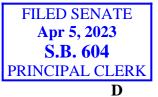
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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## SENATE BILL DRS15206-NEf-111

Short Title:	Motorcycle Road Guard Certification.	(Public)
Sponsors:	Senators Alexander, Jarvis, and Galey (Primary Sponsors).	
Referred to:		

1	A BILL TO BE ENTITLED		
2	AN ACT DIREC	TING THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF	
3	TRANSPOR	TATION TO ESTABLISH A MOTORCYCLE ROAD GUARD	
4	CERTIFICA	TION PROGRAM AND AUTHORIZING MOTORCYCLE ROAD GUARD	
5	CERTIFICA	TE HOLDERS TO SERVE AS TRAFFIC-CONTROL OFFICERS.	
6		embly of North Carolina enacts:	
7	SECT	FION 1. Article 3 of Chapter 20 of the General Statutes is amended by adding	
8	a new section to		
9		torcycle road guard certification.	
10		Division shall establish a motorcycle road guard certification program. This	
11		all of the following:	
12	<u>(1)</u>	Establish qualifications for a person to obtain a motorcycle road guard	
13		certificate. These qualifications shall include all of the following	
14		requirements:	
15		a. <u>The person is at least 18 years old.</u>	
16		b. The person possesses a valid regular drivers license with a motorcycle	
17		endorsement.	
18		c. The person has completed a motorcycle road guard certification	
19		<u>course.</u>	
20	<u>(2)</u>	Develop and offer a motorcycle road guard certification and certification	
21		refresher courses. This course shall include training related to serving as a traffic control officer pursuant to C.S. 20, 114.1	
22 23	(2)	traffic-control officer pursuant to G.S. 20-114.1. Establish safety and equipment standards for a person who operates as a	
23 24	<u>(3)</u>	traffic-control officer pursuant to a motorcycle road guard certificate,	
24 25		including any requirements established by G.S. 20-114.1.	
23 26	(4)	Establish procedures enabling police chiefs and sheriffs to ensure the validity	
20	<u>(4)</u>	of a person's motorcycle road guard certification.	
28	(b) A mo	torcycle road guard certificate shall expire after two years, and the Division shall	
29		refresher training for renewal of the certificate.	
30		Division is authorized to charge a fee for a motorcycle road guard certification	
31		cle road guard certification course to offset the costs incurred in administering	
32		bad guard certification program."	
33		<b>FION 2.</b> G.S. 20-114.1 reads as rewritten:	
34		llful failure to obey law-enforcement or traffic-control officer; firemen as	
35	-	c-control officers; appointment, etc., of traffic-control officers.	
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## **General Assembly Of North Carolina**

The chief of police of a local or county police department or the sheriff of any county 1 (c) 2 is authorized to appoint a person who is at least 18 years old and who satisfies either of the 3 training requirements listed in this subsection as a traffic-control officers, who shall have attained 4 the age of 18 years and who are hereby officer. A person appointed as a traffic-control officer is 5 authorized to direct, control, or regulate traffic within their the respective jurisdictions jurisdiction at times and places specifically designated in writing by the police chief or the sheriff. 6 7 A traffic-control officer, when exercising this authority, must be attired in a distinguishing 8 uniform or jacket indicating that he the person is a traffic-control officer and must possess a valid 9 authorization card issued by the appointing police chief or sheriff who appointed him. sheriff. 10 Unless an earlier expiration date is specified, an authorization card shall expire two years from 11 the date of its issuance. In order to be appointed as a traffic-control officer, a person shall have 12 received at least three hours of training in directing, controlling, or regulating traffic under the 13 supervision of a law enforcement officer. issuance and the expiration date shall appear on the 14 authorization card. A traffic-control officer shall be is 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 15 any other law-enforcement officer. The appointing police chief or sheriff shall have has the right 16 17 to revoke the appointment of any traffic-control officer at any time with or without cause. The 18 appointing police chief or sheriff shall not be held liable for any act or omission of a 19 traffic-control officer. A traffic-control officer shall not be deemed to be an agent or employee 20 of the respective local or county police department or of the sheriff's office, nor shall he the 21 traffic-control officer be considered a law-enforcement officer except as provided herein. A 22 traffic-control officer shall not have nor and shall he not exercise the power of arrest. To be 23 appointed as a traffic-control officer pursuant to this subsection, a person must have completed 24 either of the following:

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(1) <u>At least three hours of training in directing, controlling, or regulating traffic</u> <u>under the supervision of a law-enforcement officer.</u>

(2) <u>A motorcycle road guard certification pursuant to G.S. 20-114.2.</u>

28 No police chief or sheriff who is authorized to appoint traffic-control officers under (d) 29 subsection (c) of this section shall appoint any person to direct, control, or regulate traffic unless 30 there is indemnity against liability of the traffic-control officer for wrongful death, bodily injury, 31 or property damage that is proximately caused by the negligence of the traffic-control officer 32 while acting within the scope of his duties as a traffic-control officer. Such The indemnity policy 33 shall not be cancelable within the authorization period and shall provide a minimum of 34 twenty-five thousand dollars (\$25,000) for the death of or bodily injury to one person in any one 35 accident, fifty thousand dollars (\$50,000) for the death of or bodily injury to two or more persons 36 in any one accident, and ten thousand dollars (\$10,000) for injury to or destruction of property 37 of others in any one accident. If the liability coverage required by this subsection is being provided by a person or entity other than the appointing law-enforcement agency, the person 38 39 seeking appointment as a traffic-control officer must present proof of liability coverage meeting 40 the requirements of this subsection before the appointing police chief or sheriff issues an 41 authorization card to that person." 42 **SECTION 3.** The Division of Motor Vehicles of the Department of Transportation

- 43 shall adopt rules to implement this act.
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**SECTION 4.** This act becomes effective January 1, 2024.