

1976 S.C. Op. Atty. Gen. 267 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4415, 1976 WL 23032

Office of the Attorney General

State of South Carolina

Opinion No. 4415

August 2, 1976

*1 Honorable M. Ernest Nunnery
Representative
District No. 44
Route 1
Fort Lawn, South Carolina 29714

Dear Mr. Nunnery:

This is in response to our telephone conversation of last week concerning the two problems that we discussed.

Your first question deals with whether non-salaried auxiliary policemen come under the county group insurance program. As you are no doubt aware a recent act of the General Assembly (1976 Ratification Number 816) provides that the Chief of Police of any municipal corporation or county police department may appoint a number of auxiliary police officers. I was unaware of this Act during our prior conversation, but it was brought to my attention by Deputy Attorney General J. C. Coleman. This would of course negate any opinion rendered by this Office based on prior law concerning the invalidity of an auxiliary police commission.

The question you have posed deals with the refusal of the insurance company which covers county employees to offer coverage to these auxiliary policemen. I am afraid that I would be unable to render an opinion dealing with the terms of an insurance policy without reviewing the same. It would appear, however, that the auxiliary police officers would be regular employees of the municipal corporation or county police department. This is based on the fact that this Act grants to the auxiliary police officers the same powers as are prescribed by law for regular salaried police officers. Additionally, the Act states that the auxiliary police officers shall hold 'office' for the period provided in the Commission.

The second question you have posed deals with registration and license fees for automobiles owned by disabled veterans. It appears that the provisions of 46-61, 1962 Code of Laws, as amended, provides that wartime disabled veterans who meet certain requirements may make application for license tags without paying the usual fees. Reading this statute along with § 46-72, supra, I would be of the opinion that these same disabled veterans would not need to pay the fee for a revalidation sticker.

Additionally, you have asked whether disabled veterans would be entitled to get new license tags indicating veteran status. Such license tags are provided for at § 46-62, supra. I can find no provision that would allow the issuance of a new license tag during the period for which an existing license tag is valid. It would appear that a license tag indicating veteran status could be issued at the expiration of a currently valid license, but until that time one would not be able to switch license tags.

With kindest regards, I am
Very truly yours,

Cameron B. Littlejohn, Jr.
Staff Attorney

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