

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1071

Short Title: Police Authority of DMV Officers.

(Public)

Sponsors: Representatives Wicker; Perdue and Miller.

Referred to: Infrastructure.

April 7, 1989

A BILL TO BE ENTITLED

AN ACT PERTAINING TO THE POLICE AUTHORITY OF DIVISION OF MOTOR VEHICLES ENFORCEMENT AGENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-49 reads as rewritten:

"§ 20-49. Police authority of Division.

The Commissioner and such officers and inspectors of the Division as he shall designate and all members of the Highway Patrol shall have the power:

- (1) Of peace officers for the purpose of enforcing the provisions of this ~~Article~~ Chapter, and of any other law regulating the operation of vehicles or the use of the highways and any crime committed in their presence on any highway of this State.
- (2) To make arrests ~~upon view and~~ without warrant for any violation committed in their presence ~~of any of the provisions of this Article or other laws regulating the operation of vehicles or the use of the highways~~ and shall have authority to make arrests for any crime committed on any highway.
- (3) At all time to direct all traffic in conformance with law, and in the event of a fire or other emergency or to expedite traffic or to insure safety, to direct traffic as conditions may require, notwithstanding the provisions of law.
- (4) When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this Article or of any other law regulating the operation of vehicles to require the driver thereof to

1 stop and exhibit his driver's license and the registration card issued for
2 the vehicle, and submit to an inspection of such vehicle, the
3 registration plates and registration card thereon or to an inspection and
4 test of the equipment of such vehicle.

5 (5) To inspect any vehicle of a type required to be registered hereunder in
6 any public garage or repair shop or in any place where such vehicles
7 are held for sale or wrecking, for the purpose of locating stolen
8 vehicles and investigating the title and registration thereof.

9 (6) To serve all warrants relating to the enforcement of the laws regulating
10 the operation of vehicles or the use of the highways.

11 (7) To investigate traffic accidents and secure testimony of witnesses or of
12 persons involved.

13 (8) To investigate reported thefts of motor vehicles, trailers and
14 semitrailers and make arrest for thefts thereof.

15 (9) For the purpose of determining compliance with the provisions of this
16 Chapter, to inspect all files and records of the persons hereinafter
17 designated and required to be kept under the provisions of this Chapter
18 or of the registrations of the Division:

19 a. Persons dealing in or selling and buying new, used or junked
20 motor vehicles and motor vehicle parts; and

21 b. Persons operating garages or other places where motor vehicles
22 are repaired, dismantled, or stored."

23 Sec. 2. This act is effective upon ratification.