



# HOUSE BILL 140: Civilian Traffic Investigators.

2023-2024 General Assembly

---

<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	June 7, 2023
<b>Introduced by:</b>	Reps. Faircloth, Hardister, Lambeth, Ross	<b>Prepared by:</b>	Brad Krehely Alex Ramirez Staff Attorneys
<b>Analysis of:</b>	Fourth Edition		

---

**OVERVIEW:** *House Bill 140 would allow municipalities 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:

- Allow all municipalities in the State to employ civilian traffic investigators and require them to establish minimum standards for employment of 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.

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

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

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

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578