

7385 Murray



The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

CHARLES M. CONDON
ATTORNEY GENERAL

June 12, 2002

Patrick S. Murray, Fire Chief
Cherokee Springs Fire District
201 Flatwood Drive
Chesnee, South Carolina 29323

Re: Blue Lights on Fire Department Vehicles

Dear Chief Murray:

You have asked for this Office to provide an opinion on the following question: "can [the Cherokee Springs Fire District] put blue lights on our fire units?"

A fire department vehicle is considered an "authorized emergency vehicle" pursuant to S.C. Code Ann. §56-5-170. Section 56-5-4700(b) requires that such vehicles be equipped with flashing red lights. Police vehicles are also considered emergency vehicles. Section 56-5-4700(c) provides that police vehicles may be equipped with red or blue flashing lights. That section also provides that "it shall be unlawful for any person to possess any flashing, oscillating or rotating blue light on any vehicle except one used primarily for law enforcement purposes." In a previous opinion, this Office opined that if a "vehicle is not used primarily for law enforcement purposes ... it would be unlawful for it to utilize a rotating blue light." See OP. ATTY. GEN. Dated April 1, 1980. Accordingly, it is my opinion that the fire units for the Cherokee Springs Fire District may not utilize blue lights.

This letter is an informal opinion only. It has been written by a designated Assistant Attorney General and represents the position of the undersigned attorney as to the specific question asked. It has not, however, been personally scrutinized by the Attorney General and not officially published in the manner of a formal opinion.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Avant".

David K. Avant
Assistant Attorney General

DKA/an

Rembert C. Dennis