

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 140
Committee Substitute Favorable 3/1/23

Short Title: Civilian Traffic Crash Investigators.

(Public)

Sponsors:

Referred to:

February 20, 2023

A BILL TO BE ENTITLED
AN ACT AUTHORIZING CITIES TO EMPLOY AND ALLOW CIVILIAN PERSONNEL TO
INVESTIGATE TRAFFIC CRASHES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 21 of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-499.6. Civilian traffic crash investigators.

A city may employ and allow civilian personnel to investigate traffic crashes (hereinafter "civilian investigator"). All of the following shall apply to civilian investigators employed by a city to investigate traffic crashes:

- (1) The city shall establish the minimum standards for employment as a civilian investigator.
- (2) Each civilian investigator shall attend a training program designed by the North Carolina Justice Academy. Upon completion of the training program, each civilian 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 civilian investigator shall be issued credentials by the city identifying the individual as a civilian traffic crash investigator. The civilian 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) Each civilian investigator 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 a civilian investigator, and the individual's name shall be clearly displayed on the uniform. Civilian investigators shall not be issued badges.
- (5) Any vehicles issued to, or used by, a civilian 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) Civilian investigators shall not be issued or carry a weapon of any type.
- (7) Civilian investigators shall have no authority to arrest or issue criminal process.
- (8) Civilian investigators shall investigate crashes involving only property damage. Civilian investigators shall comply with all provisions of G.S. 20-166.1. A report completed by a civilian investigator shall be treated



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1 the same as if it were completed by a law enforcement officer for purposes of
2 G.S. 20-166.1(i). A law enforcement officer shall investigate any crash
3 involving personal injury or a fatality.

4 (9) Civilian investigators shall have the same authority as law enforcement
5 officers to tow or remove a vehicle that is obstructing a public street or
6 highway and shall use the city's existing police towing rotation system if one
7 has been established.

8 (10) The employment or use of civilian investigators, either full or part time, shall
9 not supplant or replace any existing sworn law enforcement personnel or
10 otherwise reduce the number of sworn law enforcement officers employed by
11 the city."

12 **SECTION 2.** G.S. 20-166.1(i) reads as rewritten:

13 "(i) Effect of Report. – A report of an accident made under this section by a person ~~who~~
14 ~~is not other than~~ a law enforcement officer-officer, or a civilian investigator employed pursuant
15 to G.S. 160A-499.6, is without prejudice, is for the use of the Division, and shall not be used in
16 any manner as evidence, or for any other purpose in any trial, civil or criminal, arising out of the
17 accident. Any other report of an accident made under this section may be used in any manner as
18 evidence, or for any other purpose, in any trial, civil or criminal, as permitted under the rules of
19 evidence. At the demand of a court, the Division must give the court a properly executed
20 certificate stating that a particular accident report has or has not been filed with the Division
21 solely to prove a compliance with this section.

22"

23 **SECTION 3.** The North Carolina Justice Academy shall develop a uniform statewide
24 training program for civilian investigators. This training shall be available to civilian
25 investigators employed by any municipality pursuant to G.S. 160A-499.6.

26 **SECTION 4.** This act is effective when it becomes law.