

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 762

Short Title: Clarify Motor Vehicle Cause of Death. (Public)

Sponsors: Senators Edwards, Sawyer, and Daniel (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 18, 2020

A BILL TO BE ENTITLED

AN ACT ESTABLISHING MOTOR VEHICLE COLLISION AS A DISTINCT CATEGORY OF DEATH OVER WHICH THE MEDICAL EXAMINER HAS JURISDICTION TO INVESTIGATE AND REQUIRING THAT MOTOR VEHICLE COLLISION BE LISTED AS A DISTINCT CAUSE OF DEATH ON THE CERTIFICATE OF DEATH; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, VITAL RECORDS SECTION, TO UPDATE CERTIFICATE OF DEATH FORMS ACCORDINGLY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-383(a) reads as rewritten:

"(a) Upon the death of any person resulting from violence, poisoning, motor vehicle collision, accident, suicide or homicide; occurring suddenly when the deceased had been in apparent good health or when unattended by a physician; occurring in a jail, prison, correctional institution or in police custody; occurring in State facilities operated in accordance with Part 5 of Article 4 of Chapter 122C of the General Statutes; occurring pursuant to Article 19 of Chapter 15 of the General Statutes; or occurring under any suspicious, unusual or unnatural circumstance, the medical examiner of the county in which the body of the deceased is found shall be notified by a physician in attendance, hospital employee, law-enforcement officer, funeral home employee, emergency medical technician, relative or by any other person having suspicion of such a death. No person shall disturb the body at the scene of such a death until authorized by the medical examiner unless in the unavailability of the medical examiner it is determined by the appropriate law enforcement agency that the presence of the body at the scene would risk the integrity of the body or provide a hazard to the safety of others. For the limited purposes of this Part, expression of opinion that death has occurred may be made by a nurse, an emergency medical technician or any other competent person in the absence of a physician."

SECTION 2. G.S. 130A-385(b) reads as rewritten:

"(b) The medical examiner shall complete a certificate of death, stating the name of the disease which in ~~his~~ the medical examiner's opinion caused death. If the death was from external causes, the medical examiner shall state on the certificate of death the means of death, and whether, in the medical examiner's opinion, the manner of death was a motor vehicle collision, an accident, a suicide, a homicide, an execution by the State, or undetermined. The medical examiner shall also furnish any information as may be required by the State Registrar of Vital Statistics in order to properly classify the death."

SECTION 3. There is appropriated from the General Fund to the Department of Health and Human Services, Division of Public Health, Vital Records Section, the sum of five thousand dollars (\$5,000) in nonrecurring funds to be used to update the State's certificate of



1 death form to include collision by motor vehicle as an additional manner of death, in accordance
2 with G.S. 130A-385(b), as amended by Section 2 of this act.
3 **SECTION 4.** Section 3 of this act becomes effective July 1, 2020. The remainder of
4 this act becomes effective October 1, 2020, and applies to all deaths occurring on or after that
5 date.