

GENERAL ASSEMBLY OF NORTH CAROLINA  
1983 SESSION

CHAPTER 483  
HOUSE BILL 116

AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY  
TO APPOINT TRAFFIC CONTROL OFFICERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-114.1(a) is amended in the second line by inserting the words, "or traffic control officer" between the words "officer" and "invested".

Sec. 2. G.S. 20-114.1(b) is amended in the first line by inserting between the words, "law enforcement" and "officers" the words, "or traffic control".

Sec. 3. G.S. 20-114.1 is amended by adding two new subsections to read:

"(c) The chief of police of a local or county police department or the sheriff of any county is authorized to appoint traffic control officers, who shall have attained the age of 18 years and who are hereby authorized to direct, control, or regulate traffic within their respective jurisdictions at times and places specifically designated in writing by the police chief or the sheriff. A traffic control officer, when exercising this authority, must be attired in a distinguishing uniform or jacket indicating that he is a traffic control officer and must possess a valid authorization card issued by the police chief or sheriff who appointed him. Unless an earlier expiration date is specified, an authorization card shall expire two years from the date of its issuance. In order to be appointed as a traffic control officer, a person shall have received at least three hours of training in directing, controlling, or regulating traffic under the supervision of a law enforcement officer. A traffic control officer shall be subject to the rules and regulations of the respective local or county police department or sheriff's office as well as the lawful command of any other law enforcement officer. The appointing police chief or sheriff shall have the right to revoke the appointment of any traffic control officer at any time with or without cause. The appointing police chief or sheriff shall not be held liable for any act or omission of a traffic control officer. A traffic control officer shall not be deemed to be an agent or employee of the respective local or county police department or of the sheriff's office, nor shall he be considered a law enforcement officer except as provided herein. A traffic control officer shall not have nor shall he exercise the power of arrest.

(d) No police chief or sheriff who is authorized to appoint traffic control officers under subsection (c) of this section shall appoint any person to direct, control, or regulate traffic unless there is indemnity against liability of the traffic control officer for wrongful death, bodily injury, or property damage that is proximately caused by the negligence of the traffic control officer while acting within the scope of his duties as a traffic control officer. Such indemnity shall provide a minimum of twenty-five thousand dollars (\$25,000) for the death of or bodily injury to one person in any one accident,

fifty thousand dollars (\$50,000) for the death of or bodily injury to two or more persons in any one accident, and ten thousand dollars (\$10,000) for injury to or destruction of property of others in any one accident."

Sec. 4. The provision of this act shall not apply to Cabarrus, Cleveland, Union, and Mecklenburg Counties and incorporated municipalities located therein.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of June, 1983.