provisions of this act.' (now codified as [Section 56-21-50, Code of Laws of South Carolina, 1976.](#))

There are no provisions in such Act for the establishment of a separate Parking and Traffic Appeals Board to consider traffic cases. Also, my research has not indicated any special legislation for Trident Technical College which would authorize such a Board. Therefore, in the opinion of this Office, the establishment of such a Board would be improper and any traffic cases should be heard and determined by the recorder, judge, or magistrate with jurisdiction over the area where the College is located.

If there is anything further, do not hesitate to contact me.

Sincerely,

Charles H. Richardson  
Assistant Attorney General

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