

1973 S.C. Op. Atty. Gen. 207 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3563, 1973 WL 21020

Office of the Attorney General

State of South Carolina

Opinion No. 3563

July 3, 1973

***1 State Highway Patrolmen have full law enforcement authority both in uniform and out of uniform.**

Patrolman

Manning, S. C.

You have inquired whether or not a State Highway Patrolman may exercise his authority as a law enforcement officer when not in uniform.

Section 46–854 gives to members of the State Highway Patrol full authority as peace officers of the State. Although § 46–853 states that State Highway Patrolmen shall at all times when in the performance of their duties wear complete uniforms with badges conspicuously displayed on the outside of their uniforms, it is my opinion that this provision is directory rather than mandatory and that State Highway Patrolmen have full law enforcement authority both in uniform and out of uniform.

Joseph C. Coleman

Deputy Attorney General

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