

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
May 26, 2022
S.B. 903
PRINCIPAL CLERK

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SENATE BILL DRS55057-LM-164B

Short Title: Asheville/Raleigh Traffic Investigators. (Local)

Sponsors: Senators Blue and Mayfield (Primary Sponsors).

Referred to:

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

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article XIII of the Charter of the City of Asheville, being Chapter 121
7 of the Private Laws of 1931, as amended, is amended by adding a new section to read as follows:

8 "Sec. 101.2. Civilian Traffic Investigators. (a) Notwithstanding any other provision of law,
9 the City may employ and allow civilian personnel to investigate traffic crashes and issue citations
10 for infractions under Chapter 20 of the General Statutes related to the traffic crashes investigated.
11 The civilian personnel shall be known as "Civilian Traffic Investigators."

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

- 14 (1) The City shall establish the minimum standards for employment as an
15 Investigator.
- 16 (2) Each Investigator shall attend a training program designed by the Chief of
17 Police of the Asheville Police Department, or the Chief's designee, in
18 consultation with the North Carolina Justice Academy. Upon completion of
19 the training program, each Investigator shall spend not less than four weeks
20 of field training with a law enforcement officer who has experience
21 conducting traffic crash investigations.
- 22 (3) Each Investigator shall be issued credentials by the City identifying the
23 individual as a Civilian Traffic Investigator. The Investigator shall produce
24 official credentials at any time when requested by a member of the public
25 involved in or a witness to a crash.
- 26 (4) Investigators shall be issued a uniform that is substantially different in color
27 and style from that of a law enforcement officer for the City. The uniform
28 shall have patches that clearly identify the individual as an Investigator, and
29 the individual's name shall be clearly displayed on the uniform. Investigators
30 shall not be issued badges.
- 31 (5) Any vehicles issued to, or used by, an Investigator shall not bear markings or
32 symbols that identify the vehicle as a police vehicle. The vehicle may have
33 emergency equipment and lights installed but shall not use blue lights in any
34 manner or form. Red and amber lights are permissible.
- 35 (6) Investigators shall not be issued a weapon of any type.
- 36 (7) Investigators shall have no authority to arrest or issue criminal process.



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- 1 (8) Investigators shall investigate crashes involving only property damage.
2 Investigators shall comply with all provisions of G.S. 20-166.1. A report
3 completed by an Investigator shall be treated the same as if it were completed
4 by a law enforcement officer for purposes of G.S. 20-166.1(i). A law
5 enforcement officer shall investigate any crash involving personal injury or a
6 fatality.
- 7 (9) Investigators shall have the same authority as a law enforcement officer to tow
8 or remove a vehicle that is obstructing a public street or highway."

9 **SECTION 2.** Section 22 of the Charter of the City of Raleigh, being Chapter 1184
10 of the 1949 Session Laws, as amended, is amended by adding the following new subsection:

11 "(89) Civilian Traffic Investigators. (a) Notwithstanding any other provision of law, the City
12 may employ and allow civilian personnel to investigate traffic crashes. The civilian personnel
13 shall be known as "Civilian Traffic Investigators."

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

- 16 (1) The City shall establish the minimum standards for employment as an
17 Investigator.
- 18 (2) Each Investigator shall attend a training program designed by the City of
19 Raleigh Police Department in consultation with the North Carolina Justice
20 Academy. Upon completion of the training program, each Investigator shall
21 spend not less than four weeks of field training with a law enforcement officer
22 who has experience conducting traffic crash investigations.
- 23 (3) Each Investigator shall be issued credentials by the City identifying the
24 individual as a Civilian Traffic Investigator. The Investigator shall produce
25 official credentials at any time when requested by a member of the public
26 involved in or a witness to a crash.
- 27 (4) Investigators shall be issued a uniform that is substantially different in color
28 and style from that of a law enforcement officer for the City. The uniform
29 shall have patches that clearly identify the individual as an Investigator, and
30 the individual's name shall be clearly displayed on the uniform. Investigators
31 shall not be issued badges.
- 32 (5) Any vehicles issued to, or used by, an Investigator shall not bear markings or
33 symbols that identify the vehicle as a police vehicle. The vehicle may have
34 emergency equipment and lights installed but shall not use blue lights in any
35 manner or form. Red and amber lights are permissible.
- 36 (6) Investigators shall not be issued a weapon of any type.
- 37 (7) Investigators shall have no authority to arrest or issue criminal process.
- 38 (8) Investigators shall investigate crashes involving only property damage.
39 Investigators shall comply with all provisions of G.S. 20-166.1. A report
40 completed by an Investigator shall be treated the same as if it were completed
41 by a law enforcement officer for purposes of G.S. 20-166.1(i). A law
42 enforcement officer shall investigate any crash involving personal injury or a
43 fatality.
- 44 (9) Investigators shall have the same authority as a law enforcement officer to tow
45 or remove a vehicle that is obstructing a public street or highway."

46 **SECTION 3.** Not later than December 31, 2023, the Cities of Asheville and Raleigh
47 shall submit to the House of Representatives Appropriations Committee on Justice and Public
48 Safety and the Senate Committee on Appropriations on Justice and Public Safety a written report
49 on the training and use of Civilian Traffic Investigators, as authorized in this act, for the period
50 commencing on the effective date of this act and concluding November 1, 2023.

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