

FILED  
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January 29, 1969

Opinion No. 90  
OPINION NO. 446  
Answered by Letter -- Culver

Mr. Carl D. Gum  
Prosecuting Attorney  
Courthouse  
Harrisonville, Missouri 64701

Dear Mr. Gum:

In response to your opinion request of December 6, 1968, we enclose a copy of an opinion previously rendered by our office, May 17, 1949, to David E. Harrison, then Superintendent, Missouri State Highway Patrol.

As you will note, that opinion rather unequivocally states that under Missouri law the Highway Patrol has authority to enforce the traffic laws even on privately owned and maintained roads if they are used by the public in general. In our opinion, the cases and statutes referred to in that opinion are sound and remain controlling on this point.

It would, therefore, appear that in view of the authorities contained in the enclosed opinion, the Missouri State Highway Patrol does have authority to patrol and issue Missouri Uniform Traffic Tickets for violation of the Traffic Code on roadways in the area of Lake Winnebago which are open to and travelled by the public.

Yours very truly,

JOHN C. DANFORTH  
Attorney General

Enclosure: 5/17/49, Harrison