

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**HOUSE BILL 2041
RATIFIED BILL**

**AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE CIVILIAN
TRAFFIC INVESTIGATORS TO INVESTIGATE PROPERTY DAMAGE
CRASHES.**

The General Assembly of North Carolina enacts:

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

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

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

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

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

SECTION 6. Any vehicles issued to, or used by, a Civilian Traffic Investigator shall not bear markings or symbols that identify the vehicle as a police vehicle. The vehicle may have emergency equipment and lights installed but shall not use blue lights in any manner or form. Red and amber lights are permissible.

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

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

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

SECTION 10. Not later than December 31, 2007, the City of Fayetteville shall deliver to the House Appropriations Subcommittee on Justice and Public Safety and the Senate Committee on Appropriations on Justice and Public Safety a written

report on the training and use of Civilian Traffic Investigators for the period commencing on the effective date of this act and concluding November 1, 2007.

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

In the General Assembly read three times and ratified this the 12th day of July, 2006.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives