



The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER
ATTORNEY GENERAL

February 13, 2003

Richard L. Pearce, Esquire
Aiken City Solicitor
Post Office Box 1177
Aiken, South Carolina 29802

Re: Installation of Neon Colored Lights on Motor Vehicles

Dear Mr. Pearce:

You have asked for an opinion from this Office concerning the above topic. By way of background, you indicate that "[a]fter reviewing South Carolina Code sections 56-5-4700-4840 et seq., [you] cannot find any code section that authorizes colored lights on automobiles other than clear, amber, or red." You also indicate that you are "... aware that auto supply stores selling neon colored lights for motor vehicles contain a warning that these other colored lights may not be 'street legal'." Given this background, you ask "[b]y specifying only clear, amber or red lights for motor vehicles, are other colored lights on motor vehicles in South Carolina appropriate?"

In researching the Code, I, like you, can find no specific provision authorizing the installation of neon colored lights on motor vehicles. Conversely, I can find no statutory authority prohibiting the lights. This Office has previously opined on the legality of neon or fluorescent lights installed under automobiles. In this opinion, we noted that there was no "... direct statutory prohibition of the lights..." See Op. S.C. Atty. Gen. Dated December 21, 1994.

Section 56-5-4430 is entitled "Additional parts and accessories not prohibited" and provides that "[n]othing contained in this article shall be construed to prohibit the use of additional parts and accessories of any vehicle which are not inconsistent with the provisions of this article." Therefore, because there appears to be no statutory prohibition of the installation of the neon lights, Section 56-5-4430 seems to provide authorization for the use of the lights as long as they are installed in a manner consistent with the provisions of Chapter 5, Article 35 of Title 56 (i.e. 56-5-4410 through 56-5-5150). Further support for this conclusion is found in Section 56-5-4830 which states, in part, that:

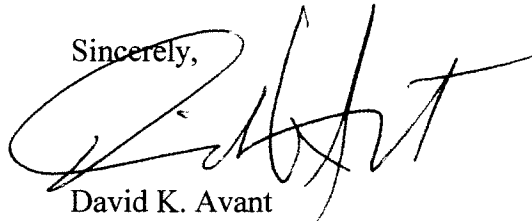
[a]ny lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency-vehicle warning lamps and school-bus warning lamps, which project a beam of light of an intensity

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greater than three hundred candle power shall be so directed that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

That the Section allows the use of "any lighted lamp or illuminating device upon a motor vehicle" as long as it is either a low intensity light or is directed in a certain manner indicates the use of such additional lighting is not prohibited.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Avant', with a large, sweeping flourish extending from the end of the name.

David K. Avant
Assistant Attorney General

DKA/an