CHAPTER 13

Provisions Affecting Bridges Only

**SECTION 57‑13‑10.** Commission may cooperate with respect to interstate bridges.

The commission may cooperate and negotiate with the proper authorities of adjoining states in the construction, purchase, acquisition and maintenance of bridges constructed or to be constructed across streams which constitute boundaries between this State and such adjoining states and may expend for such purposes not exceeding one half of the total cost of such bridges and approaches thereto and bear a proportionate part of the maintenance thereof, such expenditures to be made from the funds available for the construction and maintenance of highways and bridges in the state highway system.

HISTORY: 1962 Code Section 33‑601; 1952 Code Section 33‑601; 1942 Code Section 6062; 1932 Code Section 6062; 1926 (34) 995; 1993 Act No. 181, Section 1525.

CROSS REFERENCES

Exemption of school trustees from all bridge charges, see Section 59‑19‑320.

Library References

Bridges 7.

States 6.

Westlaw Topic Nos. 64, 360.

C.J.S. Bridges Sections 7 to 11, 29.

C.J.S. States Sections 13, 71 to 75, 272.

**SECTION 57‑13‑20.** Counties may provide funds for interstate bridges; reimbursement.

Any county may, with the approval of the Commission, provide the funds necessary for participation in the construction, purchase or acquisition of any such bridge as is described in Section 57‑13‑10 and shall be entitled to reimbursement therefor under the provisions of Article 1 of Chapter 11 of this Title.

HISTORY: 1962 Code Section 33‑602; 1952 Code Section 33‑602; 1942 Code Section 6063; 1932 Code Section 6063; 1926 (34) 995.

CROSS REFERENCES

Counties, generally, see Sections 4‑1‑10 et seq.

**SECTION 57‑13‑30.** Preceding sections inapplicable to certain bridges.

Sections 57‑13‑10 and 57‑13‑20 shall not apply to any bridge or crossing which does not constitute the terminus of a highway in the State highway system.

HISTORY: 1962 Code Section 33‑603; 1952 Code Section 33‑603; 1942 Code Section 6062; 1932 Code Section 6062; 1926 (34) 995.

CROSS REFERENCES

State highway system, see Sections 57‑5‑10 et seq.

**SECTION 57‑13‑40.** Commission may grant permits for toll bridges.

The commission may permit any person, county or municipality, or any combination thereof, to construct toll bridges and appertaining structures suitable for highway traffic on any roads of the state highway system. But before any such permit is issued an agreement satisfactory to the Department of Transportation must be executed by the person receiving such permit fixing conditions under which the bridge is to be constructed, the character and design of the structure, the rate of toll to be charged traffic using it and the terms according to which it can be acquired by the State or counties concerned.

HISTORY: 1962 Code Section 33‑605; 1952 Code Section 33‑605; 1942 Code Section 6064; 1932 Code Section 6064; 1926 (34) 995; 1993 Act No. 181, Section 1526.

Library References

Bridges 33.

Westlaw Topic No. 64.

C.J.S. Bridges Sections 99 to 113.

**SECTION 57‑13‑50.** Public notice before issue of permit for toll bridge.

No permit shall be issued by the Commission under the authority of Section 57‑13‑40 except after advertisement of all the terms and conditions affecting such permit in at least five daily newspapers of this State and after the county legislative delegation of every county directly adjacent to the bridge has been given formal notice, describing such terms and conditions, and has approved such terms and conditions.

HISTORY: 1962 Code Section 33‑606; 1952 Code Section 33‑606; 1942 Code Section 6065; 1932 Code Section 6065; 1926 (34) 995.

Library References

Bridges 33.

Westlaw Topic No. 64.

C.J.S. Bridges Sections 99 to 113.

**SECTION 57‑13‑60.** Duties of county governing bodies with respect to bridges.

The governing body of each county may have special supervision of the building of new bridges over the rivers and creeks of this State and of extra and extensive repairs of old bridges. When such work is to be accomplished the supervisor and governing body of the county shall give fifteen days’ notice in the county paper and in writing duly posted in the neighborhood in which such work is to be performed that the supervisor will be at such place on such a day and hour, with suitable specifications, to let out such work to the lowest bidder and to take from the successful bidder a sufficient bond for the faithful performance of his duty. When the work is done, it shall be inspected by the supervisor and the governing body of the county, and they shall accept or reject the work according as they may determine whether the contractor has or has not complied with the terms of the contract.

HISTORY: 1962 Code Section 33‑607; 1952 Code Section 33‑607; 1942 Code Section 5842; 1932 Code Section 5842; Civ. C. ‘22 Section 2935; Civ. C. ‘12 Section 1959; 1902 (23) 1014.

CROSS REFERENCES

Counties, generally, see Sections 4‑1‑10 et seq.

Library References

Bridges 7.

Westlaw Topic No. 64.

C.J.S. Bridges Sections 7 to 11, 29.

**SECTION 57‑13‑70.** Expenses of bridges over waters between two counties.

If it shall be necessary to erect or repair any bridge over waters of this State which shall constitute a boundary line between counties, the governing bodies of such counties shall cause such bridge to be erected or repaired in the manner provided in Section 57‑13‑60, each county bearing an equal share of the expense so incurred. And when any such bridge already exists or shall hereafter be built, such governing bodies shall divide the same, by measurement from the center to the end of each approach, and each county shall be responsible for the good condition of the half next adjoining such county. And when it becomes necessary to build a new bridge or to replace entirely an old one which has been carried away or destroyed, the governing bodies of the two counties shall do so, as aforesaid.

HISTORY: 1962 Code Section 33‑608; 1952 Code Section 33‑608; 1942 Code Section 5843; 1932 Code Section 5843; Civ. C. ‘22 Section 2936; Civ. C. ‘12 Section 1960; 1902 (23) 1014.

CROSS REFERENCES

Boundaries of existing counties, see Sections 4‑3‑10 et seq.

Change of boundaries, see Section 4‑5‑120 et seq.

Library References

Bridges 10(2).

Westlaw Topic No. 64.

C.J.S. Bridges Section 28.

**SECTION 57‑13‑80.** Formation of bridge districts by counties.

Any two or more counties of this State desiring to construct a bridge or bridges across any of the streams of the State, whether contiguous to such counties or not, may enter into a combination and form a bridge district.

HISTORY: 1962 Code Section 33‑609; 1952 Code Section 33‑609; 1942 Code Section 5844; 1932 Code Section 5844; 1922 (32) 1332.

Library References

Bridges 13.1.

Westlaw Topic No. 64.

C.J.S. Bridges Section 58.

**SECTION 57‑13‑90.** Width of bridges on state highways.

It shall be unlawful for any person, board, commission or other group of persons charged with the duty of building bridges on the public highways of this State within the State highway system to construct any bridge of insufficient width to allow the free passage of at least two vehicles at one time, and it shall also be unlawful to construct any such bridge without providing for and maintaining a clearly defined center line on it, sufficiently clear and distinct to be plainly discernible at all times. On all such bridges there shall be provided ample width on each side of such line for the passage of one vehicle.

HISTORY: 1962 Code Section 33‑610; 1952 Code Section 33‑610; 1942 Code Section 1615; 1932 Code Section 1615; 1928 (35) 1203; 1937 (40) 222.

**SECTION 57‑13‑100.** Contracts for work on bridges.

All the work on bridges given out by the county supervisor and the governing body of the county shall be done by contract when the amount shall exceed the sum of ten dollars. When the amount shall exceed the sum of one hundred dollars, the county supervisor and the governing body of the county shall advertise the work in at least one of the papers in the county. When the amount is less than one hundred and more than ten dollars, the county supervisor and governing body of the county shall advertise the work by posting a notice in three public places, one of which must be at the place where the work is to be done, such notices to be posted ten days prior to the day on which the work is to be let.

A proposal to do any such work shall in all such cases be accompanied by two or more sureties when the amount thereof is in excess of one hundred dollars. The county supervisor and the governing body of the county shall have the right to reject any or all bids if in their judgment the interest of the county so requires.

HISTORY: 1962 Code Section 33‑612; 1952 Code Section 33‑612; 1942 Code Section 5808; 1932 Code Section 5808; Civ. C. ‘22 Section 2902; Civ. C. ‘12 Section 1929; 1902 (23) 998; 1910 (26) 721; 1913 (28) 5.

Library References

Bridges 20(2).

Westlaw Topic No. 64.

C.J.S. Bridges Section 56.

NOTES OF DECISIONS

In general 1

1. In general

Provision for contract mandatory. It is a condition of the power or jurisdiction of the county board of commissioners to allow a claim under this section [formerly Code 1962 Section 33‑612], that a contract should be in existence; for the language of the statute is mandatory and not permissive. State v. Goodwin (S.C. 1908) 81 S.C. 419, 62 S.E. 1100.

**SECTION 57‑13‑110.** Wanton or wilful injury to or destruction of bridges.

Whoever shall wantonly or wilfully injure or destroy any bridge built by authority of the commissioners of any two counties over any river or creek lying between such counties, on indictment and conviction of so doing at the court of general sessions in the county in which the offense was committed, shall be subject to such fine and imprisonment as the court shall direct. But nothing herein contained shall be construed to extend to any toll bridge established by law. Any person who shall wilfully or maliciously injure or destroy any bridge on any public road in this State shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not less than fifty nor more than five hundred dollars or be imprisoned not less than thirty nor more than ninety days, in the discretion of the court. Nothing herein contained shall affect the right of action for damages in a civil suit against the person so injuring or destroying any such bridge.

HISTORY: 1962 Code Section 33‑614; 1952 Code Section 33‑614; 1942 Code Section 1647; 1932 Code Section 1647; Cr. C. ‘22 Section 597; Cr. C. ‘12 Section 629; Cr. C. ‘02 Section 454; G. S. 2509, 2510, 2511; R. S. 363; 1825 (9) 570; 1881 (17) 570.

Library References

Bridges 27.

Westlaw Topic No. 64.

C.J.S. Bridges Sections 164 to 168.

**SECTION 57‑13‑120.** Owners of milldams and bridges shall keep them in repair.

All owners of milldams and bridges in connection therewith over which any public highway shall pass shall keep the same in good repair, and no county shall be responsible for repairs upon them, except that the governing body of any county may have any such dam or bridge repaired in the ordinary way of repairing highways and bridges, if, in their opinion, such ordinary repairs be just.

HISTORY: 1962 Code Section 33‑615; 1952 Code Section 33‑615; 1942 Code Section 5845; 1932 Code Section 5834; Civ. C. ‘22 Section 2937; Civ. C. ‘12 Section 1961; 1904 (24) 399.

Library References

Bridges 21(1).

Westlaw Topic No. 64.

C.J.S. Bridges Sections 73 to 77, 79 to 85.

**SECTION 57‑13‑130.** Preservation of certain covered bridges; limitations on use; damage claims.

The Department of Transportation is authorized to maintain and preserve the following covered bridges with the necessary connections with the state highway system:

The Old Lower Gassaway Bridge off State Road 137 in Pickens County.

The Prathers Bridge over the Tugaloo River on State Road 160 between Oconee County and the State of Georgia.

The bridge over Long Crane Creek on State Road 36 about three and one‑half miles west of Troy in McCormick County.

The department may negotiate with the appropriate officials of the State of Georgia for the joint preservation and maintenance of the Prathers Bridge.

The department may limit the use of the bridges described herein to pedestrian traffic.

The provisions of Article 13, Chapter 5, Title 57 shall not apply to the maintenance of the bridges described in this section.

HISTORY: 1962 Code Section 33‑616; 1964 (53) 2088; 1978 Act No. 415; 1993 Act No. 181, Section 1527.