



HOUSE BILL 140: Civilian Traffic Crash Investigators.

2023-2024 General Assembly

Committee:	House Judiciary 2. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 1, 2023
Introduced by:	Reps. Faircloth, Hardister, Lambeth, Ross	Prepared by:	Susan Sitze
Analysis of:	PCS to First Edition H140-CSCL-9		Alejandro Ramirez Staff Attorneys

OVERVIEW: *The Proposed Committee Substitute (PCS) to House Bill 140 would allow cities to hire civilian crash investigators to investigate car crashes involving only property damage. Civilian investigators would have no power to arrest and would not replace current law enforcement officials.*

CURRENT LAW: Municipalities (cities and towns) are permitted to but not required to establish police departments. Municipalities that do not establish police departments leave responsibility for investigating crashes to the county. Municipalities that do establish police departments generally task municipal police with investigating crashes, in collaboration with other relevant agencies such as The State Highway Patrol. Reports made by anyone other than law enforcement are currently not admissible in criminal and civil actions per G.S. 20-166.1.

BILL ANALYSIS: The PCS would do the following:

- Permit, but not require, municipalities to hire civilian crash investigators (civilian investigators).
- Direct The North Carolina Justice Academy to establish a uniform training program required for civilian investigators of any municipality.
- Require new civilian investigators to train under an experienced law enforcement officer for four weeks.
- Task civilian investigators with investigating crashes that resulted only in property damage.
- Direct cities to issue credentials and uniforms to civilian investigators that are distinct from police credentials and uniforms.
- Allow civilian investigators to be issued cars with red flashing lights, but no blue flashing lights, and with no markings that identify those vehicles as police vehicles.
- Authorize civilian investigators to write reports, but not authorize them to carry weapons, perform arrests, or issue criminal process.
- Authorize civilian investigators to tow or remove vehicles obstructing public streets.

The PCS expressly clarifies that any crash investigators would not replace current law enforcement in any way. It would also make reports by civilian investigators admissible in court.

EFFECTIVE DATE: This act would be effective when it becomes law.

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