

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 118
Committee Substitute Favorable 3/5/19
Committee Substitute #2 Favorable 3/27/19
PROPOSED COMMITTEE SUBSTITUTE H118-PCS40361-SV-9

Short Title: First Responders Act of 2019.

(Public)

Sponsors:

Referred to:

February 21, 2019

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE
NEED FOR INTERSTATE ACCESS IMPROVEMENTS TO ASSIST FIRST
RESPONDERS AND FOR THE BENEFIT OF PUBLIC SAFETY AND TO ALLOW
CERTAIN EMERGENCY MEDICAL SERVICES PERSONNEL TO CARRY
CONCEALED WEAPONS WHEN PROVIDING TACTICAL ASSISTANCE TO LAW
ENFORCEMENT IN EMERGENCY SITUATIONS.

The General Assembly of North Carolina enacts:

PART I. INTERSTATE ACCESS STUDY

SECTION 1.(a) Study. – The Department of Transportation shall study the needs of law enforcement, emergency medical and emergency management personnel, and firefighters to improve access to or within the interstate system within this State for the benefit of public safety. In conducting the study, the Department of Transportation may consult with the Division of Emergency Management of the Department of Public Safety, the Office of State Fire Marshal of the Department of Insurance, the Office of Emergency Medical Services of the Department of Health and Human Services, and any other State or local government organizations the Department of Transportation determines may be of assistance in the course of the study. In performing the study, the Department of Transportation shall, at a minimum, take the following steps:

- (1) Consult with county fire marshal divisions, emergency management offices, and emergency medical service divisions to determine potential sites of interest for construction or improvement relevant to the study.
- (2) Establish criteria to prioritize sites of interest for either construction or improvement.
- (3) Review applicable federal and State laws, codes, standards, and studies relevant to the study.
- (4) Review (i) existing Department of Transportation planning, design, and construction standards for interchanges, median crossovers, and access points and (ii) how those standards consider the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
- (5) Consider the feasibility of providing opportunities for stakeholder input during the planning of future interstate improvements that focus on the needs



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1 of law enforcement, emergency medical and emergency management
2 personnel, and firefighters.

- 3 (6) Examine any other matters the Department of Transportation deems relevant
4 in the course of the study.

5 **SECTION 1.(b)** Report. – The Department of Transportation shall report the
6 findings and recommendations, including any legislative proposals, to the Joint Legislative
7 Oversight Committee on Justice and Public Safety, the Joint Legislative Emergency Management
8 Oversight Committee, and the Joint Legislative Transportation Oversight Committee no later
9 than March 1, 2022.

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11 **PART II. CONCEALED CARRY FOR CERTAIN EMERGENCY MEDICAL**
12 **SERVICES PERSONNEL**

13 **SECTION 2.(a)** G.S. 14-269 reads as rewritten:

14 "**§ 14-269. Carrying concealed weapons.**

15 (a) It shall be unlawful for any person willfully and intentionally to carry concealed about
16 his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor,
17 shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's
18 own premises.

19 ...

- 20 (b) This prohibition shall not apply to the following persons:

21 ...

22 (10) Emergency medical services personnel, as defined in G.S. 131E-155, while
23 on duty, who are deployed as part of their official duties providing tactical
24 medical assistance to law enforcement in an emergency situation, including a
25 Special Weapons and Tactics (SWAT) operation. In order to qualify under
26 this subdivision, emergency medical services personnel shall have completed
27 an approved tactical medical assistance course for supporting tactical law
28 enforcement operations. An approved course shall (i) include an element on
29 firearms safety and training, (ii) include instruction in the laws of this State
30 governing the use of deadly force, and (iii) require training and qualification
31 on all weapons systems, both lethal and less than lethal, deemed necessary by
32 any law enforcement agency the emergency medical services personnel
33 supports. For purposes of this subdivision, an approved course shall be any
34 course which satisfies the requirements of this subdivision and is certified or
35 sponsored by one or more of the following organizations:

36 a. The North Carolina Criminal Justice Education and Training
37 Standards Commission.

38 b. The National Rifle Association.

39 c. A law enforcement agency, college, private or public institution or
40 organization, or firearms training school, taught by instructors
41 certified by the North Carolina Criminal Justice Education and
42 Training Standards Commission or the National Rifle Association.

43 Every instructor of an approved course shall file a copy of the course
44 description, outline, and proof of certification annually, or upon modification
45 of the course if more frequently, with the North Carolina Criminal Justice
46 Education and Training Standards Commission.

47"

48 **SECTION 2.(b)** State and local law enforcement agencies shall provide paramedics
49 rendering tactical medical assistance during a Special Weapons and Tactics operation with the
50 same protective equipment provided to other members of a Special Weapons and Tactics
51 operation.

1 **SECTION 2.(c)** This section is effective December 1, 2019, and applies to offenses
2 committed on or after that date.

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4 **PART III. EFFECTIVE DATE**

5 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
6 law.