



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 140: Civilian Traffic Investigators/Pilot.

2023-2024 General Assembly

Committee:	Senate State and Local Government. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 6, 2023
Introduced by:	Reps. Faircloth, Hardister, Lambeth, Ross	Prepared by:	Brad Krehely Alex Ramirez Staff Attorneys
Analysis of:	Third Edition		

OVERVIEW: House Bill 140 would allow the cities of Burlington, Greensboro, Greenville, and Winston-Salem to conduct a three-year pilot program to hire civilian traffic investigators to investigate car crashes involving only property damage. Civilian traffic 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 bill would do the following:

- Authorize Burlington, Greensboro, Greenville, and Winston-Salem to conduct a three-year pilot program using civilian traffic investigators.
- Require new civilian traffic investigators to train under an experienced law enforcement officer for four weeks.
- Task civilian traffic investigators with investigating crashes that resulted only in property damage.
- Direct those cities to issue credentials and uniforms to civilian traffic investigators that are distinct from police credentials and uniforms.
- Allow civilian traffic 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 traffic investigators to write reports, but not authorize them to carry weapons, perform arrests, or issue criminal process.
- Authorize civilian traffic investigators to tow or remove vehicles obstructing public streets.
- Make reports by civilian traffic investigators admissible in court.
- Direct The North Carolina Justice Academy to establish a uniform training program required for civilian investigators of any municipality.

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The bill expressly states that any civilian traffic investigators may not replace or supplant existing sworn law enforcement officers.

The cities in the pilot program would report to the Joint Legislative Oversight Committee on Justice and Public Safety no later than February 1, 2026, on the training and use of civilian traffic investigators.

EFFECTIVE DATE: This act would become effective July 1, 2023, and expire June 30, 2026.

**Susan Sitze, Staff Attorney for the Legislative Analysis Division, substantially contributed to this summary.*