

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 140
Committee Substitute Favorable 3/1/23
Committee Substitute #2 Favorable 5/3/23
Senate State and Local Government Committee Substitute Adopted 6/6/23

Short Title: Civilian Traffic 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 INVOLVING ONLY PROPERTY DAMAGE.

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 Investigators.

(a) A city may employ and allow civilian personnel to investigate traffic crashes. The civilian personnel shall be known as "Civilian Traffic Investigators" (hereinafter "Investigator" or "Investigators"). The employment or use of Investigators, either full-time or part-time, shall not supplant or replace any of the city's existing sworn law enforcement officer personnel or otherwise reduce the number of sworn law enforcement officers employed by a city.

(b) All of the following shall apply to Investigators authorized in subsection (a) of this section:

- (1) The city shall establish the minimum standards for employment as an Investigator.
- (2) Each Investigator shall attend a training program designed by the North Carolina Justice Academy. Upon completion of the training program, each Civilian Traffic 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.



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(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. G.S. 20-166.1(i) reads as rewritten:

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

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SECTION 3. The North Carolina Justice Academy shall develop a uniform statewide training program for Civilian Traffic Investigators. This training shall be available to Civilian Traffic Investigators employed by any municipality pursuant to G.S. 160A-499.6.

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