

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H

D

HOUSE BILL 140
Committee Substitute Favorable 3/1/23
Committee Substitute #2 Favorable 5/3/23
PROPOSED SENATE COMMITTEE SUBSTITUTE H140-PCS40496-CL-28

Short Title: Civilian Traffic Investigators. (Public)

Sponsors:

Referred to:

February 20, 2023

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

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 21 of Chapter 160A of the General Statutes is amended by
6 adding a new section to read:

7 **"§ 160A-499.6. Civilian Traffic Investigators.**

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

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

- 15 (1) The city shall establish the minimum standards for employment as an
16 Investigator.
- 17 (2) Each Investigator shall attend a training program designed by the North
18 Carolina Justice Academy. Upon completion of the training program, each
19 Civilian Traffic Investigator shall spend not less than four weeks of field
20 training with a law enforcement officer who has experience conducting traffic
21 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 shall
28 have patches that clearly identify the individual as an Investigator, and the
29 individual's name shall be clearly displayed on the uniform. Investigators shall
30 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.



* H 1 4 0 - P C S 4 0 4 9 6 - C L - 2 8 *

- 1 (6) Investigators shall not be issued a weapon of any type.
2 (7) Investigators shall have no authority to arrest or issue criminal process.
3 (8) Investigators shall investigate crashes involving only property damage.
4 Investigators shall comply with all provisions of G.S. 20-166.1. A report
5 completed by an Investigator shall be treated the same as if it were completed
6 by a law enforcement officer for purposes of G.S. 20-166.1(i). A law
7 enforcement officer shall investigate any crash involving personal injury or a
8 fatality.
9 (9) Investigators shall have the same authority as a law enforcement officer to tow
10 or remove a vehicle that is obstructing a public street or highway."

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

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

21 "

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

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