

Opinion No. 287
Answered by Letter

September 24, 1964



Honorable Charles G. Hyler
Prosecuting Attorney
St. Francois County
Courthouse
Farmington, Missouri

Dear Sir:

This is in reply to your request for an official opinion dated August 13, 1964, as to what agency can make and enforce traffic regulations on the streets and roads within the grounds of State Hospital No. 4 at Farmington, Missouri. We assume that you are inquiring about the private roads within the hospital grounds and that you want to know what, if any, agency can make and enforce regulations which will be cognizable as a misdemeanor.

While we believe that the Department of Public Health and Welfare or the Division of Mental Diseases can make requirements regulating traffic and use of streets in the area of the hospital, yet we have found no statute in which the Department of Public Health and Welfare or the Division of Mental Diseases have been specifically delegated authority to make rules regulating traffic, or use of streets in the area of the hospital. We conclude therefore that there are no applicable statutes and there can be no criminal prosecution for a violation thereof.

For your information, we note that this authority has been delegated to the Director of Public Buildings in the capital city by Section 8.172, RSMo 1959.

Yours very truly,

THOMAS F. EAGLETON
Attorney General

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