



HENRY McMASTER  
ATTORNEY GENERAL

August 3, 2006

Dale L. DuTremble, Esquire  
City Prosecutor  
City of North Charleston  
Post Office Box 190016  
North Charleston, South Carolina 29419-9016

Dear Mr. DuTremble:

In a letter to this office you questioned whether a private security guard could display a blue light in his car.

Private security guards are licensed by SLED. See: S.C. Code Ann. § 40-18-80. SLED is also authorized to promulgate regulations regarding private security guards. See: S.C. Code Ann. § 40-18-30. Pursuant to SLED Regulation 73-40 (17),

[s]ecurity patrol cars shall utilize emergency lights that are amber in color. If a Security Agency feels blue or red emergency lights are necessary on their patrol vehicles, the following is required:

- (a) Owner of the property which the security agency is patrolling shall comply with all provisions of the South Carolina Uniform Act Regulating Traffic to Private Roads.
- (b) Copies of all written approvals governed by the provisions of the Act given above shall be filed with SLED.
- (c) Security Agency shall make application to the Division for Uniform Traffic Summons Books.
- (d) Emergency blue or red lights shall be removed or concealed when security patrol car is not on said property which security agency is patrolling.

Therefore, a private security guard may display a blue light consistent with the above regulation.

You also questioned whether a private security guard has the same arrest powers as a police officer. S.C. Code Ann. § 40-18-110 states that

*Request Letter*

Mr. DuTremble

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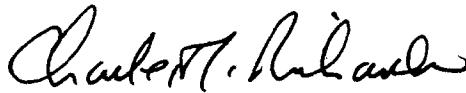
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[a] person who is registered or licensed under...(S.C. Code Ann. §§40-18-20 et seq.)...and who is hired or employed to provide security services on specific property is granted the authority and arrest power given to sheriff's deputies. The security guard may arrest a person violating or charged with violating a criminal statute of this State but possesses the powers of arrest only on the property on which he is employed.

Therefore, a private security guard has arrest powers consistent with such provision.

With kind regards, I am,

Very truly yours,



Charles H. Richardson  
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook  
Assistant Deputy Attorney General