

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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PRINCIPAL CLERK

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SENATE BILL DRS55056-LM-150A

Short Title: Durham/Civilian Traffic Investigators. (Local)

Sponsors: Senators Woodard and Murdock (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE CITY OF DURHAM TO EMPLOY AND ALLOW CIVILIAN
3 PERSONNEL TO INVESTIGATE TRAFFIC CRASHES INVOLVING ONLY
4 PROPERTY DAMAGE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter VII of the Charter of the City of Durham, being Chapter 671
7 of the 1975 Session Laws, as amended, is amended by adding a new section to read as follows:

8 "Sec. 128. Civilian Traffic Investigators. (a) Notwithstanding any other provision of law, the
9 City may employ and allow civilian personnel to investigate traffic crashes. The civilian
10 personnel shall be known as "Civilian Traffic Investigators."

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

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

15 (2) Each Investigator shall attend a training program designed by the City of
16 Durham Police Department in consultation with the North Carolina Justice
17 Academy. Upon completion of the training program, each Investigator shall
18 spend not less than four weeks of field training with a law enforcement officer
19 who has experience conducting traffic crash investigations.

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

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

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

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

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

35 (8) Investigators shall investigate crashes involving only property damage.
36 Investigators shall comply with all provisions of G.S. 20-166.1. A report



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

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

7 **SECTION 2.** Not later than December 31, 2023, the City of Durham shall submit to
8 the House of Representatives Appropriations Subcommittee on Justice and Public Safety and the
9 Senate Committee on Appropriations on Justice and Public Safety a written report on the training
10 and use of Civilian Traffic Investigators, as authorized in Section 1 of this act, for the period
11 commencing on the effective date of this act and concluding November 1, 2023.

12 **SECTION 3.** This act is effective when it becomes law.