

12 NCAC 02I .0304 PROHIBITED ACTS

In addition to the prohibited acts set forth elsewhere in the rules in this Subchapter and in G.S. Chapter 74E, a company police officer shall not commit the following acts:

- (1) use of excess force while in the performance of his official duties;
- (2) carrying a concealed weapon except:
 - (a) when on his own business property or at home;
 - (b) when employed as a company police officer, while on duty and in compliance with G.S. 14-269(b)(4) and G.S. 74E-6; or
 - (c) when off duty and in compliance with G.S. 14-269(b)(5).
- (3) activating or operating a red light in or on any vehicle in this State unless such vehicle is exempted from the provisions of G.S. 20-130.1(b);
- (4) activating or operating a blue light in or on any vehicle in this State except when operating a motor vehicle used primarily by company or railroad police in the performance of his official duties:
 - (a) when in property jurisdiction limitations specifically described under G.S. 74E-6;
 - (b) when in continuous or immediate pursuit of a person for an offense committed upon real property owned by or in the possession or control of his employer or real property or in the possession and control of a person who has contracted with the employer to provide on-site police security personnel services for the property; or
 - (c) during the transportation of an arrestee, which the company police agency has taken into custody;
- (5) activating or operating a siren when operating any motor vehicle used primarily by any company police agency in the performance of his official duties when outside of the property jurisdiction limitations specifically described under G.S. 74E-6 unless in immediate and continuous pursuit;
- (6) representing in any manner at any time that he is a federal, state, county, or municipal law enforcement officer, while in performance of official duties as a company police officer within his territorial jurisdiction.
- (7) impeding traffic, stopping motorists or pedestrians, or in any manner imposing or attempting to impose his will upon another person as police authority unless:
 - (a) he is on the property specifically described under G.S. 74E-6; or
 - (b) when in immediate and continuous pursuit of any person for an offense which occurred within the property jurisdiction limitations specifically described under G.S. 74E-6;
- (8) using or attempting to use authority granted under a company police commission pursuant to this Subchapter outside the political boundaries of North Carolina; or
- (9) violating Rule .0306 of this Section.

History Note: Authority G.S. 74E-4; 74E-6; 74E-8;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. January 1, 2008; August 2, 1993; November 1, 1984; April 9, 1980; December 28, 1979;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.