



OFFICES OF THE  
ATTORNEY GENERAL OF MISSOURI  
JEFFERSON CITY

JOHN C. DANFORTH  
ATTORNEY GENERAL

April 9, 1973

OPINION LETTER NO. 160

Honorable Wesley A. Miller  
State Representative, District 121  
Room 235B Capitol Building  
Jefferson City, Missouri 65101

Dear Representative Miller:

This letter is in response to your question asking:

"Does the County Court of a Second Class County have the right to limit access on County roads either on existing roads or on such roads that may hereafter be condemned or acquired?"

You also state that:

"The County of Franklin is contemplating the construction of a County road from new Highway 100 to the western edge of the industrial tract of the city of Washington, Missouri. If the existing land owners or their successors are permitted unlimited access to this road it would greatly increase the amount of traffic to be carried by the proposed road and in addition would create added traffic hazards.

"There are also other roads in my jurisdiction being proposed which would have the same traffic problems if access is not controlled or limited."

We find no statutory authority for such a county to limit access to county roads. By comparison the State Highway Commission has such express authority with respect to state highways.

Honorable Wesley A. Miller

Missouri Constitution, Article IV, Section 29; Handlan-Buck Co. v. State Highway Commission, 315 S.W.2d 219 (Mo. 1958). Further, we find no case authority for limiting access to county roads.

It is therefore our view that the county court has no such authority.

Very truly yours,

A handwritten signature in cursive script, reading "John C. Danforth". The signature is written in dark ink and is positioned below the typed name.

JOHN C. DANFORTH  
Attorney General