

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

S

1

SENATE BILL 117

Short Title: Expand Use of Civilian Crash Investigators. (Local)

Sponsors: Senators Lee and Mayfield (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 16, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE AUTHORITY OF CIVILIAN TRAFFIC INVESTIGATORS IN
3 THE CITY OF WILMINGTON AND TO AUTHORIZE THE CITY OF ASHEVILLE TO
4 EMPLOY AND ALLOW CIVILIAN PERSONNEL TO INVESTIGATE TRAFFIC
5 CRASHES INVOLVING ONLY PROPERTY DAMAGE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** S.L. 2007-218 reads as rewritten:

8 "SECTION 1. This act applies to the City of Wilmington only.

9 "SECTION 2. Notwithstanding any other provision of law, the City of Wilmington is hereby
10 authorized to employ and allow civilian personnel to investigate traffic ~~crashes.~~ crashes and issue
11 citations for infractions under Chapter 20 of the General Statutes related to the traffic crashes
12 investigated. The civilian personnel shall be known as "Civilian Traffic Investigators".

13 ...

14 "SECTION 8.(a) A Civilian Traffic Investigator shall have no authority to arrest or issue
15 criminal ~~process.~~ process, except citations pursuant to subsection (b) of this section. A Civilian
16 Traffic Investigator shall not be issued a weapon of any type.

17 "SECTION 8.(b) Notwithstanding any other provision of law, a Civilian Traffic Investigator
18 shall have the authority to issue citations for infractions under Chapter 20 of the General Statutes
19 related to the traffic crashes that the Civilian Traffic Investigator investigates.

20"

21 **SECTION 1.(b)** This section is effective when it becomes law.

22 **SECTION 2.(a)** Article XIII of the Charter of the City of Asheville, being Chapter
23 121 of the Private Laws of 1931, as amended, is amended by adding a new section to read as
24 follows:

25 **"Sec. 101.2. Civilian Traffic Investigators.**

26 (a) Notwithstanding any other provision of law, the City may employ and allow civilian
27 personnel to investigate traffic crashes and issue citations for infractions under Chapter 20 of the
28 General Statutes related to the traffic crashes investigated. The civilian personnel shall be known
29 as "Civilian Traffic Investigators."

30 (b) All of the following shall apply to Civilian Traffic Investigators (hereinafter
31 "Investigator" or "Investigators") employed by the City:

32 (1) The City shall establish the minimum standards for employment as an
33 Investigator.

34 (2) Each Investigator shall attend a training program designed by the Chief of
35 Police of the Asheville Police Department, or the Chief's designee, in
36 consultation with the North Carolina Justice Academy. Upon completion of



the training program, each Investigator shall spend not less than four weeks of field training with a law enforcement officer who has experience conducting traffic crash investigations.

(3) Each Investigator shall be issued credentials by the City identifying the individual as a Civilian Traffic Investigator. The Investigator shall produce official credentials at any time when requested by a member of the public involved in or a witness to a crash.

(4) Investigators shall be issued a uniform that is substantially different in color and style from that of a law enforcement officer for the City. The uniform shall have patches that clearly identify the individual as an Investigator, and the individual's name shall be clearly displayed on the uniform. Investigators shall not be issued badges.

(5) Any vehicles issued to, or used by, an Investigator shall not bear markings or symbols that identify the vehicle as a police vehicle. The vehicle may have emergency equipment and lights installed but shall not use blue lights in any manner or form. Red and amber lights are permissible.

(6) Investigators shall not be issued a weapon of any type.

(7) Investigators shall have no authority to arrest or issue criminal process.

(8) Investigators shall investigate crashes involving only property damage. Investigators shall comply with all provisions of G.S. 20-166.1. A report completed by an Investigator shall be treated the same as if it were completed by a law enforcement officer for purposes of G.S. 20-166.1(i). A law enforcement officer shall investigate any crash involving personal injury or a fatality.

(9) Investigators shall have the same authority as a law enforcement officer to tow or remove a vehicle that is obstructing a public street or highway."

SECTION 2.(b) No later than December 31, 2024, the City of Asheville shall submit to the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety a written report on the training and use of Civilian Traffic Investigators, as authorized in this section, for the period commencing on the effective date of this section and concluding November 1, 2024.

SECTION 2.(c) This section is effective when it becomes law.

SECTION 3. Except as otherwise provided, this act is effective when it becomes law.