

Article 17.

State Highway Patrol.

Part 1. (Effective July 1, 2025) General Provisions.

§ 143B-1700. (Effective July 1, 2025 – see note) Organization.

(a) There is established the State Highway Patrol. The head of the State Highway Patrol is the Commander of the State Highway Patrol (Commander).

(b) The Commander shall be appointed by the Governor for a term of five years subject to confirmation by the General Assembly by joint resolution. The first full five-year term shall begin July 1, 2025. The Commander shall be appointed by the Governor from the uniformed members of the North Carolina State Highway Patrol who have met all requirements for employment within the Patrol, including completion of the basic Patrol school, and the Commander's rank shall be designated by the Governor.

The Governor shall submit the name of the person to be appointed, for confirmation by the General Assembly, to the General Assembly by May 1 of the year in which the Commander is to be appointed. If the Governor does not submit the name by that date, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall submit a name to the General Assembly on or before May 15 of the same year. The appointment shall then be made by enactment of a bill. The bill shall state the name of the person being appointed, the office to which the appointment is being made, the effective date of the appointment, the date of expiration of the term, the residence of the appointee, and that the appointment is made upon the joint recommendation of the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Nothing precludes any member of the General Assembly from proposing an amendment to any bill making such an appointment. If there is no vacancy in the office of the Commander of the State Highway Patrol and a bill that would confirm the appointment of the person as Commander fails a reading in either chamber of the General Assembly, then the Governor shall submit a new name within 30 days.

(c) In case of a vacancy in the office of Commander of the State Highway Patrol for any reason prior to the expiration of the Commander's term of office, the name of the Commander's successor shall be submitted by the Governor to the General Assembly not later than 60 days after the vacancy arises. If a vacancy arises in the office when the General Assembly is not in session, an acting Commander shall be appointed by the Governor to serve pending confirmation by the General Assembly. However, in no event shall an acting Commander serve (i) for more than 12 months without General Assembly confirmation or (ii) after a bill that would confirm the appointment of the person as Commander fails a reading in either chamber of the General Assembly.

(d) The powers and duties of the chiefs, directors, and the divisions of the State Highway Patrol shall be subject to the direction and control of the Commander of the State Highway Patrol. (1935, c. 324, s. 2; 1939, c. 387, s. 1; 1941, c. 36; 1975, c. 716, s. 5; 1977, c. 70, ss. 13, 14, 15; 2011-145, s. 19.1(g), (hh); 2015-241, s. 16A.7(i); recodified from N.C. Gen. Stat. 20-184 by 2024-57, s. 3E.1(g); 2024-57, s. 3E.1(p).)