

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 2041*
Committee Substitute Favorable 6/15/06
Committee Substitute #2 Favorable 6/28/06

Short Title: Civilian Traffic Investigators.

(Local)

Sponsors:

Referred to:

May 17, 2006

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE CIVILIAN
2 TRAFFIC INVESTIGATORS TO INVESTIGATE PROPERTY DAMAGE
3 CRASHES.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** This act applies to the City of Fayetteville only.

7 **SECTION 2.** Notwithstanding any other provision of law, the City of
8 Fayetteville is hereby authorized to employ and allow civilian personnel to investigate
9 traffic crashes. The civilian personnel shall be known as "Civilian Traffic Investigators".

10 **SECTION 3.** The City of Fayetteville shall establish the minimum standards
11 for employment as a Civilian Traffic Investigator.

12 **SECTION 4.** Each Civilian Traffic Investigator shall attend a training
13 program designed by Fayetteville Technical Community College, Office of Protective
14 Services Training, in consultation with the North Carolina Justice Academy. Upon
15 completion of the training program, a Civilian Traffic Investigator shall spend not less
16 than four weeks of field training with a law enforcement officer who has experience
17 conducting traffic crash investigations.

18 **SECTION 5.** Each Civilian Traffic Investigator shall be issued credentials
19 by the City of Fayetteville identifying the individual as a Civilian Traffic Investigator.
20 The Civilian Traffic Investigator shall produce official credentials at any time when
21 requested by a member of the public involved in or as a witness to a crash. A Civilian
22 Traffic Investigator shall be issued a uniform that is substantially different in color and
23 style from that of a law enforcement officer for the City of Fayetteville. The uniform
24 shall have patches that clearly identify the individual as a Civilian Traffic Investigator.
25 The individual's name shall be clearly displayed on the uniform. Civilian Traffic
26 Investigators shall not be issued badges.

27 **SECTION 6.** Any vehicles issued to, or used by, a Civilian Traffic
28 Investigator shall not bear markings or symbols that identify the vehicle as a police

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

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

9 **SECTION 8.** A Civilian Traffic Investigator shall have no authority to arrest
10 or issue criminal process. A Civilian Traffic Investigator shall not be issued a weapon of
11 any type.

12 **SECTION 9.** A Civilian Traffic Investigator shall have the same authority as
13 a law enforcement officer to tow or remove a vehicle that is obstructing a public street
14 or highway.

15 **SECTION 10.** Not later than December 31, 2007, the City of Fayetteville
16 shall deliver to the House Appropriations Subcommittee on Justice and Public Safety
17 and the Senate Committee on Appropriations on Justice and Public Safety a written
18 report on the training and use of Civilian Traffic Investigators for the period
19 commencing on the effective date of this act and concluding November 1, 2007.

20 **SECTION 11.** This act is effective when it becomes law.