

From: Taylor, Richele
To: Smith, Leroy <LeroySmith@SCDPS.GOV>
Date: 11/14/2016 4:28:19 PM
Subject: RE: Officers issuing tickets in violation of Executive Order

Thank you Leroy!
Richele

From: Smith, Leroy [mailto:LeroySmith@SCDPS.GOV]
Sent: Monday, November 14, 2016 4:19 PM
To: Taylor, Richele
Subject: RE: Officers issuing tickets in violation of Executive Order

Richele,

After reviewing the circumstances surrounding the issuance of the two mentioned tickets, we have concluded that ticket #W498592 (Clay Scott) was issued in error. Mr. Scott was operating within the guidelines of the 90,000-pound order (88,000 pounds). The driver (Clay Scott) has been notified that no fines will be collected. This ticket will be Nolle Prossed by the officer.

Ticket #W498659 (Ricky Smith) was calculated and issued in error based on the 90,000-pound waiver. The officer calculated the fine based on the normal 80,000 pounds with the 15% tolerance (84,272). The actual weight of the load was 90,800 pounds. The fine for being 800 pounds over would have been \$16.00. However, after the officer realized that he made an error in calculating the fine, he made a decision to Nolle Pros the ticket. (Plus, it would have cost more in personnel and administrative cost to locate the driver and reissue another ticket.) We have notified the driver by phone that the ticket will be Nolle Prossed, and no further action will be required on his part.

We will continue to monitor our officers' activity closely for such errors. Thank you for bringing this matter to my attention.

Leroy

Director Leroy Smith

From: Taylor, Richele [mailto:RicheleTaylor@gov.sc.gov]
Sent: Friday, October 28, 2016 2:08 PM
To: Smith, Leroy
Subject: Fwd: Officers issuing tickets in violation of Executive Order

Leroy, two more tickets from before you sent out the reminder to your staff.

Richele K Taylor
Chief Legal Counsel
Office of the Governor
South Carolina
Direct 803-734-8465

Sent from my iPhone

Begin forwarded message:

From: "Cam Crawford" <CCrawford@scforestry.org>
To: "Taylor, Richele" <RicheleTaylor@gov.sc.gov>
Subject: Officers issuing tickets in violation of Executive Order

Richele,

Attached are two additional traffic tickets issued without regard to the Governor's Executive Order 2016-28 waving truck weight limits up to 90,000 pounds.

The first ticket was issued to Clay Scott W 498592 for hauling a load at vehicle weight of 88,000. This ticket clearly doesn't comply with the 90,000 pound allowance established under Executive Order 2016-28.

The second ticket issued to Ricky Smith W 498659 appears to be valid because Mr. Smith was hauling at a vehicle weight of 90,800 but the fine is calculated on a legal gross weight of 84,272 instead of 90,000 pounds.

I would appreciate you contacting the Department of Public Safety regarding these tickets.

Colonel Leroy Taylor did call me regarding the ticket issued in Fairfield County and said the case will be "not pressed". Colonel Taylor was very professional and indicated that a notice would be sent to his officers reminding them that Executive Order 2016-28 is still in effect. These tickets may have been written before he sent out that notice.

Cam Crawford
President & CEO
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Representing SC's \$18 Billion Forest Industry