



# HOUSE BILL 140: Civilian Traffic Investigators.

2023-2024 General Assembly

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<b>Committee:</b>		<b>Date:</b>	November 29, 2023
<b>Introduced by:</b>		<b>Prepared by:</b>	Alejandro Ramirez Staff Attorney
<b>Analysis of:</b>	S.L. 2023-52		

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**OVERVIEW:** *S.L. 2023-52 allows municipalities to hire civilian traffic investigators to investigate car crashes involving only property damage. Civilian traffic investigators have no power to arrest and do not replace current law enforcement officials. Civilian traffic investigators may write reports that are admissible in court, but not carry weapons or perform arrests.*

*This act became effective June 23, 2023.*

**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.

## ACT ANALYSIS:

The act does the following:

- Allows all municipalities in the State to employ civilian traffic investigators and requires them to establish minimum standards for employment of civilian traffic investigators. These investigators can supplement, but not replace, local police officers.
- Requires new civilian traffic investigators to train under an experienced law enforcement officer for four weeks.
- Directs civilian traffic investigators to investigate crashes that resulted only in property damage.
- Directs cities that opt to hire civilian traffic investigators to issue credentials and uniforms to civilian traffic investigators that are distinct from police credentials and uniforms.
- Allows civilian traffic investigators to be issued cars with red flashing lights, but not with blue flashing lights, and with no markings that identify those vehicles as police vehicles.
- Authorizes civilian traffic investigators to write reports that are admissible in court, but does not authorize them to carry weapons, perform arrests, or issue criminal process.
- Authorizes civilian traffic investigators to tow or remove vehicles obstructing public streets.
- Directs The North Carolina Justice Academy to establish a uniform training program required for civilian investigators of any municipality.

The act expressly states that any civilian traffic investigators cannot replace or supplant existing sworn law enforcement officers.

**EFFECTIVE DATE:** This act became effective June 23, 2023.

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

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