

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 303
Committee Substitute Favorable 3/30/21
PROPOSED COMMITTEE SUBSTITUTE H303-PCS30317-BV-10

Short Title: Greensboro SBE/Civilian Traffic Investigators.

(Local)

Sponsors:

Referred to:

March 16, 2021

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY; TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS IN THE CITY OF GREENSBORO; AND TO ALLOW THE CITY OF GREENSBORO TO USE CIVILIAN TRAFFIC INVESTIGATORS TO INVESTIGATE PROPERTY DAMAGE CRASHES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter VII of the Charter of the City of Greensboro, being Chapter 1137 of the Session Laws of 1959, as amended, is amended by adding a new Subchapter to read as follows:

"SUBCHAPTER D. SMALL BUSINESS ENTERPRISE PROGRAM.

"Sec. 7.45. Small Business Enterprise Program. (a) The City may establish a race- and gender-neutral small business enterprise program to promote the development of small businesses in the Greensboro Metropolitan Statistical Area and to enhance opportunities for small businesses to participate in City contracts. The City may define the term "small business enterprise" as appropriate and consistent with the City's contracting practices. The City may establish bid and proposal specifications that include subcontracting goals and good-faith effort requirements to enhance participation by small business enterprises in City contracts. Notwithstanding the provisions of G.S. 143-129 and G.S. 143-131(b), the City may consider a bidder's efforts to comply with small business enterprise program requirements in its award of City contracts and, if a bidder is determined to have failed to comply with the requirements, the City may, within its discretion, refuse to award a contract to the bidder.

(b) The small business enterprise program authorized by this section is intended to supplement and not replace the requirements of G.S. 143-128.2, 143-131(b), or 143-135.5. Any goals or efforts established to achieve veteran, minority, and women's business participation consistent with the requirements of G.S. 143-128.2, 143-131(b), or 143-135.5 shall take precedence over goals for small business enterprise participation established under the program authorized by this section. A small business enterprise program established pursuant to this section shall be deemed consistent with the public policy of the State of North Carolina to promote and utilize small and underutilized business enterprises as set forth in G.S. 143-128.2, 143-128.3, and 143-135.5."



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1 **SECTION 2.(a)** Notwithstanding any other provision of law, the City of Greensboro
2 is hereby authorized to employ and allow civilian personnel to investigate traffic crashes. The
3 civilian personnel shall be known as "Civilian Traffic Investigators."

4 **SECTION 2.(b)** The City of Greensboro shall establish the minimum standards for
5 employment as a Civilian Traffic Investigator.

6 **SECTION 2.(c)** Each Civilian Traffic Investigator shall attend a training program
7 designed by the Greensboro Police Department, in consultation with the North Carolina Justice
8 Academy. Upon completion of the training program, a Civilian Traffic Investigator shall spend
9 not less than four weeks of field training with a law enforcement officer who has experience
10 conducting traffic crash investigations.

11 **SECTION 2.(d)** Each Civilian Traffic Investigator shall be issued credentials by the
12 City of Greensboro identifying the individual as a Civilian Traffic Investigator. The Civilian
13 Traffic Investigator shall produce official credentials at any time when requested by a member
14 of the public involved in or as a witness to a crash. A Civilian Traffic Investigator shall be issued
15 a uniform that is substantially different in color and style from that of a law enforcement officer
16 for the City of Greensboro. The uniform shall have patches that clearly identify the individual as
17 a Civilian Traffic Investigator. The individual's name shall be clearly displayed on the uniform.
18 Civilian Traffic Investigators shall not be issued badges.

19 **SECTION 2.(e)** Any vehicles issued to, or used by, a Civilian Traffic Investigator
20 shall not bear markings or symbols that identify the vehicle as a police vehicle. The vehicle may
21 have emergency equipment and lights installed but shall not use blue lights in any manner or
22 form. Red and amber lights are permissible.

23 **SECTION 2.(f)** Civilian Traffic Investigators shall investigate crashes involving
24 only property damage. A Civilian Traffic Investigator shall comply with all provisions of
25 G.S. 20-166.1. A report completed by a Civilian Traffic Investigator shall be treated the same as
26 if it were completed by a law enforcement officer for the purposes of G.S. 20-166.1(i). A law
27 enforcement officer shall investigate any crash involving personal injury or a fatality.

28 **SECTION 2.(g)** A Civilian Traffic Investigator shall have no authority to arrest or
29 issue criminal process. A Civilian Traffic Investigator shall not be issued a weapon of any type.

30 **SECTION 2.(h)** A Civilian Traffic Investigator shall have the same authority as a
31 law enforcement officer to tow or remove a vehicle that is obstructing a public street or highway.

32 **SECTION 2.(i)** Not later than December 31, 2022, the City of Greensboro shall
33 deliver to the House of Representatives Appropriations Committee on Justice and Public Safety
34 and the Senate Appropriations Committee on Justice and Public Safety a written report on the
35 training and use of Civilian Traffic Investigators for the period commencing on the effective date
36 of this act and concluding November 1, 2022.

37 **SECTION 3.** Section 2 of this act is effective when this act becomes law and applies
38 only to the City of Greensboro. The remainder of this act is effective when it becomes law.