

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1113

Short Title: Opt-Out/Atty Solicitations of Representation. (Public)

Sponsors: Representatives Goodwin; and Harrison.

Referred to: Commerce, Small Business, and Entrepreneurship, if favorable, Judiciary I.

April 7, 2009

A BILL TO BE ENTITLED

AN ACT TO ALLOW INDIVIDUALS CHARGED WITH TRAFFIC OFFENSES OR INVOLVED IN REPORTABLE ACCIDENTS TO CHOOSE NOT TO BE CONTACTED BY ATTORNEYS OFFERING LEGAL REPRESENTATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-148(b) reads as rewritten:

"(b) The chief district judges shall prescribe a multicopy uniform traffic ticket and complaint for exclusive use in each county of the ~~State not later than December 31, 1970. State.~~ Not later than December 1, 2009, the multicopy uniform traffic ticket and complaint shall include an opportunity for the person charged with a traffic offense to specifically decline to receive direct solicitations or offers of legal representation related to that offense."

SECTION 2. G.S. 20-166.1(e) reads as rewritten:

"(e) Investigation by Officer. – The appropriate law enforcement agency must investigate a reportable accident. A law-enforcement officer who investigates a reportable accident, whether at the scene of the accident or by subsequent investigations and interviews, must make a written report of the accident within 24 hours of the accident and must forward it as required by this subsection. The report must contain information on financial responsibility for the vehicle driven by the person whom the officer identified as at fault for the accident. The report must also indicate, for each person involved in the reportable accident, whether that individual specifically declines to receive direct solicitations or offers of legal representation related to the reportable accident.

If the officer writing the report is a member of the State Highway Patrol, the officer must forward the report to the Division. If the officer is not a member of the State Highway Patrol, the officer must forward the report to the local law enforcement agency for the area where the accident occurred. A local law enforcement agency that receives an accident report must forward it to the Division within 10 days after receiving the report.

When a person injured in a reportable accident dies as a result of the accident within 12 months after the accident and the death was not reported in the original report, the law enforcement officer investigating the accident must file a supplemental report that includes the death."

SECTION 3. Section 1 of this act is effective when it becomes law. Section 2 of this act becomes effective December 1, 2009. Sections 1 and 2 apply to traffic offenses and reportable accidents occurring on or after December 1, 2009.

