

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H

D

HOUSE BILL 140  
Committee Substitute Favorable 3/1/23  
PROPOSED COMMITTEE SUBSTITUTE H140-PCS10463-SA-26

Short Title: Civilian Traffic Investigators/Pilot.

(Public)

Sponsors:

Referred to:

February 20, 2023

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CITIES OF BURLINGTON, GREENSBORO,  
GREENVILLE, AND WINSTON-SALEM TO EMPLOY AND ALLOW CIVILIAN  
PERSONNEL TO INVESTIGATE TRAFFIC CRASHES DURING A THREE-YEAR  
PILOT PROGRAM.

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

- (1) The city shall establish the minimum standards for employment as a civilian traffic investigator.
- (2) Each civilian traffic 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 civilian traffic investigator shall be issued credentials by the city identifying the individual as a civilian traffic investigator. The civilian traffic 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 traffic 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 traffic investigator, and the individual's name shall be clearly displayed on the uniform. Civilian traffic investigators shall not be issued badges.
- (5) Any vehicles issued to, or used by, a civilian traffic 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 traffic investigators shall not be issued or carry a weapon of any type.
- (7) Civilian traffic investigators shall have no authority to arrest or issue criminal process.



\* H 1 4 0 - P C S 1 0 4 6 3 - S A - 2 6 \*

1           (8)    Civilian traffic investigators shall investigate crashes involving only property  
2           damage. Civilian traffic investigators shall comply with all provisions of  
3           G.S. 20-166.1. A report completed by a civilian traffic investigator shall be  
4           treated the same as if it were completed by a law enforcement officer for  
5           purposes of G.S. 20-166.1(i). A law enforcement officer shall investigate any  
6           crash involving personal injury or a fatality.

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

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

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

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

25          ...."

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

29          **SECTION 4.** Sections 1 and 2 of this act apply only to the cities of Burlington,  
30          Greensboro, Greenville, and Winston-Salem.

31          **SECTION 5.** A city authorized to employ civilian traffic investigators pursuant to  
32          this act shall report to the Joint Legislative Committee on Justice and Public Safety no later than  
33          February 1, 2026, on the training and use of civilian traffic investigators. The report shall include  
34          the following:

- 35           (1)    The number of crash investigations performed by civilian traffic investigators.
- 36           (2)    The number of incidents with an initial response by a civilian traffic  
37           investigator that required the presence of a sworn law enforcement officer.
- 38           (3)    The cost to the city of the civilian traffic investigator program.
- 39           (4)    Information on sworn law enforcement man hours saved by use of civilian  
40           traffic investigators.
- 41           (5)    Any other information relevant to an assessment of the pilot program in that  
42           city.

43          **SECTION 6.** This act becomes effective July 1, 2023, and expires June 30, 2026.