HOUSE BILL 349:
Traffic-Control Training Program.

2021-2022 General Assembly

Committee:	House Education - Community Colleges. If favorable, re-refer to Rules, Calendar, and Operations of the House	**Date:**	April 28, 2021
Introduced by:	Reps. Brody, McNeill	**Prepared by:**	Kara McCraw* Staff Attorney
Analysis of:	First Edition		

OVERVIEW: House Bill 349 would do the following:

- ***Increase the minimum age requirement for traffic-control officer appointments by a law enforcement agency from 18 to 21 years old.***
- ***Increase the maximum allowable validity period for an authorization card issued by the appointing police chief or sheriff from 2 years to 3 years.***
- ***Require the NC Community College System, in consultation with the NC Justice Academy, to develop initial and refresher training courses for persons seeking to be appointed as traffic-control officers as an alternative training method.***

CURRENT LAW: The chief of police of a local police department or the sheriff of any county is authorized to appoint a person as a traffic-control officer if the person is at least 18 years of age and has completed at least 3 hours of training in directing, controlling, or regulating traffic under the supervision of a law enforcement officer. There must also be an indemnity policy in place in the event of wrongful death, bodily injury, or property damage caused by the negligence of the traffic-control officer.

Once appointed, the person may direct traffic within the jurisdiction at times and places specifically designated by the appointing law enforcement authority. The authorization expires two years after issuance. While a traffic-control officer is subject to the rules and regulations of the respective law enforcement jurisdiction and is subject to the command of any law enforcement officer, a traffic-control officer is not considered an agent or employee of local law enforcement, is not considered a law enforcement officer, and does not have arrest powers.

BILL ANALYSIS: House Bill 349 would:

- Increase the minimum age requirement for a traffic-control officer from 18 years old to 21 years old.
- Require a traffic-control officer to be trained by either (i) 3 hours of training under the supervision of a law-enforcement officer, or (ii) 8 hours of approved community college training.
- Direct the NC Community College System, in consultation with the NC Justice Academy, to develop an 8-hour initial training course that includes 4 hours of classroom training and 4 hours of roadside training, as well as a refresher course for people seeking reappointment as a traffic-control officer.
- Extend the term of a traffic-control officer's appointment from two to three years.
- Require that the indemnity policy be non-cancelable within the authorization period.

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- Require proof of liability coverage meeting certain requirements prior to authorization card issuance by a police chief or sheriff, if the liability coverage is being provided by a person or entity other than the appointing law enforcement agency.

EFFECTIVE DATE: This act would become effective October 1, 2021.

**Trina Griffin and Amy Darden, Staff Attorneys in the Legislative Analysis Division, substantially contributed to this summary.*