

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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HOUSE BILL 1011

Short Title: Greenville/Wilmington Traffic Investigators. (Local)

Sponsors: Representatives Farkas, Humphrey, Davis, and Miller (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

May 23, 2022

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE CITY OF GREENVILLE TO EMPLOY TRAFFIC CRASH
3 INVESTIGATORS FOR WRECKS INVOLVING ONLY PROPERTY DAMAGE AND TO
4 ASSIST IN TRAFFIC DIRECTION AND CONTROL AS WELL AS ENHANCE
5 EXISTING AUTHORITY GRANTED TO CIVILIAN TRAFFIC INVESTIGATORS FOR
6 THE CITY OF WILMINGTON.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** The Charter of the City of Greenville, being Chapter 272 of the
9 Session Laws of 1981, is amended by adding a new Article to read as follows:

"ARTICLE V.

"Transportation.

12 "Sec. 5.1. Traffic Crash Investigators. (a) Notwithstanding any other provision of law, the
13 City may employ and allow nonsworn personnel to investigate traffic crashes. The nonsworn
14 personnel shall be known as "Traffic Crash Investigators."

15 (b) All of the following shall apply to Traffic Crash Investigators (hereinafter
16 "Investigator" or "Investigators") employed by the City:

17 (1) The City shall establish the minimum standards for employment as an
18 Investigator.

19 (2) Each Investigator shall attend a training program designed by the Greenville
20 Police Department in consultation with the North Carolina Justice Academy.
21 Upon completion of the training program, each Investigator shall spend not
22 less than four weeks of field training with a law enforcement officer who has
23 experience conducting traffic crash investigations.

24 (3) Each Investigator shall be issued credentials by the City identifying the
25 individual as a Traffic Crash Investigator. The Investigator shall produce
26 official credentials at any time when requested by a member of the public
27 involved in or a witness to a crash.

28 (4) Investigators shall be issued a uniform that is substantially different in color
29 and style from that of a law enforcement officer for the City. The uniform
30 shall have patches that clearly identify the individual as an Investigator, and
31 the individual's name shall be clearly displayed on the uniform. Investigators
32 shall not be issued badges.

33 (5) Any vehicles issued to, or used by, an Investigator shall not bear markings or
34 symbols that identify the vehicle as a police vehicle. The vehicle may have



1 emergency equipment and lights installed but shall not use blue lights in any
2 manner or form. Red and amber lights are permissible.

3 (6) Investigators shall not be issued a weapon of any type.

4 (7) Investigators shall have no authority to arrest or issue criminal process.

5 (8) Investigators shall investigate crashes involving only property damage and
6 shall comply with all provisions of G.S. 20-166.1. A report completed by an
7 Investigator shall be treated the same as if it were completed by a law
8 enforcement officer for purposes of G.S. 20-166.1(i). A law enforcement
9 officer shall investigate any crash involving personal injury or a fatality.

10 (9) Investigators shall have the same authority as a law enforcement officer to tow
11 or remove a vehicle that is obstructing a public street or highway.

12 (10) Notwithstanding any other provision of law, Investigators shall have the same
13 authority as a law enforcement officer to direct all traffic in conformance with
14 law and, in the event of a fire or other emergency or to expedite traffic or to
15 ensure safety, to direct traffic as conditions may require."

16 **SECTION 1.(b)** Not later than December 31, 2023, the City of Greenville shall
17 submit to the House of Representatives Appropriations Subcommittee on Justice and Public
18 Safety and the Senate Committee on Appropriations on Justice and Public Safety a written report
19 on the training and use of Traffic Crash Investigators, as authorized in Section 1(a) of this act,
20 for the period commencing on the effective date of this act and concluding November 1, 2023.

21 **SECTION 2.** Section 8 of S.L. 2007-218 reads as rewritten:

22 ~~"SECTION 8. SECTION 8.(a)~~ A Civilian Traffic Investigator shall have no authority to
23 arrest or issue criminal ~~process.~~ process, except citations pursuant to subsection (b) of this
24 section. A Civilian Traffic Investigator shall not be issued a weapon of any type.

25 "SECTION 8.(b) Notwithstanding any other provision of law, a Civilian Traffic Investigator
26 shall have the authority to issue citations for infractions under Chapter 20 of the General Statutes
27 related to the traffic crashes that the Civilian Traffic Investigator investigates."

28 **SECTION 3.** S.L. 2007-218 is amended by adding a new section to read as follows:

29 "SECTION 9A. Notwithstanding any other provision of law, a Civilian Traffic Investigator
30 shall have the same authority as a law enforcement officer to direct all traffic in conformance
31 with law and, in the event of a fire or other emergency or to expedite traffic or to ensure safety,
32 to direct traffic as conditions may require."

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