

# The State of South Carolina



## Office of the Attorney General

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December 21, 1994

The Honorable Lynne Benfield  
Magistrate, York Bethesda Townships  
Moss Justice Center  
1675-1D York Highway  
York, South Carolina 29745-7427

Dear Judge Benfield:

Attorney General Medlock has referred to me your letter of December 13, 1994 for reply.

You asked about the legality of neon or florescent lights under automobiles. You indicated that you had not been able to find a statute which appeared to pertain to such lights. I am assuming from your description you are referring to auxiliary lights similar to ones featured recently in an article in the State Newspaper. The automobile pictured had florescent lights mounted along the side but underneath the vehicle, and projected a glow of light downward.

I have examined S.C. Code Ann. §§16-21-10 et seq., Criminal offenses relating to motor vehicles, and found nothing there that relates to these types of lights. In addition, I have gone through Chapter 5 of Title 56 of the Code of Laws, the general traffic and motor vehicle laws, and have found nothing that would prohibit such neon or florescent lights mounted in the circumstances which I have just described. The closest I could find, and I would not even concede they apply, would be the following, copies of which are enclosed: §56-5-4690, regarding auxiliary driving lamps, which requires them to be between 16 and 42 inches off the ground; §56-5-4680, auxiliary passing lamps, which must be between 24 and 42 inches off the ground; §56-5-4750, which limits the placement of lamps, two on the side cowl or fender, and one courtesy lamp on the running board; and finally, §56-5-4830, which prohibits a lighted lamp or illuminating device upon a vehicle, other than the standard headlamps or turn signals, from projecting a beam of light greater

*Revised Letter*

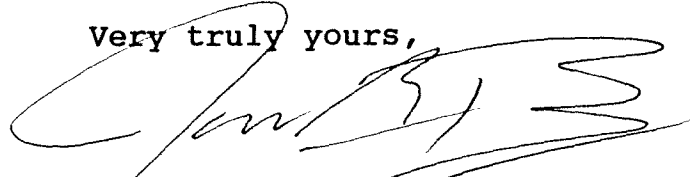
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than three hundred candle power to strike the roadway more than seventy-five feet from the vehicle.

Some of these statutes are quite old, but have remained unchanged. I am not sure how many vehicles with neon or florescent lights have running boards, for example.

The enclosed statutes are the closest I could find, but I do not believe any of them constitute a direct statutory prohibition of the lights you have described in your letter. For further reference, you may wish to contact the Legal Department at the South Carolina Department of Transportation.

Very truly yours,



James G. Bogle, Jr.  
Assistant Attorney General

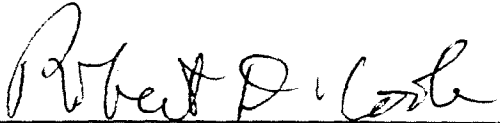
JGBjr:ypj

Enclosures

APPROVED BY:



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