



**PRIVATE SECURITY SERVICES**

Compliance Agent Resource Manual

## CONTENTS

Tab 1	Introduction / Orientation
Tab 2	Code of Virginia
Tab 3	Index – Regulations Relating to Private Security Services
Tab 4	Part I - Definitions
Tab 5	Part II – Application Fees
Tab 6	Part III – Application Procedures and Requirements
Tab 7	Part IV – Administrative Requirements/Standards of Conduct
Tab 8	Part V – Compulsory Minimum Training Requirements
Tab 9	Part VI – Complaints / Dept. Actions / Sanctions / Adjudications
Tab 10	Miscellaneous / Handouts



## COMMONWEALTH OF VIRGINIA

### *Department of Criminal Justice Services*

Dear Compliance Agent:

First and foremost, welcome to Entry-Level Compliance Agent Training. The mission of the Department of Criminal Justice Services is "To provide operational and support services to promote and enhance public safety in the Commonwealth through education, standards, forensic laboratory services, grant funding, information, programs, and technical assistance."

The Criminal Justice Services Board and the DCJS Private Security Services Section have the responsibility of regulating private security services in the Commonwealth of Virginia. The Section's mission is "***To secure the public safety and welfare against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities of private security services.***" The regulatory program requires everyone to undergo a criminal history check and receives some type of training.

The Private Security Services Section is divided into five main operational sections: licensing, training, regulatory programs, administration (including criminal history, credentials, and customer service), and compliance & enforcement.

Compliance Agent Entry Level Training is designed to familiarize the new compliance agent with the terminology used and, more importantly, how to navigate through the Code of Virginia and the Regulations that govern private security in Virginia. This training manual is yours to keep. As changes are made, updated information will be available on our website at [www.dcjs.virginia.gov/pss](http://www.dcjs.virginia.gov/pss) so that you can keep this resource manual current.

The Private Security Services staff values the role a compliance agent plays. The compliance agent is the bridge between DCJS and the industry. As always, we will make every effort to provide you with up to date information and technical support to assist you in the demanding position you fill.

We appreciate your effort in maintaining compliance and look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink that reads "Kim B. Buckner".

Kim B. Buckner  
Training Manager

# Private Security Code of Ethics

Virginia Private Security Services Advisory Board

As a member of the Virginia Private Security community, I pledge:

To accept private security responsibilities and obligations by protecting life and property; preventing and reducing crimes; upholding the law; and respecting the constitutional rights of all persons.

To conduct myself with honesty and integrity and to adhere to the highest moral principles in the performance of my security duties.

To be faithful, diligent, and dependable in discharging my duties, and to uphold at all times the laws, policies, and procedures that protect the rights of others.

To observe the precepts of truth, accuracy and prudence, without allowing personal feelings, prejudices, animosities or friendships to influence my judgments.

To respect and protect confidential and privileged information except in those instances contrary to law or to this Code of Ethics.

To cooperate with appropriate criminal justice and government agencies concerning matters within their purview.

To accept no gratuity, promise or other favor which would compromise my integrity.

To strive continually to improve my performance through training and educational opportunities to better prepare me for my duties.

To conduct myself professionally at all times and to perform my duties in a manner that reflects credit upon myself, my company, and the private security community.

Private Security Services Advisory Board

Membership as of May 2007

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**Code of Virginia**  
(As it Relates to Private  
Security)  
Effective July 1, 2003

CODE INDEX

<a href="#">Title 9.1-138</a>	Definitions
<a href="#">Title 9.1-139</a>	Licensing, certification, and registration required; qualifications; temporary licenses
<a href="#">Title 9.1-140</a>	Exceptions from article; training requirements for out-of-state central station dispatchers
<a href="#">Title 9.1-141</a>	Powers of Board relating to private security services business
<a href="#">Title 9.1-142</a>	Powers of Department relating to private security services businesses
<a href="#">Title 9.1-143</a>	Private Security Services Advisory Board; membership
<a href="#">Title 9.1-144</a>	Bond or insurance required; actions against bond
<a href="#">Title 9.1-145</a>	Fingerprints required
<a href="#">Title 9.1-146</a>	Limitation on powers of registered armed security officers
<a href="#">Title 9.1-147</a>	Unlawful conduct generally; penalty
<a href="#">Title 9.1-148</a>	Unlawful procurement of a license; penalty
<a href="#">Title 9.1-149</a>	Unlicensed activity prohibited; penalty
<a href="#">Title 9.1-150</a>	Monetary penalty

**Special Conservators of the Peace**

<a href="#">Title 9.1-150.1</a>	Definition
<a href="#">Title 9.1-150.2</a>	Powers of the Criminal Justice Services Board relating to special conservators of the peace appointed pursuant to 19.2-13.
<a href="#">Title 9.1-150.3</a>	Powers of the Criminal Justice Services Board relating to special conservators of the peace appointed pursuant to 19.2-13.
<a href="#">Title 9.1-150.4</a>	Unlawful conduct; penalties.
<a href="#">Title 15.2-1737</a>	Circuit courts may appoint special police officers.
<a href="#">Title 19.2-13</a>	Special conservators of the peace; authority; jurisdiction; registration; bond; liability of employers; penalty; report.

§ 9.1-138. Definitions.

In addition to the definitions set forth in § [9.1-101](#), as used in this article, unless the context requires a different meaning:

"Alarm respondent" means an individual who responds to the signal of an alarm for the purpose of detecting an intrusion of the home, business or property of the end user.

"Armed" means a private security registrant who carries or has immediate access to a firearm in the performance of his duties.

"Armed security officer" means a natural person employed to (i) safeguard and protect persons and property or (ii) deter theft, loss, or concealment of any tangible or intangible personal property on the premises he is contracted to protect, and who carries or has access to a firearm in the performance of his duties.

"Armored car personnel" means persons who transport or offer to transport under armed security from one place to another, money, negotiable instruments or other valuables in a specially equipped motor vehicle with a high degree of security and certainty of delivery.

"Business advertising material" means display advertisements in telephone directories, letterhead, business cards, local newspaper advertising and contracts.

"Central station dispatcher" means an individual who monitors burglar alarm signal devices, burglar alarms or any other electrical, mechanical or electronic device used (i) to prevent or detect burglary, theft, shoplifting, pilferage or similar losses; (ii) to prevent or detect intrusion; or (iii) primarily to summon aid for other emergencies.

"Certification" means the method of regulation indicating that qualified persons have met the minimum requirements as private security services training schools, private security services instructors, or compliance agents.

"Compliance agent" means an individual who owns or is employed by a licensed private security services business to ensure the compliance of the private security services business with this title.

"Courier" means any armed person who transports or offers to transport from one place to another documents or other papers, negotiable or nonnegotiable instruments, or other small items of value that require expeditious services.

"Electronic security business" means any person who engages in the business of or undertakes to (i) install, service, maintain, design or consult in the design of any electronic security equipment to an end user; (ii) respond to or cause a response to electronic security equipment for an end user; or (iii) have access to confidential information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security employee" means an individual who is employed by an electronic security business in any capacity which may give him access to information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security equipment" means electronic or mechanical alarm signaling devices including burglar alarms or holdup alarms or cameras used to detect intrusions, concealment or theft, to safeguard and protect persons and property. This shall not include tags, labels, and other devices that are attached or affixed to items offered for sale, library books, and other protected articles as part of an electronic article surveillance and theft detection and deterrence system.

"Electronic security sales representative" means an individual who sells electronic security equipment on behalf of an electronic security business to the end user.

"Electronic security technician" means an individual who installs, services, maintains or repairs electronic security equipment.

"Electronic security technician's assistant" means an individual who works as a laborer under the supervision of the electronic security technician in the course of his normal duties, but who may not make connections to any electronic security equipment.

"Employed" means to be in an employer/employee relationship where the employee is providing work in exchange for compensation and the employer directly controls the employee's conduct and pays some taxes on behalf of the employee. The term "employed" shall not be construed to include independent contractors.

"End user" means any person who purchases or leases electronic security equipment for use in that person's home or business.

"Firearms training verification" means the verification of successful completion of either initial or retraining requirements for handgun or shotgun training, or both.

"General public" means individuals who have access to areas open to all and not restricted to any particular class of the community.

"License number" means the official number issued to a private security services business licensed by the Department.

"Natural person" means an individual person.

"Personal protection specialist" means any individual who engages in the duties of providing close protection from bodily harm to any person.

"Private investigator" means any individual who engages in the business of, or accepts employment to make, investigations to obtain information on (i) crimes or civil wrongs; (ii) the location, disposition, or recovery of stolen property; (iii) the cause of accidents, fires, damages, or injuries to persons or to property; or (iv) evidence to be used before any court, board, officer, or investigative committee.

"Private security services business" means any person engaged in the business of providing, or who undertakes to provide, armored car personnel, security officers, personal protection specialists, private investigators, couriers, security canine handlers, security canine teams, alarm respondents, central station dispatchers, electronic security employees, electronic security sales representatives or electronic security technicians and their assistants to another person under contract, express or implied.

"Private security services instructor" means any individual certified by the Department to provide mandated instruction in private security subjects for a certified private security services training school.

"Private security services registrant" means any qualified individual who has met the requirements under this article to perform the duties of alarm respondent, armored car personnel, central station dispatcher, courier, electronic security sales representative, electronic security technician, electronic security technician's assistant, personal protection specialist, private investigator, security canine handler, unarmed security officer or armed security officer.

"Private security services training school" means any person certified by the Department to provide instruction in private security subjects for the training of private security services business personnel in accordance with this article.

"Registration" means a method of regulation whereby certain personnel employed by a private security services business are required to register with the Department pursuant to this article.

"Registration category" means any one of the following categories: (i) unarmed security officer and armed security officer/courier, (ii) security canine handler, (iii) armored car personnel, (iv) private investigator, (v) personal protection specialist, (vi) alarm respondent, (vii) central station dispatcher, (viii) electronic security sales representative, (ix) electronic security technician, or (x) electronic technician's assistant.

"Security canine" means a dog that has attended, completed, and been certified as a security canine by a certified security canine handler instructor in accordance with approved Department procedures and certification guidelines. "Security canines" shall not include detector dogs.

"Security canine handler" means any individual who utilizes his security canine in the performance of private security duties.

Effective November 19, 2003

"Security canine team" means the security canine handler and his security canine performing private security duties.

"Supervisor" means any individual who directly or indirectly supervises registered or certified private security services business personnel.

"Unarmed security officer" means a natural person who performs the functions of observation, detection, reporting, or notification of appropriate authorities or designated agents regarding persons or property on the premises he is contracted to protect, and who does not carry or have access to a firearm in the performance of his duties.

§ 9.1-139. Licensing, certification, and registration required; qualifications; temporary licenses.

- A. No person shall engage in the private security services business or solicit private security business in the Commonwealth without having obtained a license from the Department. No person shall be issued a private security services business license until a compliance agent is designated in writing on forms provided by the Department. The compliance agent shall ensure the compliance of the private security services business with this article and shall meet the qualifications and perform the duties required by the regulations adopted by the Board. A compliance agent shall have either a minimum of (i) three years of managerial or supervisory experience in a private security services business; with a federal, state or local law-enforcement agency; or in a related field or (ii) five years of experience in a private security services business; with a federal, state or local law-enforcement agency; or in a related field.
- B. No person shall act as private security services training school or solicit students for private security training in the Commonwealth without being certified by the Department. No person shall be issued a private security services training school certification until a school director is designated in writing on forms provided by the Department. The school director shall ensure the compliance of the school with the provisions of this article and shall meet the qualifications and perform the duties required by the regulations adopted by the Board.
- C. No person shall be employed by a licensed private security services business in the Commonwealth as armored car personnel, courier, armed security officer, unarmed security officer, security canine handler, private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician's assistant, or electronic security technician without possessing a valid registration issued by the Department, except as provided in this article.
- D. A temporary license may be issued in accordance with Board regulations for the purpose of awaiting the results of the state and national fingerprint search. However, no person shall be issued a temporary license until (i) he has designated a compliance agent who has complied with the compulsory minimum training standards established by the Board pursuant to subsection A of § [9.1-141](#) for compliance agents, (ii) each principal of the business has submitted his fingerprints for a National Criminal Records search and a Virginia Criminal History Records search, and (iii) he has met all other requirements of this article and Board regulations.
- E. No person shall be employed by a licensed private security services business in the Commonwealth unless such person is certified or registered in accordance with this chapter.

- F. A temporary registration may be issued in accordance with Board regulations for the purpose of awaiting the results of the state and national fingerprint search. However, no person shall be issued a temporary registration until he has (i) complied with, or been exempted from the compulsory minimum training standards established by the Board, pursuant to subsection A of § [9.1-141](#), for armored car personnel, couriers, armed security officers, unarmed security officers, security canine handlers, private investigators, personal protection specialists, alarm respondents, central station dispatchers, electronic security sales representatives, electronic security technician's assistants, or electronic security technicians, (ii) submitted his fingerprints to be used for the conduct of a National Criminal Records search and a Virginia Criminal History Records search, and (iii) met all other requirements of this article and Board regulations.
- G. A temporary certification as a private security instructor or private security training school may be issued in accordance with Board regulations for the purpose of awaiting the results of the state and national fingerprint search. However, no person shall be issued a temporary certification as a private security services instructor until he has (i) met the education, training and experience requirements established by the Board and (ii) submitted his fingerprints to be used for the conduct of a National Criminal Records search and a Virginia Criminal History Records search. No person shall be issued a temporary certification as a private security services training school until (a) he has designated a training director, (b) each principal of the training school has submitted his fingerprints to be used for the conduct of a National Criminal Records search and a Virginia Criminal History Records search, and (c) he has met all other requirements of this article and Board regulations.
- H. A licensed private security services business in the Commonwealth shall not employ as an unarmed security officer, electronic security technician's assistant, unarmed alarm respondent, central station dispatcher, electronic security sales representative, or electronic security technician, any person who has not complied with, or been exempted from, the compulsory minimum training standards established by the Board, pursuant to subsection A of § [9.1-141](#), except that such person may be so employed for not more than 90 days while completing compulsory minimum training standards.
- I. No person shall be employed as an electronic security employee, electronic security technician's assistant, unarmed alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician or supervisor until he has submitted his fingerprints to the Department to be used for the conduct of a National Criminal Records search and a Virginia Criminal History Records search. The provisions of this subsection shall not apply to an out-of-state central station dispatcher meeting the requirements of subdivision 19 of § [9.1-140](#).

- J. The compliance agent of each licensed private security services business in the Commonwealth shall maintain documentary evidence that each private security registrant and certified employee employed by his private security services business has complied with, or been exempted from, the compulsory minimum training standards required by the Board. Before January 1, 2003, the compliance agent shall ensure that an investigation to determine suitability of each unarmed security officer employee has been conducted, except that any such unarmed security officer, upon initiating a request for such investigation under the provisions of subdivision 11 of subsection A of § [19.2-389](#), may be employed for up to 30 days pending completion of such investigation. After January 1, 2003, no person shall be employed as an unarmed security officer until he has submitted his fingerprints to the Department for the conduct of a National Criminal Records search and a Virginia Criminal History Records search. Any person who was employed as an unarmed security officer prior to January 1, 2003, shall submit his fingerprints to the Department in accordance with subsection B of § [9.1-145](#).
- K. No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ [18.2-247](#) et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, certification as an unarmed security officer, electronic security employee or technician's assistant, a private security services training school or instructor certification, compliance agent certification, or a private security services business license, except that, upon written request, the Director of the Department may waive such prohibition.
- L. The Department may grant a temporary exemption from the requirement for licensure, certification, or registration for a period of not more than 30 days in a situation deemed an emergency by the Department.
- M. All private security services businesses and private security services training schools in the Commonwealth shall include their license or certification number on all business advertising materials.
- N. A licensed private security services business in the Commonwealth shall not employ as armored car personnel any person who has not complied with, or been exempted from, the compulsory minimum training standards established by the Board pursuant to subsection A of § [9.1-141](#), except such person may serve as a driver of an armored car for not more than 90 days while completing compulsory minimum training standards, provided such person does not possess or have access to a firearm while serving as a driver.

§ 9.1-140. Exceptions from article; training requirements for out-of-state central station dispatchers.

The provisions of this article shall not apply to:

1. An officer or employee of the United States, the Commonwealth, or a political subdivision of either, while the officer or employee is performing his official duties.
2. A person, except a private investigator as defined in § [9.1-138](#), engaged exclusively in the business of obtaining and furnishing information regarding an individual's financial rating or a person engaged in the business of a consumer reporting agency as defined by the Federal Fair Credit Reporting Act.
3. An attorney or certified public accountant licensed to practice in Virginia or his employees.
4. The legal owner of personal property which has been sold under any security agreement while performing acts relating to the repossession of such property.
5. A person receiving compensation for private employment as a security officer, or receiving compensation under the terms of a contract, express or implied, as a security officer, who is also a law-enforcement officer as defined by § [9.1-101](#) and employed by the Commonwealth or any of its political subdivisions.
6. Any person appointed under § 46.2-2003 or § 56-353 while engaged in the employment contemplated thereunder, unless they have successfully completed training mandated by the Department.
7. Persons who conduct investigations as a part of the services being provided as a claims adjuster, by a claims adjuster who maintains an ongoing claims adjusting business, and any natural person employed by the claims adjuster to conduct investigations for the claims adjuster as a part of the services being provided as a claims adjuster.
8. Any natural person otherwise required to be registered pursuant to § [9.1-139](#) who is employed by a business that is not a private security services business for the performance of his duties for his employer. Any such employee, however, who carries a firearm and is in direct contact with the general public in the performance of his duties shall possess a valid registration with the Department as required by this article.
9. Persons, sometimes known as "shoppers," employed to purchase goods or services solely for the purpose of determining or assessing the efficiency, loyalty, courtesy, or honesty of the employees of a business establishment.

10. Licensed or registered private investigators from other states entering Virginia during an investigation originating in their state of licensure or registration when the other state offers similar reciprocity to private investigators licensed and registered by the Commonwealth.
11. Unarmed regular employees of telephone public service companies where the regular duties of such employees consist of protecting the property of their employers and investigating the usage of telephone services and equipment furnished by their employers, their employers' affiliates, and other communications common carriers.
12. An end user.
13. A material supplier who renders advice concerning the use of products sold by an electronics security business and who does not provide installation, monitoring, repair or maintenance services for electronic security equipment.
14. Members of the security forces who are directly employed by electric public service companies.
15. Any professional engineer or architect licensed in accordance with Chapter 4 (§ [54.1-400](#) et seq.) of Title 54.1 to practice in the Commonwealth, or his employees.
16. Any person who only performs telemarketing or schedules appointments without access to information concerning the electronic security equipment purchased by an end user.
17. Any certified forensic scientist employed as an expert witness for the purpose of possibly testifying as an expert witness.
18. Members of the security forces who are directly employed by shipyards engaged in the construction, design, overhaul or repair of nuclear vessels for the United States Navy.
19. An out-of-state central station dispatcher employed by a private security services business licensed by the Department provided he (i) possesses and maintains a valid license, registration, or certification as a central station dispatcher issued by the regulatory authority of the state in which he performs the monitoring duties and (ii) has submitted his fingerprints to the regulatory authority for the conduct of a national criminal history records search.
20. Any person, or independent contractor or employee of any person, who (i) exclusively contracts directly with an agency of the federal government to conduct background investigations and (ii) possesses credentials issued by such agency authorizing such person, subcontractor or employee to conduct background investigations.

21. Any person whose occupation is limited to the technical reconstruction of the cause of accidents involving motor vehicles as defined in § [46.2-100](#), regardless of whether the information resulting from the investigation is to be used before a court, board, officer, or investigative committee, and who is not otherwise a private investigator as defined in § [9.1-138](#).

§ 9.1-141. Powers of Board relating to private security services business.

- A. The Board may adopt regulations in accordance with the Administrative Process Act (§ [2.2-4000](#) et seq.), establishing compulsory minimum, entry-level, in-service, and advanced training standards for persons employed by private security services businesses in classifications defined in § [9.1-138](#). The regulations may include provisions delegating to the Board's staff the right to inspect the facilities and programs of persons conducting training to ensure compliance with the law and Board regulations. In establishing compulsory training standards for each of the classifications defined in § [9.1-138](#), the Board shall be guided by the policy of this section to secure the public safety and welfare against incompetent or unqualified persons engaging in the activities regulated by this section and Article 4 (§ [9.1-138](#) et seq.) of this chapter. The regulations may provide for exemption from such training for persons having previous employment as law-enforcement officers for a state or the federal government. However, no such exemption shall be granted to persons having less than five continuous years of such employment, nor shall an exemption be provided for any person whose employment as a law-enforcement officer was terminated because of his misconduct or incompetence. The regulations may include provisions for partial exemption from compulsory training for persons having previous training that meets or exceeds the minimum training standards and has been approved by the Department, or for persons employed in classifications defined in § [9.1-138](#). However, no exemption shall be granted to persons having less than five continuous years of such employment, nor shall an exemption be provided for any person whose employment as a private security services business employee was terminated because of his misconduct or incompetence.
- B. The Board may enter into an agreement with other states for reciprocity or recognition of private security services businesses and their employees, duly licensed by such states. The agreements shall allow those businesses and their employees to provide and perform private security services within the Commonwealth to secure the public safety and welfare against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities of private security services businesses.
- C. The Board may adopt regulations in accordance with the Administrative Process Act (§ [2.2-4000](#) et seq.) to secure the public safety and welfare against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities of private security services businesses that:
1. Establish the qualifications of applicants for registration, certification, or licensure under Article 4 (§ [9.1-138](#)) of this chapter;
  2. Examine, or cause to be examined, the qualifications of each applicant for registration, certification, or licensure, including when necessary the preparation, administration and grading of examinations;

3. Certify qualified applicants for private security training schools and instructors or license qualified applicants as practitioners of private security services businesses;
  4. Levy and collect fees for registration, certification, or licensure and renewal that are sufficient to cover all expenses for administration and operation of a program of registration, certification, and licensure for private security services businesses and training schools;
  5. Are necessary to ensure continued competency, and to prevent deceptive or misleading practices by practitioners and effectively administer the regulatory system adopted by the Board;
  6. Receive complaints concerning the conduct of any person whose activities are regulated by the Board, to conduct investigations, and to take appropriate disciplinary action if warranted; and
  7. Revoke, suspend or fail to renew a registration, certification, or license for just cause as enumerated in Board regulations.
- D. In adopting its regulations under subsections A and C, the Board shall seek the advice of the Private Security Services Advisory Board established pursuant to § [9.1-143](#).

§ 9.1-142. Powers of Department relating to private security services businesses.

- A. In addition to the powers otherwise conferred upon it by law, the Department may:
1. Charge each applicant for licensure, certification or registration a nonrefundable fee as established by the Board to cover the costs of the Department for processing an application for a registration, certification or license, and enforcement of these regulations, and other costs associated with the maintenance of this program of regulation.
  2. Charge nonrefundable fees for private security services training as established by the Board for processing school certifications and enforcement of training standards.
  3. Conduct investigations to determine the suitability of applicants for registration, licensure, or certification of compliance agents, training schools, and instructors. For purposes of this investigation, the Department shall have access to criminal history record information maintained by the Central Criminal Records Exchange of the Department of State Police and shall conduct a background investigation, to include a National Criminal Records search and a Virginia Criminal History Records search.
  4. Issue subpoenas. The Director or a designated subordinate may make an ex parte application to the circuit court for the city or county wherein evidence sought is kept or wherein a licensee does business, for the issuance of a subpoena duces tecum in furtherance of the investigation of a sworn complaint within the jurisdiction of the Department or the Board to request production of any relevant records, documents and physical or other evidence of any person, partnership, association or corporation licensed or regulated by the Department pursuant to this article. The court may issue and compel compliance with such a subpoena upon a showing of reasonable cause. Upon determining that reasonable cause exists to believe that evidence may be destroyed or altered, the court may issue a subpoena duces tecum requiring the immediate production of evidence.
  5. Recover costs of the investigation and adjudication of violations of this article or Board regulations. Such costs may be recovered from the respondent when a sanction is imposed to fine or place on probation, suspend, revoke, or deny the issuance of any license, certification, or registration. Such costs shall be in addition to any monetary penalty which may be imposed. All costs recovered shall be deposited into the state treasury to the credit of the Private Security Services Regulatory Fund.

6. Institute proceedings to enjoin any person from engaging in any lawful act enumerated in § 9.1-147. Such proceedings shall be brought in the name of the Commonwealth by the Department in circuit court of the city or county in which the unlawful act occurred or in which the defendant resides.
- B. The Director, or agents appointed by him, shall be vested with the authority to administer oaths or affirmations for the purpose of receiving complaints and conducting investigations of violations of this article, or any Board regulation promulgated pursuant to authority given by this article. Information concerning alleged criminal violations shall be turned over to law-enforcement officers in appropriate jurisdictions. Agents shall be vested with authority to serve such paper or process issued by the Department or the Board under regulations approved by the Board.

§ 9.1-143. Private Security Services Advisory Board; membership.

The Private Security Services Advisory Board is established as an advisory board within the meaning of § [2.2-2100](#), in the executive branch of state government. The Private Security Services Advisory Board shall consist of 12 members as follows: two members shall be private investigators; two shall be representatives of electronic security businesses; three shall be representatives of private security services businesses providing security officers, armed couriers or guard dog handlers; one shall be a representative of a private security services business providing armored car personnel; one shall be a representative of a private security services business involving personal protection specialists; one shall be a certified private security services instructor; one shall be a special conservator of the peace appointed pursuant to § [19.2-13](#); and one shall be a representative of law enforcement. The Private Security Services Advisory Board shall be appointed by the Criminal Justice Services Board and shall advise the Criminal Justice Services Board on all issues relating to regulation of private security services businesses.

§ 9.1-144. Bond or insurance required; actions against bond.

- A. Every person licensed as a private security services business under subsection A of § [9.1-139](#) or certified as a private security services training school under subsection B of § [9.1-139](#) shall, at the time of receiving the license or certification and before the license or certification shall be operative, file with the Department (i) a cash bond or evidence that the licensee or certificate holder is covered by a surety bond, executed by a surety company authorized to do business in the Commonwealth, in a reasonable amount to be fixed by the Department, conditioned upon the faithful and honest conduct of his business or employment; or (ii) evidence of a policy of liability insurance in an amount and with coverage as fixed by the Department. The bond or liability insurance shall be maintained for so long as the licensee or certificate holder is licensed or certified by the Department.
  
- B. If any person aggrieved by the misconduct of any person licensed or certified under subsection A or B of § [9.1-139](#) recovers judgment against the licensee or certificate holder, which judgment is unsatisfied in whole or in part, such person may bring an action in his own name on the bond of the licensee or certificate holder.

§ 9.1-145. Fingerprints required; penalty.

- A. Each applicant for initial registration, licensure or certification as a compliance agent, private security services training school or instructor or unarmed security officer under the provisions of this article and every person employed as an electronic security employee or electronic security technician's assistant shall submit his fingerprints to the Department on a form provided by the Department. The Department shall use the applicant's fingerprints and personal descriptive information for the conduct of a National Criminal Records search and a Virginia Criminal History Records search.
- B. Each currently certified unarmed security officer applying for renewal between January 1, 2003, and December 31, 2004, shall submit his fingerprints to the Department on a form provided by the Department. The Department shall use the applicant's fingerprints and personal descriptive information for the conduct of a National Criminal Records search and a Virginia Criminal History Records search.
- C. The Department may suspend the registration, license or certification of any applicant who is subsequently convicted of a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ [18.2-247](#) et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, or (vi) firearms or any felony.
- D. Any person willfully and intentionally making a false statement in the personal descriptive information required on the fingerprint card is guilty of a Class 5 felony.

§ 9.1-146. Limitation on powers of registered armed security officers.

Compliance with the provisions of this article shall not itself authorize any person to carry a concealed weapon or exercise any powers of a conservator of the peace. A registered armed security officer of a private security services business while at a location which the business is contracted to protect shall have the power to effect an arrest for an offense occurring (i) in his presence on such premises or (ii) in the presence of a merchant, agent, or employee of the merchant the private security business has contracted to protect, if the merchant, agent, or employee had probable cause to believe that the person arrested had shoplifted or committed willful concealment of goods as contemplated by § [18.2-106](#). For the purposes of § [19.2-74](#), a registered armed security officer of a private security services business shall be considered an arresting officer.

§ 9.1-147. Unlawful conduct generally; penalty.

- A. It shall be unlawful for any person to:
1. Practice any trade or profession licensed, certified or registered under this article without obtaining the necessary license, certification or registration required by statute or regulation;
  2. Materially misrepresent facts in an application for licensure, certification or registration;
  3. Willfully refuse to furnish the Department information or records required or requested pursuant to statute or regulation; and
  4. Violate any statute or regulation governing the practice of the private security services businesses or training schools regulated by this article.
- B. Any person who is convicted of willful violation of subsection A shall be guilty of a Class 1 misdemeanor. Any person convicted of a third or subsequent offense under this section during a thirty-six-month period shall be guilty of a Class 6 felony.

§ 9.1-148. Unlawful procurement of a license; penalty.

- A. It shall be unlawful for any person to:
1. Procure, or assist another to procure, through theft, fraud or other illegal means, a registration or license, by giving to, or receiving from, any person any information, oral, written or printed, during the administration of the examination, which is intended to, or will, assist any person taking the examination in passing the examination and obtaining the required registration or license;
  2. Attempt to procure, through theft, fraud or other illegal means, any questions intended to be used by the Department conducting the examination, or the answers to the questions;
  3. Promise or offer any valuable or other consideration to a person having access to the questions or answers as an inducement to procure for delivery to the promisor, or any other person, a copy of any questions or answers.
- B. No person, other than a designee of the Department, shall procure or have in his possession prior to the beginning of an examination, without written authority of the Department, any question intended to be used by the Department, or receive or furnish to any person taking the examination, prior to or during the examination, any written or printed material purporting to be answers to, or aid in answering such questions;
- C. If an examination is divided into separate parts, each of the parts shall be deemed an examination for the purposes of this section.
- D. Any person convicted of a violation of subsections A or B shall be guilty of a Class 2 misdemeanor.

§ 9.1-149. Unlicensed activity prohibited; penalty.

A. No person:

1. Required to possess a registration under subsection C of § [9.1-139](#) shall be employed by a private security services business, except as provided in this article, as armored car personnel, courier, armed security officer, security canine handler, personal protection specialist, private investigator, alarm respondent, central station dispatcher, electronic security sales representative or electronic security technician without possessing a valid registration.
2. Licensed or required to be licensed under subsection A of § [9.1-139](#) shall employ or otherwise utilize, except as provided in this article, as armored car personnel, courier, armed security officer, security canine handler, personal protection specialist, private investigator, alarm respondent, central station dispatcher, electronic security sales representative or electronic security technician, any person not possessing a valid registration.
3. Required to possess an instructor certification under subsection D of § [9.1-139](#) shall provide mandated instruction, except as provided in § [9.1-141](#) and Board regulations, without possessing a valid private security instructor certification.
4. Certified or required to be certified as a private security services training school under subsection B of § [9.1-139](#) shall employ or otherwise utilize, except as provided in § [9.1-141](#) and Board regulations, as a private security instructor, any person not possessing a valid instructor certification.

B. No compliance agent employed or otherwise utilized by a person licensed or required to be licensed under subsection A of § [9.1-139](#) shall:

1. Employ or otherwise utilize as an unarmed security officer, except as provided in this article, any individual for whom the compliance agent does not possess documentary evidence of compliance with, or exemption from, the compulsory minimum training standards established by the Board for unarmed security officers and before January 1, 2003, maintain documentary evidence that an investigation to determine suitability has been conducted.
2. Employ or otherwise utilize as an electronic security technician's assistant, except as provided in this article, any individual for whom the compliance agent does not possess documentary evidence of compliance with, or exemption from, the compulsory minimum training standards established by the Board for electronic security technician's assistants.

C. Any person convicted of a violation of subsections A or B shall be guilty of a Class 1 misdemeanor.

§ 9.1-150. Monetary penalty.

Any person licensed, certified or registered by the Board pursuant to this article who violates any statute or Board regulation who is not criminally prosecuted shall be subject to the monetary penalty provided in this section. If the Board determines that a respondent is guilty of the violation complained of, the Board shall determine the amount of the monetary penalty for the violation, which shall not exceed \$2,500 for each violation. The penalty may be sued for and recovered in the name of the Commonwealth. The monetary penalty shall be paid into the state treasury to the credit of the Literary Fund in accordance with § [19.2-353](#).

Effective November 19, 2003

§ 9.1-150.1. Definitions.

In addition to the definitions set forth in § [9.1-101](#), as used in this article, unless the context requires a different meaning:

"Special conservator of the peace" means any individual appointed pursuant to § [19.2-13](#) on or after September 15, 2004.

§ 9.1-150.2. Powers of Criminal Justice Services Board relating to special conservators of the peace appointed pursuant to § [19.2-13](#).

The Board may adopt regulations establishing compulsory minimum, entry-level, in-service, and advanced training standards for special conservators of the peace. The regulations may include provisions delegating to the Board's staff the right to inspect the facilities and programs of persons conducting training to ensure compliance with the law and its regulations. In establishing compulsory training standards for special conservators of the peace, the Board shall ensure the public safety and welfare against incompetent or unqualified persons engaging in the activities regulated by this section. The regulations may provide for exemption from training of persons having previous employment as law-enforcement officers for a state or the federal government. However, no such exemption shall be granted to persons having less than five continuous years of such employment, nor shall an exemption be provided for any person whose employment as a law-enforcement officer was terminated because of his misconduct or incompetence. The regulations may include provisions for partial exemption from such training for persons having previous training that meets or exceeds the minimum training standards and has been approved by the Department. The Board may also adopt regulations that (i) establish the qualifications of applicants for registration; (ii) cause to be examined the qualifications of each applicant for registration; (iii) provide for collection of fees for registration and renewal that are sufficient to cover all expenses for administration and operation of a program of registration; (iv) ensure continued competency and prevent deceptive or misleading practices by practitioners; (v) effectively administer the regulatory system promulgated by the Board; (vi) provide for receipt of complaints concerning the conduct of any person whose activities are regulated by the Board; (vii) provide for investigations, and appropriate disciplinary action if warranted; and (viii) allow the Board to revoke, suspend or refuse to renew a registration, certification, or license for just cause as enumerated in regulations of the Board. The Board shall not adopt compulsory, minimum, entry-level training standards in excess of 24 hours for unarmed special conservators of the peace or in excess of 40 hours for armed special conservators of the peace. In adopting its regulations, the Board shall seek the advice of the Private Security Services Advisory Board established pursuant to § 9.1-143.

§ 9.1-150.3. Powers of Department of Criminal Justice Services relating to special conservators of the peace appointed pursuant to § [19.2-13](#).

- A. In addition to the powers otherwise conferred upon it by law, the Department may (i) charge each applicant for registration a nonrefundable fee as established by the Board to cover the costs of the Department for processing an application for registration, and enforcement of the regulations, and other costs associated with the maintenance of the program of regulation; (ii) charge nonrefundable fees for private security services training as established by the Board for processing school certifications and enforcement of training standards; and (iii) conduct investigations to determine the suitability of applicants for registration, including a drug and alcohol screening. For purposes of this investigation, the Department shall require the applicant to provide personal descriptive information to be forwarded, along with the applicant's fingerprints, to the Central Criminal Records Exchange for the purpose of conducting a Virginia criminal history records search. The Central Criminal Records Exchange shall forward the fingerprints and personal description to the Federal Bureau of Investigation for the purpose of obtaining a national criminal record check.
- B. The Director or his designee may make an ex parte application to the circuit court for the city or county wherein evidence sought is kept or wherein a licensee does business for the issuance of a subpoena duces tecum in furtherance of the investigation of a sworn complaint within the jurisdiction of the Department or the Board to request production of any relevant records, documents and physical or other evidence of any person, partnership, association or corporation licensed or regulated by the Department pursuant to this article. The court may issue and compel compliance with such a subpoena upon a showing of reasonable cause. Upon determining that reasonable cause exists to believe that evidence may be destroyed or altered, the court may issue a subpoena duces tecum requiring the immediate production of evidence. Costs of the investigation and adjudication of violations of this article or Board regulations may be recovered. All costs recovered shall be deposited into the state treasury to the credit of the Conservators of the Peace Regulatory Fund. Such proceedings shall be brought in the name of the Commonwealth by the Department in the circuit court of the city or county in which the unlawful act occurred or in which the defendant resides. The Director, or agents appointed by him, shall have the authority to administer oaths or affirmations for the purpose of receiving complaints and conducting investigations of violations of this article, or any regulation promulgated hereunder and to serve process issued by the Department or the Board

§ 9.1-150.4. Unlawful conduct; penalties.

- A. It shall be unlawful for any person to (i) misrepresent facts in an application for registration; (ii) willfully refuse to furnish the Department information or records required or requested pursuant to statute or regulation; or (iii) violate any statute or regulation governing the practice of special conservators of the peace regulated by this article or § [19.2-13](#).
- B. Any person registered by the Department pursuant to § [19.2-13](#) who the Department or the Board determines has violated any statute or Board regulation and who is not criminally prosecuted shall be subject to a monetary penalty not to exceed \$2,500 for each violation. The penalty may be sued for and recovered in the name of the Commonwealth and shall be paid into the state treasury to the credit of the Literary Fund in accordance with § [19.2-353](#).
- C. Any person who is convicted of a willful violation of the provisions of this article or § [19.2-13](#) is guilty of a Class 1 misdemeanor. Any person convicted of a third or subsequent offense under this article or § [19.2-13](#) during a 36-month period is guilty of a Class 6 felony.

§ 15.2-1737. Circuit courts may appoint special police officers.

- A. The circuit court for any locality may, upon the application of, and a showing of a necessity for the security of property or the peace by, the sheriff or chief of police, appoint special police officers for a locality within its jurisdiction. Effective July 1, 2002, no person employed by a local school board as a school security officer, as defined in § [9.1-101](#), shall be eligible for appointment as a special police officer for purposes of maintaining safety in a public school in the Commonwealth.

The special police officers shall be suitable and discreet persons and shall serve as such for such length of time as the court may designate, but not exceeding four years under any one appointment. Such person or persons so appointed shall be conservators of the peace under the supervision of the person or agency making application for the appointment, who shall likewise be civilly liable for any wrongful action or conduct committed by the appointee while within the scope of his employment.

- B. The court shall, prior to appointment, order the applicant to conduct a background investigation, in accordance with clause A (ii) of § [15.2-1705](#) of each prospective appointee who is not a law-enforcement officer as defined in § 9.1-101.
- C. All appointments made pursuant to this section shall become void on September 15, 2004, and any officers so appointed shall no longer be eligible to serve.

§ 19.2-13. Special conservators of the peace; authority; jurisdiction; registration; bond; liability of employers; penalty; report..

- A. Upon the application of any sheriff or chief of police of any county, city, town or any corporation authorized to do business in the Commonwealth or the owner, proprietor or authorized custodian of any place within the Commonwealth and the showing of a necessity for the security of property or the peace, a circuit court judge of any county or city, in his discretion, may appoint one or more special conservators of the peace who shall serve as such for such length of time as the court may designate, but not exceeding four years under any one appointment. The order of appointment may provide that a special conservator of the peace shall have all the powers, functions, duties, responsibilities and authority of any other special conservator of the peace within such geographical limitations as the court may deem appropriate within the confines of the county, city or town that makes application or within the county, city or town where the corporate applicant is located, limited to the judicial circuit wherein application has been made, whenever such special conservator of the peace is engaged in the performance of his duties as such. The order may also provide that the special conservator of the peace is a "law-enforcement officer" for the purposes of §§ [37.1-67.01](#) and [37.1-67.1](#). The order may also provide that the special conservator of the peace may use the title "police" on any badge or uniform worn in the performance of his duties as such. The order also may (i) require the local sheriff or chief of police to conduct a background investigation which may include a review of the applicant's school records, employment records, or interviews with persons possessing general knowledge of the applicant's character and fitness for such appointment and (ii) limit the use of flashing lights and sirens on personal vehicles used by the conservator in the performance of his duties. Prior to granting an application for appointment, the circuit court shall ensure that the applicant has met the registration requirements established by the Criminal Justice Services Board.
- B. Effective September 15, 2004, no person shall seek appointment as a special conservator of the peace from a circuit court judge without possessing a valid registration issued by the Department of Criminal Justice Services, except as provided in this section. Applicants for registration may submit an application on or after January 1, 2004. A temporary registration may be issued in accordance with regulations established by the Criminal Justice Services Board while awaiting the results of a state and national fingerprint search. However, no person shall be issued a temporary registration until he has (i) complied with, or been exempted from the compulsory minimum training standards as set forth in this section, (ii) submitted his fingerprints on a form provided by the Department to be used for the conduct of a national criminal records search and a Virginia criminal history records search, and (iii) met all other requirements of this article and Board regulations. No person with a criminal conviction for a misdemeanor involving (a) moral turpitude, (b) assault and battery, (c) damage to real or personal property, (d) controlled substances or imitation controlled substances as defined in Article 1 (§ [18.2-247](#) et seq.) of Chapter 7 of Title 18.2, (e) prohibited sexual behavior as described in Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, (f) firearms, or (g) any felony, shall be registered as a special conservator of the peace.

- C. Each person registered as or seeking registration as a special conservator of the peace shall be covered by (i) a cash bond, or a surety bond executed by a surety company authorized to do business in the Commonwealth, in a reasonable amount to be fixed by the Board, not to be less than \$10,000, conditioned upon the faithful and honest conduct of his business or employment; or (ii) evidence of a policy of liability insurance or self-insurance in an amount and with coverage as fixed by the Board. Any person who is aggrieved by the misconduct of any person registered as a special conservator of the peace and recovers a judgment against the registrant, which is unsatisfied in whole or in part, may bring an action in his own name against the bond or insurance policy of the registrant.
- D. Individuals listed in § [19.2-12](#), individuals who have complied with or been exempted pursuant to subsection A of § [9.1-141](#), and individuals employed as law-enforcement officers or private police officers as defined in § [9.1-101](#) who have met the minimum qualifications set forth in § [15.2-1705](#), shall be exempt from the requirements in subsections A through C. The Department of Criminal Justice Services shall, upon request by the circuit court, provide evidence to the circuit court of such employment prior to appointing an individual special conservator of the peace. The employing agency shall notify the circuit court within 30 days after the date such individual has left employment and all powers of the special conservator of the peace shall be void. Failure to provide such notification shall be punishable by a fine of \$250 plus an additional \$50 per day for each day such notice is not provided.
- E. When the application is made, the circuit court shall specify in the order of appointment the name of the sheriff or chief of police of the applicant county, city, town or the name of the corporation and the geographic jurisdiction of the special conservator of the peace. Court appointments shall be limited to the judicial circuit wherein application has been made. Effective July 1, 2004, the clerk of the appointing circuit court shall transmit a copy of the order of appointment that shall specify the following information: the person's complete name, address, date of birth, social security number, gender, race, height, weight, color of hair, color of eyes, firearm authority or limitation as set forth in subsection F, date of the order, and other information as may be required by the Department of State Police. The Department of State Police shall enter the person's name and other information into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ [52-12](#) et seq.) of Title 52. Each special conservator of the peace so appointed on application shall present his credentials to the chief of police or sheriff or his designee of the jurisdiction. Each special conservator shall provide a photocopy of his conservator identification card. The Department of State Police may charge a fee not to exceed \$10 to cover its cost associated with processing these orders.

If any such special conservator of the peace is the employee, agent or servant of another, his appointment as special conservator of the peace shall not relieve his employer, principal or master, from civil liability to another arising out of any wrongful action or conduct committed by such special conservator of the peace while within the scope of his employment.

Effective July 1, 2002, no person employed by a local school board as a school security officer, as defined in § [9.1-101](#), shall be eligible for appointment as a conservator for purposes of maintaining safety in a public school in the Commonwealth. All appointments of special conservators of the peace granted to school security officers as defined in § [9.1-101](#) prior to July 1, 2002 are void.

- F. The court may limit or prohibit the carrying of weapons by any special conservator of the peace initially appointed on or after July 1, 1996, while the appointee is within the scope of his employment as such.

November 05, 2003



## **REGULATIONS RELATING TO PRIVATE SECURITY SERVICES**

**6 VAC 20-171  
Criminal Justice Services Board  
Department of Criminal Justice Services  
Private Security Services Section**

**INDEX**

<u>Chapter 171</u>	Regulations Relating to Private Security Services
<b>TAB 4</b>	<b>PART – I DEFINITIONS</b>
<u>Section 10</u>	Definitions
<b>TAB 5</b>	<b>PART – II APPLICATION FEES</b>
<u>Section 20</u>	Fees
<b>TAB 6</b>	<b>PART – III APPLICATIONS PROCEDURES AND REQUIREMENTS</b>
<u>Section 30</u>	Fingerprint Processing
<u>Section 40</u>	Virginia State Police Form 167 (VSP-167)
<u>Section 50</u>	Initial License Application
<u>Section 60</u>	Renewal License Application
<u>Section 70</u>	Compliance Agent Training & Certification
<u>Section 80</u>	Initial Training School Application
<u>Section 90</u>	Renewal Training School Application
<u>Section 100</u>	Initial Instructor Application
<u>Section 110</u>	Renewal Instructor Application
<u>Section 120</u>	Initial Registration Application
<u>Section 130</u>	Renewal Registration Application
<u>Section 140</u>	Initial Certification Application
<u>Section 150</u>	Renewal Certification Application
<u>Section 160</u>	Additional Category Application
<u>Section 170</u>	Replacement Photo Identification
<u>Section 180</u>	Reinstatement
<u>Section 190</u>	Renewal Extension
<u>Section 210</u>	Exemptions, Recognition/Reciprocity
<b>TAB 7</b>	<b>PART – IV ADMINISTRATIVE REQUIREMENTS/STANDARDS OF CONDUCT</b>
<u>Section 215</u>	General Requirements
<u>Section 220</u>	Business Administrative Requirements
<u>Section 230</u>	Business Standards of Conduct
<u>Section 240</u>	Compliance Agent
<u>Section 245</u>	General Requirements
<u>Section 250</u>	Administrative Requirements
<u>Section 260</u>	Training School Standards of Conduct
<u>Section 270</u>	Private Security Services Training School Director
<u>Section 280</u>	Private Security Instructor
<u>Section 290</u>	Instruction Exceptions
<u>Section 300</u>	Private Security Training Session
<u>Section 305</u>	General Requirements
<u>Section 310</u>	Registered Personnel Administrative Requirements
<u>Section 320</u>	Registered Personnel Standards of Conduct
<u>Section 325</u>	General Requirements
<u>Section 330</u>	Certified Personnel Administrative Requirements
<u>Section 340</u>	Certified Personnel Standards of Conduct

November 05, 2003

**TAB 8      PART – V COMPULSORY MINIMUM TRAINING STANDARDS FOR  
PRIVATE SECURITY SERVICES BUSINESS PERSONNEL**

<u>Section 350</u>	Entry Level Training
<u>Section 360</u>	In-Service Training
<u>Section 365</u>	General Firearms Training Requirements
<u>Section 370</u>	Entry Level Handgun Training
<u>Section 380</u>	Entry Level Shotgun Training
<u>Section 390</u>	Entry Level Personal Protection Specialist Handgun Training
<u>Section 400</u>	Firearms (Handgun/Shotgun) Retraining
<u>Section 410</u>	[Reserved]
<u>Section 420</u>	Personal Protection Specialist Handgun Retraining
<u>Section 440</u>	Entry Level Security Canine Handler Training
<u>Section 445</u>	Training Exemptions
<u>Section 450</u>	Entry Level Training Exemption
<u>Section 460</u>	In-Service Training Exemption
<u>Section 470</u>	Prior Firearms Training Exemption

**TAB 9      PART VI COMPLAINTS, DEPARTMENT ACTION/SANCTION,  
ADJUDICATION**

<u>Section 480</u>	Submittal Requirements
<u>Section 490</u>	Department Investigation
<u>Section 500</u>	Disciplinary Action; Sanctions; Publication of Records
<u>Section 510</u>	Fines, Administrative & Investigative Costs
<u>Section 520</u>	Hearing Process
<u>Section 530</u>	Informal Fact-Finding Conference
<u>Section 540</u>	Formal Hearing
<u>Section 550</u>	Appeals
<u>Section 560</u>	Court Review; Appeal of Final Agency Order

November 05, 2003

# **PART I.** **DEFINITIONS**

November 05, 2003

**6 VAC 20-171-10. Definitions.**

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Alarm respondent" means a natural person who responds to the signal of an alarm for the purpose of detecting an intrusion of the home, business or property of the end user.

"Armed" means a private security registrant who carries or has immediate access to a firearm in the performance of his duties.

"Armed security officer" means a natural person employed to (i) safeguard and protect persons and property or (ii) deter theft, loss, or concealment of any tangible or intangible personal property on the premises he is contracted to protect, and who carries or has access to a firearm in the performance of his duties.

"Armored car personnel" means persons who transport or offer to transport under armed security from one place to another money, negotiable instruments or other valuables in a specially equipped motor vehicle with a high degree of security and certainty of delivery.

"Assistant training director" means a certified instructor designated by a private security training school director to submit training school session notifications and training rosters and perform administrative duties in lieu of the director.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Business advertising material" means display advertisements in telephone directories, letterhead, business cards, local newspaper advertising and contracts.

"Central station dispatcher" means a natural person who monitors burglar alarm signal devices, burglar alarms or any other electrical, mechanical or electronic device used to prevent or detect burglary, theft, shoplifting, pilferage or similar losses; used to prevent or detect intrusion; or used primarily to summon aid for other emergencies.

"Certification" means a method of regulation indicating that qualified persons have met the minimum requirements as private security services training schools, private security services instructors, compliance agents.

"Certified training school" means a training school, which is certified by the department for the specific purpose of training private security services business personnel in at least 1 category of the compulsory minimum training standards.

"Class" means a block of instruction no less than 50 minutes in length on a particular subject.

"Combat loading" means tactical loading of shotgun while maintaining coverage of threat area.

November 05, 2003

"Compliance agent" means a natural person who is an owner of, or employed by, a licensed private security services business. The compliance agent shall assure the compliance of the private security services business with all applicable requirements as provided in § 9.1-139 of the Code of Virginia.

"Courier" means any armed person who transports or offers to transport from one place to another documents or other papers, negotiable or nonnegotiable instruments, or other small items of value that require expeditious service.

"Date of hire" means the date any employee of a private security services business or training school performs services regulated or required to be regulated by the department.

"Department" or DCJS means the Department of Criminal Justice Services or any successor agency.

"Director" means the chief administrative officer of the department.

"Electronic roster submittal" means the authority given to the training director or assistant training director of a private security training school, after they have submitted an application and the required non-refundable fee, to submit a training school roster to the department electronically through the department's on-line system.

"Electronic security business" means any person who engages in the business of or undertakes to (i) sell, (ii) install, service, maintain, design or consult in the design of any electronic security equipment to an end user; (iii) respond to or cause a response to electronic security equipment for an end user; or (iv) have access to confidential information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security employee" means a natural person who is employed by an electronic security business in any capacity which may give him access to information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security equipment" means electronic or mechanical alarm signaling devices, including burglar alarms or holdup alarms or cameras used to detect intrusion, concealment or theft to safeguard and protect persons and property. This shall not include tags, labels, and other devices that are attached or affixed to items offered for sale, library books, and other protected articles as part of an electronic article surveillance and theft detection and deterrence system.

"Electronic security sales representative" means a natural person who sells electronic security equipment on behalf of an electronic security business to the end user.

"Electronic security technician" means a natural person who installs, services, maintains or repairs electronic security equipment.

"Electronic security technician's assistant" means a natural person who works as a laborer under the supervision of the electronic security technician in the course of his normal duties, but who may not make connections to any electronic security equipment.

November 05, 2003

“Employed” means to be an employer/employee relationship where the employee is providing work in exchange for compensation and the employer directly controls the employees’ conduct and pays taxes on behalf of the employee. The term “employed” shall not be construed to include independent contractors.

"Employee" means a natural person employed by a licensee to perform private security services that are regulated by the department.

"End user" means any person who purchases or leases electronic security equipment for use in that person's home or business.

"Engaging in the business of providing or undertaking to provide private security services" means any person who solicits business within the Commonwealth of Virginia through advertising, business cards, submission of bids, contracting, public notice for private security services, directly or indirectly, or by any other means.

“Firearms endorsement” means a method of regulation which identifies an individual registered as a private security registrant and has successfully completed the annual firearms training and has met the requirements as set forth in this chapter.

"Firearms training verification" means verification of successful completion of either initial or retraining requirements for handgun or shotgun training, or both.

"Firm" means a business entity, regardless of method of organization, applying for a private security services business license or for the renewal or reinstatement of same.

"Incident" means an event that exceeds the normal extent of one's duties.

"In-service training requirement" means the compulsory in-service training standards adopted by the Criminal Justice Services Board for private security services business personnel.

"License number" means the official number issued to a private security services business licensed by the department.

"Licensed firm" means a business entity, regardless of method of organization, which holds a valid private security services business license issued by the department.

"Licensee" means a licensed private security services business.

"Locksmith security equipment" means mechanical, electrical or electro-mechanical locking devices for the control of ingress or egress that do not primarily detect intrusion, concealment and theft.

“Official documentation” means personnel records; DD214; copies of business licenses indicating ownership; law enforcement transcripts; certificates of training completion; a signed letter provided directly by a current/previous employer detailing dates of employment and job duties; college transcripts; letters of commendation; private security services registrations, certifications, and/or licenses from other states; and/or other employment, training, or experience verification documents. A resume is not considered official documentation.

November 05, 2003

"On duty" means the time during which private security services business personnel receive or are entitled to receive compensation for employment for which a registration or certification is required.

"Performance of his duties" means on duty in the context of this chapter.

"Person" means any individual, group of individuals, firm, company, corporation, partnership, business, trust, association, or other legal entity.

"Personal protection specialist" means any natural person who engages in the duties of providing close protection from bodily harm to any person.

"Physical address" means the location of the building that houses a private security services business or training school, or the location where the individual principals of a business reside (A post office box is not a physical address).

"Principal" means any sole proprietor, individual listed as an officer or director with the Virginia State Corporation Commission, board member of the association, or partner of a licensed firm or applicant for licensure.

"Private investigator" means any natural person who engages in the business of, or accepts employment to make, investigations to obtain information on (i) crimes or civil wrongs; (ii) the location, disposition, or recovery of stolen property; (iii) the cause of accidents, fires, damages, or injuries to persons or to property; or (iv) evidence to be used before any court, board, officer, or investigative committee.

"Private security services business" means any person engaged in the business of providing, or who undertakes to provide, armored car personnel, security officers, personal protection specialists, private investigators, couriers, security canine handlers, alarm respondents, central station dispatchers, electronic security employees, electronic security sales representatives or electronic security technicians and their assistants to another person under contract, express or implied.

"Private security services business personnel" means each employee of a private security services business who is employed as an unarmed security officer, armed security officer/courier, armored car personnel, security canine handler, private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security employee, electronic security sales representative, electronic security technician or electronic security technician's assistant.

"Private security services instructor" means any natural person certified by the department to provide mandated instruction in private security subjects for a certified private security services training school.

November 05, 2003

"Private security services registrant" means any qualified individual who has met the requirements under this article to perform the duties of alarm respondent, armored car personnel, central station dispatcher, courier, electronic security sales representative, electronic security technician, electronic security technician's assistant, personal protection specialist, private investigator, security canine handler, unarmed security officer or armed security officer.

"Private security services training school" means any person certified by the department to provide instruction in private security subjects for the training of private security services business personnel in accordance with this chapter.

"Reciprocity" means the relation existing between Virginia and any other state, commonwealth or providence as established by agreements approved by the board.

"Recognition" means the relation of accepting various application requirements between Virginia and any other state, commonwealth or providence as established by agreements approved by the board.

"Registration" means a method of regulation which identifies individuals as having met the minimum requirements for a particular registration category as set forth in this chapter.

"Registration category" means any one of the following categories: (i) unarmed security officer and armed security officer/courier, (ii) security canine handler, (iii) armored car personnel, (iv) private investigator, (v) personal protection specialist, (vi) alarm respondent, (vii) central station dispatcher, (viii) electronic security sales representative, or (ix) electronic security technician, or (x) electronic security technician's assistant.

"Security canine" means a dog that has attended, completed, and been certified as a security canine by a certified security canine handler instructor in accordance with approved department procedures and certification guidelines. "Security canine" shall not include detector dogs.

"Security canine handler" means any natural person who utilizes his security canine in the performance of private security duties.

"Security canine team" means the security canine handler and his security canine performing private security duties.

"Session" means a group of classes comprising the total hours of mandated training in any of the following categories: unarmed security officer, armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, electronic security technician's assistant or compliance agent.

"Supervisor" means any natural person who directly or indirectly supervises registered or certified private security services business personnel.

"This chapter" means the Regulations Relating to Private Security Services (6 VAC 20-171) as part of the Virginia Administrative Code.

"Training certification" means verification of the successful completion of any training requirement established in this chapter.

November 05, 2003

"Training requirement" means any entry level, in-service, or firearms retraining standard established in this chapter.

"Training school director" means a natural person designated by a principal of a certified private security services training school to assure the compliance of the private security services training school with all applicable requirements as provided in the Code of Virginia and this chapter.

"Unarmed security officer" means a natural person who performs the function of observation, detection, reporting, or notification of appropriate authorities or designated agents regarding persons or property on the premises he is contracted to protect, and who does not carry or have access to a firearm in the performance of his duties.

"Uniform" means any clothing with a badge, patch or lettering which clearly identifies persons to any observer as private security services business personnel, not law-enforcement officers.

November 05, 2003

**PART II.  
APPLICATION  
FEES**

November 05, 2003

**6 VAC 20-171-20. Fees.**

A. Schedule of fees. The fees listed below reflect the costs of handling, issuance, and production associated with administering and processing applications for licensing, registration, certification and other administrative requests for services relating to private security services.

Categories	Fees
Initial business license	\$800
Business license renewal	\$500
Business license category fee	\$ 50
Initial compliance agent certification (includes training)	\$100
Compliance agent certification renewal (includes training)	\$ 50
Initial registration	\$ 25
Registration renewal	\$ 20
Firearms endorsement (Annual)	\$ 10
Initial training school	\$800
Training school renewal	\$500
Training school electronic roster submittal authorization	\$500
Initial instructor certification	\$100
Instructor certification renewal	\$ 50
Initial certification	\$ 25
Certification renewal	\$ 20
Application for training exemption	\$ 25
Fingerprint card processing	\$ 50
Additional registration category form	\$ 20
Replacement photo identification letter	\$ 15
Training completion roster form	\$ 30
General instructor development course	\$300
General instructor in-service training	\$ 50
Firearms instructor development course	\$300
Firearms instructor in-service training	\$ 50
Technical assistant training	\$ 50

November 05, 2003

B. Reinstatement fee.

1. The department shall collect a reinstatement fee for registration, license, or certification renewal applications not received on or before the expiration date of the expiring registration, license, or certification.
2. The reinstatement fee shall be 50% above and beyond the renewal fee of the registration, license, certification, or any other credential issued by the department wherein a fee is established and renewal is required.

C. Dishonor of fee payment due to nonsufficient funds.

1. The department may suspend the registration, license, certification, or authority it has granted any person, licensee or registrant who submits a check or similar instrument for payment of a fee required by statute or regulation which is not honored by the financial institution upon which the check or similar instrument is drawn.
2. The suspension shall become effective upon receipt of written notice of the dishonored payment. Upon notification of the suspension, the person, registrant or licensee may request that the suspended registration, license, certification, or authority be reinstated, provided payment of the dishonored amount plus any penalties or fees required under the statute or regulation accompany the request. Suspension under this provision shall be exempt from the Administrative Process Act.

November 05, 2003

**PART III.  
APPLICATIONS  
PROCEDURES AND  
REQUIREMENTS**

**ARTICLE 1. Criminal History Records Search**

**6 VAC 20-171-30. Fingerprint processing.**

- A. On or before the first date of hire, each person applying for licensure as a private security services business, including principals, supervisors, and electronic security employees, certification as a private security services training school, certification as a compliance agent or instructor, or a private security registration or private security certification shall submit to the department:
  - 1. Two completed fingerprints cards provided by the department or another electronic method approved by the department;
  - 2. A fingerprint processing application;
  - 3. The applicable nonrefundable fee; and
  - 4. All criminal history conviction information on a form provided by the department.
- B. The department shall submit those fingerprints to the Virginia State Police for the purpose of conducting a Virginia Criminal History Records search and a National Criminal Records search to determine whether the individual or individuals have a record of conviction.
- C. Fingerprints cards found to be unclassifiable will be returned to the applicant. Action on the application will be suspended pending the resubmittal of classifiable fingerprint cards. The applicant shall be so notified in writing and shall submit new fingerprint cards and the applicable, nonrefundable fee to the department before the processing of his application shall resume. However, no such fee may be required if the rejected fingerprint cards are included and attached to the new fingerprint cards when resubmitted and the department is not assessed additional processing fees.
- D. If the applicant is denied by DCJS, the department will notify the applicant by letter regarding the reasons for the denial. The compliance agent will also be notified in writing by DCJS that the applicant has been denied.

**6 VAC 20-171-40 REPEALED (Reserved)**

**ARTICLE 2. Private Security Services Business License**

**6 VAC 20-171-50. Initial business license application.**

- A. Prior to the issuance of a business license, the applicant shall meet or exceed the requirements of licensing and application submittal to the department as set forth in this section.
- B. Each person seeking a license as a private security services business shall file a completed application provided by the department including:
  - 1. For each principal and supervisor of the applying business, their fingerprints pursuant to 6 VAC 20-171-30;
  - 2. Documentation verifying that the applicant has secured a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;
  - 3. For each nonresident applicant for a license, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;
  - 4. For each applicant for a license as a private security services business except sole proprietor or partnership shall submit on a form provided by the department, the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;
  - 5. A physical in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical;
  - 6. On the license application, designation of at least one individual as compliance agent who is not designated as compliance agent for any other licensee, and who is certified or eligible for certification pursuant to 6 VAC 20-171-70;
  - 7. The applicable, nonrefundable license application fee, and
  - 8. Designate on the license application the type of private security business license you are seeking. The initial business license fee includes one category. A separate fee will be charged for each additional category. The separate categories are identified as follows: Security Officers/Couriers (Armed and Unarmed); Private Investigators; Electronic Security; Armored Car; Personal Protection Specialists; and Security Canine Handlers. Alarm Respondents crossover into both the Security Officer and Electronic Security category, therefore if you are licensed in either of these categories you can provide these services without purchasing an additional category.

November 05, 2003

- C. Upon completion of the initial license application requirements, the department may issue an initial license for a period not to exceed 24 months.
- D. The department may issue a letter of temporary licensure to businesses seeking licensure under § 9.1-139 of the Code of Virginia for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals and compliance agent of the business, provided the applicant has met the necessary conditions and requirements.
- E. A new license is required whenever there is any change in the ownership or type of organization of the licensed entity that results in the creation of a new legal entity.
- F. Each license shall be issued to the legal business entity named on the application, whether it be a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the license. No license shall be assigned or otherwise transferred to another legal entity, with the exception of a sole proprietorship or partnership that incorporates to form a new corporate entity where the initial licensee remains as a principal in the newly formed corporation. This exception shall not apply to any existing corporation that purchases the business or assets of an existing sole proprietorship.
- G. Each licensee shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.
- H. Each licensee shall be a United States citizen or legal resident alien of the United States.

November 05, 2003

**6 VAC 20-171-60. Renewal license application.**

- A. Applications for license renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the licensee. However, if a renewal notification is not received by the licensee, it is the responsibility of the licensee to ensure renewal requirements are filed with the department. License renewal applications must be received by the department and all license requirements must be completed prior to the expiration date or shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees. Outstanding fees or monetary penalties owed to DCJS must be paid prior to issuance of said renewal.
- B. Licenses will be renewed for a period not to exceed 24 months.
- C. The department may renew a license when the following are received by the department:
  - 1. A properly completed renewal application;
  - 2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;
  - 3. For any new or additional principals fingerprints must be submitted to the department within thirty (30) days of their hire date pursuant to 6 VAC 20-171-30, provided however that any change in the ownership or type of organization of the licensed entity has not resulted in the creation of a new legal entity pursuant to 6 VAC-20-171-50.
  - 4. On the application, designation of at least one compliance agent who has satisfactorily completed all applicable training requirements;
  - 5. The applicable, nonrefundable license renewal fee, and
  - 6. On the first day of employment, each new and additional supervisor's fingerprints pursuant to 9.1-139.H. of the Code of Virginia.
- D. Each principal and compliance agent listed on the license renewal application shall be in good standing in every jurisdiction where licensed, registered or certified. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.
- E. Any renewal application received after the expiration date of a license shall be subject to the requirements set forth by the reinstatement provisions of this chapter.
- F. On the renewal application you must designate the type of private security business license you wish to renew. The fee will be based upon the category(ies) you select on your renewal application pursuant to 6 VAC 20-171-20.

**ARTICLE 3. Compliance Agent Certification**

**6 VAC 20-171-70. Compliance agent training and certification.**

- A. Each person applying for certification as compliance agent shall meet the minimum requirements for eligibility:
  - 1. Be a minimum of 18 years of age;
  - 2. Have (i) three years of managerial or supervisory experience in a private security services business, a federal, state, or local law-enforcement agency, or in a related field or (ii) five years experience in a private security services business, with a federal, state or local law-enforcement agency, or in a related field.
  - 3. Be a United States citizen or legal resident alien of the United States.
- B. Each person applying for certification as compliance agent shall file with the department:
  - 1. A properly completed application provided by the department;
  - 2. Fingerprint cards pursuant to 6VAC20-171-30;
  - 3. Official documentation verifying that the individual has (i) three years of general managerial or supervisory experience in a private security services business, a federal, state, or local law-enforcement agency, or in a related field or (ii) five years experience in a private security services business, with a federal, state or local law-enforcement agency, or in a related field; and
  - 4. The applicable, nonrefundable application fee.
- C. Following review of all application requirements, the department shall assign the applicant to an entry level compliance agent training session provided by the department, at which the applicant must successfully complete the applicable entry level compliance agent training requirements pursuant to this chapter and achieve a minimum passing score of 80% on the compliance agent examination.
- D. Following completion of the entry level training requirements, the compliance agent must complete in-service training pursuant to the compulsory minimum training standards set forth by this chapter.
- E. Each compliance agent shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

**ARTICLE 4. Private Security Services Training School Certification**

**6 VAC 20-171-80. Initial training school application.**

- A. Prior to the issuance of a training school certification, the applicant shall meet or exceed the requirements of certification and application submittal to the department as set forth in this section.
- B. Each person seeking certification as a private security services training school shall file a completed application provided by the department to include:
  - 1. For each principal of the applying training school, their fingerprints pursuant to 6VAC20-171-30;
  - 2. Documentation verifying that the applicant has secured a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;
  - 3. For each nonresident applicant for a training school, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;
  - 4. For each applicant for certification as a private security services training school except sole proprietor and partnership shall submit on a form provided by the department, the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;
  - 5. A physical location in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical location;
  - 6. On the training school certification application, designation of at least one individual as training director who is not designated as training director for any other training school, and who is certified as an instructor pursuant to Article 5 (6VAC20-171-100 et seq.) of this part. A maximum of four individuals may be designated as an assistant training director;
  - 7. A copy of the curriculum in course outline format for each category of training to be offered; including the hours of instruction with initial and in-service courses on separate documents.
  - 8. A copy of the training school regulations;
  - 9. A copy of the training completion certificate to be used by the training school;
  - 10. A copy of the range regulations to include the assigned DCJS range identification number, if firearms training will be offered; and

November 05, 2003

11. The applicable, nonrefundable training school certification application fee.
- C. When the department has received and processed a completed application and accompanying material, the department shall inspect the training facilities to ensure conformity with department policy, including an inspection of the firearms range, if applicable, to ensure conformity with the minimum requirements set forth by this chapter.
- D. Upon completion of the initial training school application requirements, the department may issue an initial certification for a period not to exceed 24 months.
- E. The department may issue a letter of temporary certification to training schools for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals and training director of the business, provided the applicant has met the necessary conditions and requirements.
- F. A new certification is required whenever there is any change in the ownership or type of organization of the certified entity that results in the creation of a new legal entity.
- G. Each certification shall be issued to the legal entity named on the application, whether it be a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the certification. No certification shall be assigned or otherwise transferred to another legal entity, with the exception of a sole proprietorship or partnership that incorporates to form a new corporate entity where the initial licensee remains as a principal in the newly formed corporation. This exception shall not apply to any existing corporation that purchases the training school or assets of an existing sole proprietorship.
- H. Each certified training school shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

November 05, 2003

**6 VAC 20-171-90. Renewal training school application.**

- A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified training school. However, if a renewal notification is not received by the training school, it is the responsibility of the training school to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees. Outstanding fees or monetary penalties owed to DCJS must be paid prior to issuance of said renewal.
- B. Upon completion of the renewal training school application requirements, the department may issue a renewal certification for a period not to exceed 24 months.
- C. The department may renew a certification when the following are received by the department:
  - 1. A properly completed renewal application;
  - 2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;
  - 3. On the application, designation of at least one certified instructor as training director who has satisfactorily completed all applicable training requirements; and
  - 4. Fingerprints for each new and additional principal pursuant to §9.1.139H. of the Code of Virginia.
  - 5. The applicable, nonrefundable certification renewal fee.
- D. Each principal and instructor listed on the license renewal application shall be in good standing in every jurisdiction where licensed, registered or certified. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.
- E. Any renewal application received after the expiration date of a certification shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

**ARTICLE 5. Private Security Services Instructor Certification**

**6 VAC 20-171-100. Initial instructor application.**

- A. Each person applying for certification as instructor shall meet the minimum requirements for eligibility:
1. Be a minimum of 18 years of age;
  2. Have a high school diploma or equivalent (GED);
  3. Have successfully completed DCJS instructor development course, within the three years immediately preceding the date of the application, or submits a waiver application for an instructor development course that meets or exceeds standards established by the department; or successful completion of an approved DCJS instructor development program longer than three years prior to the date of application, and has provided documented instruction during the three years immediately preceding, or has provided instruction in a related field at an institution of higher learning;
  4. Have a minimum of (i) three years management or supervisory experience, with a private security services business or with any federal, military police, state, county or municipal law-enforcement agency, or in a related field; or (ii) five years general experience in a private security services business, with a federal, state or local law-enforcement agency, or in a related field; or (iii) have a minimum of one year experience as an instructor or teacher at an accredited educational institution or agency in the subject matter for which certification is requested, or in a related field.
  5. Be a United States citizen or legal resident alien of the United States.
- B. Each person applying for certification as instructor shall file with the department:
1. A properly completed application provided by the department;
  2. Fingerprint cards pursuant to 6VAC20-171-30;
  3. Official documentation verifying that the applicant meets the minimum eligibility requirements pursuant to this section;
  4. Official documentation verifying previous instructor experience, training, work experience and education for those subjects in which certification is requested. The department will evaluate qualifications based upon the justification provided;
  5. The applicable, nonrefundable application fee; and
  6. Evidence of status as a United States citizen or legal resident alien of the United States.

November 05, 2003

- C. In addition to the instructor qualification requirements described in subsections A and B of this section, each applicant for certification as a firearms instructor shall submit to the department:
  - 1. Official documentation that the applicant has successfully completed a DCJS firearms instructor school or submits a waiver application with supporting documentation demonstrating completion of a firearms instructor school specifically designed for law-enforcement or private security personnel that meets or exceeds standards established by the department within the three years immediately preceding the date of the instructor application.
  - 2. Official documentation that the applicant has successfully qualified, with a minimum range qualification of 85%, with each of the following:
    - a. A revolver;
    - b. A semi-automatic handgun; and
    - c. A shotgun.
  - 3. The firearms instructor training must have been completed within the three years immediately preceding the date of the instructor application; or in the event that the school completion occurred prior to three years, the applicant shall have provided firearms instruction during the three years immediately preceding the date of the instructor application.
- D. Upon completion of the initial instructor application requirements, the department may issue an initial certification for a period not to exceed 24 months.
- E. The department may issue a letter of temporary certification to instructors for not more than 120 days while awaiting the results of the state and national fingerprint search provided the applicant has met the necessary conditions and requirements.
- F. Each certification shall be issued to the individual named on the application and shall be valid only for use by that individual. No certification shall be assigned or otherwise transferred to another individual.
- G. Each instructor shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

November 05, 2003

**6 VAC 20-171-110. Renewal instructor application.**

- A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified instructor. However, if a renewal notification is not received by the instructor, it is the responsibility of the instructor to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.
- B. Each person applying for instructor certification renewal shall meet the minimum requirements for eligibility as follows:
  - 1. Successfully complete the in-service training within 12 months, immediately preceding the expiration date of the current certification pursuant to the compulsory minimum training standards in Part V (6VAC20-171-360) of this chapter; and
  - 2. Be in good standing in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.
- C. The department may renew a certification for a period not to exceed 24 months.
- D. The department may renew a certification when the following are received by the department:
  - 1. A properly completed renewal application provided by the department; and
  - 2. The applicable, nonrefundable certification renewal fee.
- E. Any instructor renewal application received by the department shall meet all renewal requirements prior to the expiration date of a certification or shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

**ARTICLE 6. Private Security Services Registration**

**6 VAC 20-171-120. Initial registration application.**

- A. Individuals required to be registered, pursuant to § 9.1-139 C of the Code of Virginia, in the categories of armored car personnel, courier, unarmed security officer, armed security officer, security canine handler, private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, or electronic security technician's assistant shall meet all registration requirements in this section. Prior to the issuance of a registration, the applicant shall meet or exceed the requirements of registration and application submittal to the department as set forth in this section. Individuals who carry or have access to a firearm while on duty must have a valid registration with a firearm endorsement. If carrying a handgun concealed, the individual must also have a valid concealed handgun permit, and the written permission of his employer pursuant to §18.2-308 of the Code of Virginia.
- B. Each person applying for registration shall meet the minimum requirements for eligibility as follows:
  - 1. Be a minimum of 18 years of age; and
  - 2. Successfully complete all initial training requirements for each registration category, including firearms endorsement if applicable, requested pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350) of this chapter.
  - 3. Be a United States citizen or legal resident alien of the United States.
- C. Each person applying for registration shall file with the department:
  - 1. A properly completed application provided by the department;
  - 2. On the application, his mailing address;
  - 3. Fingerprint cards pursuant to 6 VAC 20-171-30; and
  - 4. The applicable, nonrefundable application fee.
- D. Each person seeking or required to seek registration as unarmed security officer, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, or electronic security technician's assistant may be employed for a period not to exceed 90 consecutive days in any categories listed above while completing the compulsory minimum training standards, provided:
  - 1. Fingerprint cards have been submitted pursuant to 6 VAC 20-171-30; and
  - 2. The individual is not employed in excess of 120 days without having been issued a registration from the department.
  - 3. The individual did not fail to timely complete the required training with previous employer(s).

November 05, 2003

- E. Upon completion of the initial registration application requirements, the department may issue an initial registration letter for a period not to exceed 24 months. This registration letter shall be submitted by the applicant to the Virginia Department of Motor Vehicles or other specified entity for a state issued photo identification card.
- F. The department may issue a letter of temporary registration for not more than 120 days while awaiting the results of the state and national fingerprint search, provided the applicant has met the necessary conditions and requirements.
- G. Each registration shall be issued to the individual named on the application and shall be valid only for use by that individual. No registration shall be assigned or otherwise transferred to another individual.
- H. Each registered individual shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

November 05, 2003

**6 VAC 20-171-130. Renewal registration application.**

- A. Applications for registration renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the registered individual. However, if a renewal notification is not received by the individual, it is the responsibility of the individual to ensure renewal requirements are filed with the department. Registration renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.
- B. Each person applying for registration renewal shall meet the minimum requirements for eligibility as follows:
  - 1. Successfully complete the in-service training, and firearms retraining if applicable, pursuant to the compulsory minimum training standards set forth by this chapter; and
  - 2. Be in good standing in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.
- C. The department may renew a registration when the following are received by the department:
  - 1. A properly completed renewal application provided by the department;
  - 2. For individuals applying for renewal with the category of armored car personnel, fingerprint cards submitted pursuant to 6VAC20-171-30; and
  - 3. The applicable, nonrefundable registration renewal fee.
  - 4. For individuals with firearms endorsements, annual firearms retraining must be completed in accordance with 6VAC20-171-400.
- D. Upon completion of the renewal registration application requirements, the department may issue a registration letter for a period not to exceed 24 months. This registration letter shall be submitted by the applicant to the Virginia Department of Motor Vehicles or other specified entity for a state issued photo identification card.
- E. Any renewal application received by the department shall meet all renewal requirements prior to the expiration date of a registration or shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

November 05, 2003

**ARTICLE 7 REPEALED (Reserved)**

**6 VAC 20-171-140 REPEALED (Reserved)**

**6 VAC 20-171-150 REPEALED (Reserved)**

November 05, 2003

**ARTICLE 8. Additional Categories/Replacement Identification**

**6 VAC 20-171-160. Additional Category Application.**

- A. Individuals may apply for multiple registration or certification categories during the initial application process by completing the applicable training requirements for each category.
- B. Registered or certified individuals seeking to add categories to a current registration or certification must:
  - 1. Successfully complete all initial training requirements for each additional registration or certification category requested pursuant to the compulsory minimum training standards in Part V (6VAC20-171-350 et seq.) of this chapter;
  - 2. Submit a properly completed application provided by the department; and
  - 3. Submit the applicable, nonrefundable application fee.
- C. Individuals may avoid paying a separate fee for additional registration or certification categories when the categories are requested on the application for renewal.

November 05, 2003

**6 VAC 20-171-170. Replacement state issued photo identification letter.**

- A. Registered individuals seeking a replacement state issued photo identification letter shall submit to the department:
  - 1. A properly completed application provided by the department; and
  - 2. The applicable, nonrefundable application fee.

**ARTICLE 9. Reinstatement and Renewal Extension**

**6 VAC 20-171-180. Reinstatement.**

- A. Any business license, training school certification, instructor certification or registration not renewed on or before the expiration date, shall become null and void. Pursuant to the Code of Virginia, all such persons must currently be licensed, registered or certified with the department to provide private security services.
- B. A renewal application must be received by the department within 60 days following the expiration date of the license or registration in order to be reinstated by the department providing all renewal requirements have been met. Prior to reinstatement the following shall be submitted to the department:
  - 1. The appropriate renewal application and completion of renewal requirements including required training pursuant to this chapter;
  - 2. The applicable, nonrefundable reinstatement fee pursuant to this chapter and in accordance with 6VAC 20-171-20B;

The department shall not reinstate renewal applications received after the 60-day reinstatement period has expired. It is unlawful to operate without a valid registration or license including during reinstatement period; and

The department shall not reinstate business licenses or training school certifications that have become null and void due to not maintaining required insurance or surety bond coverage.

- C. No license, registration or certification shall be renewed or reinstated when all renewal application requirements are received by the department more than 60 days following the expiration date of the license. After that date, the applicant shall meet all initial application requirements, including applicable training requirements.
- D. Following submittal of all reinstatement requirements, the department will process and may approve any application for reinstatement pursuant to the renewal process for the application.

November 05, 2003

**6 VAC 20-171-190. Renewal extension.**

- A. An extension of the time period to meet renewal requirements may be approved only under specific circumstances which do not allow private security personnel, businesses, or training schools to complete the required procedures within the prescribed time period. The following are the only circumstances for which extensions may be granted:
  - 1. Extended illness;
  - 2. Extended injury;
  - 3. Military or foreign service; or
  - 4. Any emergency temporary assignment of private security personnel by the private security services business or training school for which he is employed.
- B. A request for extension shall:
  - 1. Be submitted in writing, dated and signed by the individual or principal of a licensed entity prior to the expiration date of the time limit required for completion of the requirements;
  - 2. Indicate the projected date the person, business, or training school will be able to comply with the requirements; and
  - 3. Include a copy of the physician's record of the injury or illness or a copy of the government orders.
- C. No extension will be approved for registrations, certifications, or business licenses that have expired.
- D. Applications for additional extensions may be approved upon written request of the person, business, or training school.
- E. The private security services person, business, or training school shall be non-operational during the period of extension.

**ARTICLE 10. Application Sanctions; Exemptions, Recognition/Reciprocity**

**6 VAC 20-171-200. Denial, probation, suspension and revocation.**

- A. The department may deny a license, registration or certification in which any person or principal of an applying business has been convicted in any jurisdiction of any felony or of a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. The record of a conviction, authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted, shall be admissible as prima facie evidence of such conviction.
- B. The department may deny a license, registration or certification in which any person or principal of an applying business or training school has not maintained good standing in every jurisdiction where licensed, registered or certified; or has had his license, registration or certification denied upon initial application, suspended, revoked, surrendered, or not renewed; or has otherwise been disciplined in connection with a disciplinary action prior to applying for licensing, registration or certification in Virginia.
- C. Any false or misleading statement on any state application or supporting documentation is grounds for denial or revocation and may be subject to criminal prosecution.
- D. The department may deny licensure to a firm for other just cause.
- E. A licensee, training school, compliance agent, instructor, registered individual shall be subject to disciplinary action for violations or noncompliance with the Code of Virginia or this chapter. Disciplinary action shall be in accordance with procedures prescribed by the Administrative Process Act. The disciplinary action may include but is not limited to a letter of censure, fine, probation, suspension or revocation.

November 05, 2003

**6 VAC 20-171-210. Exemptions, recognition/reciprocity.**

- A. The department may grant a temporary exemption from the requirements for licensing, registration or certification for a period of not more than 30 days in a situation deemed an emergency by the department.
- B. The department may recognize administrative and application requirements for licensing, registration or certification based on agreements that have been entered into with other states and approved by the board.

November 05, 2003

**PART IV.  
ADMINISTRATIVE  
REQUIREMENTS/  
STANDARDS OF  
CONDUCT**

**ARTICLE 1. Private Security Services Business**

**6 VAC 20-171-215. General requirements.**

All private security businesses are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, department guidelines and this chapter.

**6 VAC 20-171-220. Business administrative requirements.**

A. A licensee shall:

1. Maintain at all times with the department its physical location in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical location. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents that establish the name change.
3. Report in writing to the department any change in its ownership or principals that does not result in the creation of a new legal entity. Such written report shall be received by the department within 30 days after the occurrence of such change to include fingerprint cards pursuant to this chapter.
4. Report in writing to the department any change in the entity of the licensee that results in continued operation requiring a license. Such written report shall be received by the department within 10 days after the occurrence of such change.
5. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the business to do so shall result in the license becoming null and void.
6. Maintain at all times with the department a completed irrevocable consent for service if the licensee is not a resident of the Commonwealth of Virginia. Licensees that move their business from the Commonwealth shall file a completed irrevocable consent for services within 15 days of the change in location.
7. Employ at all times at least one individual designated as compliance agent who is in good standing and is certified pursuant to 6 VAC 20-171-70 of this chapter and who is not currently designated as compliance agent for another licensee. In the event there is more than one compliance agent designated for the business, designate one as the primary compliance agent and point of contact.

November 05, 2003

8. Maintain at all times and for a period of not less than 3 years from the date of termination of employment the following documentation concerning all regulants: documentation of the date of hire in the regulated category, documentation that the fingerprint processing application was submitted on the date of hire, verification that the employee is a US citizen or legal resident alien and is properly registered/certified and trained. Current physical and mailing addresses for all regulated employees and telephone numbers if applicable.
9. Upon termination of employment of a certified compliance agent, notify the department in writing within 10 calendar days.
10. Within 90 days of termination of employment of the sole remaining compliance agent, submit the name of a new compliance agent who is eligible for certification pursuant to this chapter and who is not currently designated for another licensee. Individuals not currently eligible may pursue certification pursuant to Part III (6 VAC 20-171-30 et seq.) of this chapter. Such notification shall be in writing and signed by a principal of the business and the designated compliance agent.
11. Prominently display at all times for public inspection in a conspicuous place where the public has access, the business license issued by the department.
12. Ensure that all individuals submit fingerprint cards pursuant to 6 VAC 20-171-30 as required by the Code of Virginia.
13. Inform the department in writing within 10 days of receiving knowledge of any principal, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
14. Inform the department in writing within 10 days of receiving knowledge of any principal, licensee, subsidiary, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter, having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.
15. On a form provided by the department and within 10 calendar days of receiving knowledge of the incident, submit a report of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise.
16. In the event a complaint against the licensee is received by the department, be required to furnish documentary evidence (written agreement) of the terms agreed to between licensee and client, which shall include at a minimum the specific scope of services and fees assessed for such services. The licensee shall retain a copy for a period of not less than three (3) years from completion of said agreement.
17. Shall not fail to honor the terms and conditions of a warranty or written agreement.

November 05, 2003

18. In the event a licensee sells or otherwise transfers the ownership of a monitoring agreement of an electronic security customer, the licensee is required to notify the end user, in writing, within 30 days of the transfer of monitoring services. No licensee shall sell to an entity not licensed in Virginia.
19. Shall ensure that all regulated employees carry a state issued photo identification card along with their registration or certification card, unless the card is one in the same.

November 05, 2003

**6 VAC 20-171-230. Business standards of conduct.**

A licensee shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Not direct any employee regulated, or required to be regulated, by this chapter to engage in any acts prohibited by the Code of Virginia and this chapter.
4. Employ individuals regulated, or required to be regulated, as follows:
  - a. A licensee shall employ or otherwise utilize individuals possessing a valid registration issued by the department showing the registration categories required to perform duties requiring registration pursuant to the Code of Virginia;
  - b. A licensee shall not allow individuals requiring registration as armored car personnel, armed security officers/couriers, alarm respondents with firearm endorsement, private investigators, personal protection specialists or security canine handlers to perform private security services until such time as the individual has been issued a registration by the department;
  - c. A licensee may employ individuals requiring registration as alarm respondent without firearm endorsement, central station dispatcher, electronic security sales representative, electronic security technician, armored car driver, unarmed security officer or electronic security technician's assistant for a period not to exceed 90 consecutive days in any registered category listed above while completing the compulsory minimum training standards provided:
    - (1) Their fingerprint cards have been submitted pursuant to Article 1 (6 VAC 20-171-30 et seq.) of Part III of this chapter;
    - (2) The individual is not employed in excess of 120 days without having been issued a registration from the department; and
    - (3) The individual did not fail to timely complete the required training with previous employer(s).
  - d. A licensee shall not employ any individual carrying or having access to a firearm in the performance of his duties who has not obtained a valid registration and firearms endorsement from the department; and
  - e. A licensee shall maintain appropriate documentation to verify compliance with these requirements. A licensee shall maintain these documents after employment is terminated for a period of not less than three (3) years.

November 05, 2003

5. Not contract or subcontract any private security services in the Commonwealth of Virginia to a person not licensed by the department. Verification of a contractor's or subcontractor's license issued by the department shall be maintained for a period of not less than three (3) years.
6. Ensure that the compliance agent conforms to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
7. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.
8. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
9. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
10. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, or the time for appeal has elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
11. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or firearms endorsement through any fraud or misrepresentation.
12. Include the business license number issued by the department on all business advertising materials pursuant to the Code of Virginia.
13. Not conduct a private security services business in such a manner as to endanger the public health, safety and welfare.
14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration or certification.
15. Not represent as one's own a license issued to another private security services business.

November 05, 2003

16. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by calling the site of the alarm, if unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch. (This shall not apply if the alarm user has provided written authorization requesting immediate or one call dispatch to both their local police department and their dealer of record). This shall not apply to duress or hold-up alarms.
17. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.
18. Utilize vehicles for private security services using or displaying a flashing light only as specifically authorized by the Code of Virginia (§46.2-1025.9).
19. Not use or display the state seal of Virginia or the seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision, or any portion thereof, as a part of any logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.
20. Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.
21. Not engage in acts of unprofessional conduct in the practice of Private Security Services.
22. Not engage in acts of negligent and/or incompetent Private Security Services.
23. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
24. Not violate any state or local ordinances.
25. Satisfy all judgements related to private security services not provided.
26. Not publish or cause to be published any written business material relating to private security services which contains an assertion, representation, or statement of fact that is false, deceptive or misleading.
27. Do not conduct private security business under a fictitious or assumed name unless you have the name on file with the Department of Criminal Justice Services. This does not apply to a Private Investigator conducting a "pretext", provided that the Private Investigator does not state that he is representing a private security business that does not exist.

November 05, 2003

**6 VAC 20-171-240. Compliance agent.**

- A. A compliance agent shall:
1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
  2. Maintain at all times with the department his mailing address. Written notification of any change of address shall be in writing and received by the department no later than 10 days after the effective date of the change.
  3. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
  4. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
  5. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms from which no appeal is pending, or the time for appeal has elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
  6. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
  7. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.
  8. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
  9. Only be designated with the department and acting as a compliance agent for one licensed entity.

November 05, 2003

10. Be designated with the department as compliance agent for a licensee and shall:
  - a. Ensure that the licensee and all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter;
  - b. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter; and
  - c. Notify the department in writing within 10 calendar days following termination of his employment as compliance agent for the licensee.
  - d. Shall ensure that all regulated employees carry a state issued photo identification card unless the card is one in the same along with their registration or certification card.
11. Not engage in acts of unprofessional conduct in the practice of Private Security Services.
12. Not engage in acts of negligent and/or incompetent Private Security Services.
13. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
14. Satisfy all judgements related to private security services not provided.
15. Not publish or cause to be published any written business material relating to Private Security Services which contain an assertion, representation, or statement of fact that is false, deceptive or misleading.
16. Do not conduct private security business under a fictitious or assumed name unless you have the name on file with the Department of Criminal Justice Services. This does not apply to a Private Investigator conducting a "pretext", provided that the Private Investigator does not state that he is representing a private security business that does not exist.

**ARTICLE 2. Private Security Services Training Schools**

**6 VAC20-171-245. General requirements.**

- A. All training schools are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, department guidelines and this chapter.

**6 VAC 20-171-250. Administrative requirements.**

A training school shall:

1. Maintain at all times with the department its physical location in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical location. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Employ at all times one individual designated as training director who is currently certified as an instructor pursuant to this chapter and who is not currently designated as training director for another training school. A training school may designate a maximum of four individuals as assistant training directors.
3. Upon termination of the services of a certified instructor, notify the department in writing within 10 calendar days. Should the instructor also be designated as the training director for the training school, this notification shall include the name of the instructor responsible for the training school's adherence to applicable administrative requirements and standards of conduct during the period of training director replacement.
4. Within 90 days of termination of employment of the sole remaining training director, submit the name of a new instructor eligible for designation pursuant to this chapter and who is not currently designated for another training school. Individuals not currently eligible may pursue certification pursuant to Part III (6 VAC 20-171-30 et seq.) of this chapter. Such notification shall be in writing and signed by a principal of the training school and the designated training director.
5. Notify the department in writing of any certified instructors or subject matter specialists eligible to provide instruction at the training school. The notification shall be received by the department prior to the individual conducting any training for the training school and signed by the training school director and the designated instructor or subject matter specialist.
6. Prominently display at all times in a conspicuous place where the public has access, the training school certification issued by the department.
7. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the training school to do so shall result in the certification becoming null and void.

November 05, 2003

8. Inform the department in writing within 10 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
9. Inform the department in writing within 10 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.
10. Report in writing to the department any change in its ownership or principals that does not result in the creation of a new legal entity. Such written report shall be received by the department within 10 days after the occurrence of such change to include fingerprint cards submitted pursuant to 6 VAC 20-171-30.
11. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents that establish the name change.
12. Report in writing to the department any change in the entity of the training school that results in continued operation requiring a certification. Such written report shall be received by the department within 10 days after the occurrence of such change.
13. Maintain written authorization from the department for any subject matter specialists being used to provide instruction.
14. Develop lesson plans for each training curriculum and subject being offered in accordance with the DCJS training course content by category, and the topical outlines submitted to the department to include hours of instruction.
15. Maintain comprehensive and current lesson plans for each entry level training curriculum and subject being offered.
16. Maintain comprehensive and current lesson plans for each in-service training curriculum and subject being offered.
17. Maintain comprehensive and current lesson plans for each firearms training curriculum and subject being offered.
18. Date all lesson plans and handout material, including the initial date of development and subsequent revisions.

November 05, 2003

19. Ensure that current copies of the following requirements are provided to and maintained with the department, including:
  - a. A list of all training locations used by the training school, excluding hotel/motel facilities;
  - b. A list of all firing range names and locations;
  - c. A list of all subject matter specialists currently employed, or otherwise utilized; and
  - d. Copies of current topical outlines for all lesson plans and curriculums. The lesson plans and subsequent course outlines shall include specific reference to the course content involving the Code of Virginia and this chapter to include the hours of instruction.
20. Ensure that range qualification for all firearms training is completed pursuant to this chapter except with written authorization from the department.
21. On a form provided by the department and within 10 calendar days of the incident, submit a report of any incident in which any instructor, student or employee has discharged a firearm while on duty, excluding any training exercise.
22. Not act as or be a certified training school for undisclosed persons who directly or indirectly controls the operation of the training school.

November 05, 2003

**6 VAC 20-171-260. Training school standards of conduct.**

- A. A training school shall:
1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
  2. Ensure that the owners, principals, training director and all instructors employed by the training school conform to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
  3. Utilize only certified instructors, or other individuals eligible to provide instruction pursuant to this chapter in the conduct of private security training sessions.
  4. Maintain current files that include copies or electronic images of attendance records, a master final examination, pass/fail recording of examination and firearms qualification scores, training completion rosters, and training completion forms for each student for three years from the date of the training session in which the individual student was enrolled.
  5. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.
  6. Permit the department to inspect and observe any training session. Certified training schools that conduct training sessions not located within Virginia may be required to pay the expenses of inspection and review.
  7. Include the training school certification number issued by the department on all business advertising materials pursuant to the Code of Virginia.
  8. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
  9. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

November 05, 2003

10. Ensure that the owner, principals, training director and all instructors employed by the training school have not been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
11. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
12. Conduct entry level and in-service training sessions separately. In-service subjects and curriculums may not be incorporated or included as a part of the entry-level subjects and curriculums.
13. Not conduct a private security services training school in such a manner as to endanger the public health, safety and welfare.
14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.
15. Not represent as one's own a certification issued to another private security services training school.
16. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.
17. Not use or display the state seal of Virginia, or any portion thereof, as a part of any logo, stationery, business card, badge, patch, insignia or other form of identification or advertisement.
18. Not use or display the state seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision, or any portion thereof, as a part of your logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.
19. Not engage in acts of unprofessional conduct in the practice of Private Security Services.
20. Not engage in acts of negligent and/or incompetent Private Security Services.
21. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
22. Not violate any state or local ordinances.

November 05, 2003

23. Satisfy all judgements related to private security services not provided.
24. Not publish or cause to be published any written business material relating to Private Security Services which contain an assertion, representation, or statement of fact that is false, deceptive or misleading.

November 05, 2003

**6 VAC 20-171-270. Private security services training school director.**

- A. A training school director shall:
1. Ensure that the certified training school and all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
  2. Conform to all application requirements, administrative requirements and standards of conduct as a certified instructor pursuant to the Code of Virginia and this chapter.
  3. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter.
  4. Notify the department in writing within 10 calendar days following termination of his employment as training director for the certified training school.
  5. Not engage in acts of unprofessional conduct in the practice of Private Security Services.
  6. Not engage in act of negligent and/or incompetent Private Security Services.
  7. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
  8. Not violate any state or local ordinances.
  9. Satisfy all judgements relating to private security services not provided.

November 05, 2003

**6 VAC 20-171-280. Private security services instructor.**

An instructor shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his mailing address. Written notification of any address change shall be in writing and received by the department no later than 10 days after the effective date of the change.
3. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
4. Inform the department, and the training school for which the individual is designated as an instructor, if applicable, in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
5. Inform the department, and the training school for which the individual is designated as instructor, if applicable, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.
6. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
7. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
8. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
9. Conduct training sessions pursuant to requirements established in this chapter.
10. Notify the department within 10 calendar days following termination of his employment as instructor for the training school.
11. Not engage in acts of unprofessional conduct in the practice of Private Security Services.

November 05, 2003

12. Not engage in acts of negligent and/or incompetent Private Security Services.
13. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
14. Not violate any state or local ordinances.

November 05, 2003

**6 VAC 20-171-290. Instruction exceptions.**

- A. Subject matter specialist.
  - 1. Training schools may employ or otherwise utilize individuals as subject matter specialists to provide instruction in specific areas of a training curriculum. During the approved portions of training, a certified instructor is not required to be present.
  - 2. The training school shall obtain written authorization from the department prior to any subject matter specialist providing instruction. Written authorization may be requested by submitting on a form provided by the department:
    - a. A written request for authorization specifically outlining the requested subject matter; and
    - b. Documentation that supports the individual's credentials for instructing in the proposed subject matter.
- B. Guest lecturer. Training schools may employ or otherwise utilize individuals as guest lecturer in specific areas of a training curriculum. A certified instructor is required to be present during all portions of training conducted by a guest lecturer.

November 05, 2003

**6 VAC 20-171-300. Private security training session.**

- A. Training sessions will be conducted in accordance with requirements established in this chapter. Adherence to the administrative requirements, attendance and standards of conduct are the responsibility of the training school, training school director and instructor of the training session.
- B. Administrative requirements.
  - 1. In a manner approved by the department, a notification to conduct a training session shall be submitted to the department. All notifications shall be received by the department, or postmarked if mailed, no less than seven calendar days prior to the beginning of each training session to include the date, time, instructors and location of the training session. The department may allow a session to be conducted with less than seven calendar days of notification with prior approval. Session notifications require no fee from the training school. A notification to conduct a training session shall be deemed to be in compliance unless the training school director is notified by the department to the contrary.
  - 2. Notification of any changes to the dates, times, location or cancellation of a future training session must be submitted to the department in writing and received by the department at least twenty-four (24) hours in advance of the scheduled starting time of the class. In the event that a session must be cancelled on the scheduled date, the department must be notified immediately followed by a cancellation in writing as soon as practical.
  - 3. On a form provided by the department, the training school director shall issue an original training completion form and training certificate to each student who satisfactorily completes a training session no later than five business days following the training completion date.
  - 4. In a manner approved by the department, the training school director shall submit an original training completion roster to the department affirming each student's successful completion of the session. The training completion roster shall be received by the department within seven calendar days, or postmarked if mailed, no later than five business days following the training completion date. The training completion roster for each session must be accompanied by the applicable, nonrefundable processing fee.
  - 5. A written examination shall be administered at the conclusion of each entry level training session. The examination shall be based, on the applicable learning objectives. The student must attain a minimum grade of 80% for compliance agent entry-level training, or 70% for all other entry-level training examinations to satisfactorily complete the training session.
  - 6. Firearms classroom training shall be separately tested and graded. Individuals must achieve a minimum score of 70% on the firearms classroom training examination.

November 05, 2003

7. Failure to achieve a minimum score of 70% on the firearms classroom written examination will exclude the individual from the firearms range training.
8. To successfully complete the firearms range training, the individual must achieve a minimum qualification score of 75% of the scoring value of the target.
9. To successfully complete the private investigator entry level training session, the individual must:
  - a. Successfully complete each of the four graded practical exercises required; and
  - b. Pass the written examination with a minimum score of 70%.
10. To successfully complete the personal protection specialist entry level training session, the individual must:
  - a. Complete each of the five graded practical exercises required under protective detail operations pursuant to 6VAC20-171-350 C 6 (the practical exercises must be successfully completed prior to the written examination); and
  - b. Pass the written examination with a minimum score of 70%.
11. The unarmed security officer must:
  - a. Complete the required training; and
  - b. Successfully pass the written examination with a minimum score of 70%

C. Attendance.

1. Private security services business personnel enrolled in an approved training session are required to be present for the hours required for each training session unless they have been granted a partial exemption to training from the department.
2. Tardiness and absenteeism will not be permitted. Individuals violating these provisions will be required to make up any training missed. Such training must be completed within 60 days after the completion of the training session or at the next available session offered by the training school. Individuals not completing the required training within this period are required to complete the entire training session.
3. Individuals that do not successfully complete the compulsory minimum training standards of the training session shall not be reported to the department except where required pursuant to this chapter.

November 05, 2003

4. Each individual attending an approved training session shall comply with the regulations promulgated by the board and any other rules within the authority of the training school. If the training school director or instructor considers a violation of the rules detrimental to the training of other students or to involve cheating on examinations, the training school director or instructor may expel the individual from the school. Notification of such action shall immediately be reported to the employing firms and the department.

D. Standards of conduct.

1. The training school, training school director and instructor shall at all times conform to the application requirements, administrative requirements and standards of conduct established for certification as a training school and instructor.
2. Training sessions will be conducted by certified instructors or other individuals authorized to provide instruction pursuant to this chapter.
3. Training sessions will be conducted utilizing lesson plans developed including at a minimum the compulsory minimum training standards established pursuant to this chapter.
4. Instruction shall be provided in no less than 50-minute classes.
5. Training sessions may not exceed nine hours of classroom instruction per day. Range qualification and practical exercises shall not be considered classroom instruction; however, total training, including the maximum allotment of nine hours classroom instruction and applicable range qualification and practical exercises, shall not exceed 12 hours per day. This does not include time allotted for breaks, meals and testing.
6. All audio-visual training aids must be accompanied by a period of instruction where the instructor reviews the content of the presentation and the students are provided the opportunity to ask questions regarding the content.
7. A training session must adhere to the minimum compulsory training standards and must be presented in its entirety. Training school directors may require additional hours of instruction, testing or evaluation procedures.
8. A training session must provide accurate and current information to the students.
9. Mandated training conducted not in accordance with the Code of Virginia and this chapter is null and void.
10. A duplicate set of instructor course materials including all student materials shall be made available to any department inspector during the training session, if requested.

**ARTICLE 3. Private Security Services Registered Personnel**

**6 VAC 20-171-305. General requirements.**

All registered personnel are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, department guidelines and this chapter.

**6 VAC 20-171-310. Registered personnel administrative requirements.**

A. A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his mailing address, email address and phone number, if applicable. Written notification of any address change, e-mail address or phone number shall be in writing and received by the department no later than 10 days after the effective date of the change.
3. Inform the department, and the business for which the individual is employed if applicable, in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
4. Inform the department, and the business for which the individual is employed if applicable, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.
5. Inform the department, and the compliance agent of the licensee if employed by a private security services business, of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise. This report shall be made within 24 hours of the incident.

November 05, 2003

**6 VAC 20-171-320. Registered personnel standards of conduct.**

- A. A registered individual shall:
1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
  2. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
  3. Not commit any act or omission that results in a private security license, registration or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
  4. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
  5. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
  6. Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.
  7. Carry a valid registration or valid temporary authorization letter at all times while on duty. Individuals requiring registration as an alarm respondent, a central station dispatcher, an electronic security sales representative, an electronic security technician may be employed for not more than 90 consecutive days in any category listed above while completing the compulsory minimum training standards and may not be employed in excess of 120 days without having been issued a registration or an exception from the department.
  8. Carry the private security state issued photo identification card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the state issued photo identification card prior to providing services when physically located in the Commonwealth.
  9. Perform those duties authorized by his registration only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is registered as an armed security officer from being employed by a nonlicensee as provided for in § 9.1-140 of the Code of Virginia.

November 05, 2003

10. Possess a valid firearms training endorsement if he carries or has access to firearms while on duty and then only those firearms by type of action and caliber to which he has been trained on and is qualified to carry.
11. Carry a firearm concealed while on duty only with the expressed authorization of the licensed private security services business employing the registrant and only in compliance with § 18.2-308 of the Code of Virginia.
12. Transport, carry and utilize firearms while on duty only in a manner that does not endanger the public health, safety and welfare.
13. If authorized to make arrests, make arrests in full compliance with the law and using only the minimum force necessary to effect an arrest.
14. Engage in no conduct which through word, deed or appearance suggests that a registrant is a law-enforcement officer, or other government official.
15. Display one's registration while on duty in response to the request of a law-enforcement officer, department personnel or client.
16. Not perform any unlawful or negligent act resulting in a loss, injury or death to any person.
17. If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an armed security officer, unarmed security officer, alarm respondent or armored car personnel, that uniform must:
  - a. Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a name plate or tape bearing, as a minimum, the individual's last name attached on the outermost garment, except rainwear worn only to protect from inclement weather; and
  - b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law-enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law-enforcement agency of this Commonwealth, its political subdivisions or of the federal government. This restriction shall not apply to individuals who are also duly sworn special police officers, to the extent that they may display words that accurately represent that distinction.
18. When providing services as a central station dispatcher, attempt to verify the legitimacy of a burglar alarm activation by contacting an authorized individual at the site where an alarm signal originated before dispatching authorities. This shall not apply if the alarm user has provided written authorization requesting immediate dispatch. This shall not apply to duress or hold-up alarms.
19. Act only in such a manner that does not endanger the public health, safety and welfare.

November 05, 2003

20. Not represent as one's own a registration issued to another individual.
21. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.
22. Not provide information obtained by the registrant or his employing firm to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or from the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.
23. Not engage in acts of unprofessional conduct in the practice of Private Security Services.
24. Not engage in acts of negligent and/or incompetent Private Security Services.
25. Not make any misrepresentation or make a false promise to a private security services business client or potential private security services business client.
26. Satisfy all judgements related to private security services not provided.

November 05, 2003

**ARTICLE 4 REPEALED (Reserved)**

**6 VAC 20-171-325 REPEALED (Reserved)**

**6 VAC 20-171-330 REPEALED (Reserved)**

**6 VAC 20-171-340 REPEALED (Reserved)**

November 05, 2003

**PART V.**

**COMPULSORY MINIMUM  
TRAINING STANDARDS  
FOR PRIVATE SECURITY  
SERVICES BUSINESS  
PERSONNEL**

**ARTICLE 1. Registration/Certification Category Requirements**

**6 VAC 20-171-350. Entry level training.**

- A. Each person employed by a private security services business or applying to the department for registration as an unarmed security officer, armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, or electronic security technician's assistant as defined by § 9.1-138 of the Code of Virginia, or for certification as a compliance agent as required by § 9.1-139 of the Code of Virginia, who has not met the compulsory minimum training standards prior to July 13, 1994, must meet the compulsory minimum training standards herein established, unless provided for otherwise in accordance with this chapter.
- B. Training will be credited only application for registration or certification is submitted to the department within 12 months of completion of training.
- C. Hour requirement. The compulsory minimum entry level training hour requirement by category, excluding examinations, practical exercises and range qualification, shall be:
  - 1. Unarmed security officer -- 18 hours
  - 2. Armed security officer/courier -- 40 hours\*

\*There are 8 hours of Arrest Powers, Policies, Procedures that are included in the Armed Security Officer Training. These 8 hours are mandatory for Armed Security Officers only.

- 3. Armored car personnel -- 26 hours
- 4. Security canine handler -- 30 hours
- 5. Private investigator -- 60 hours
- 6. Personal protection specialist -- 60 hours
- 7. Alarm respondent -- 18 hours
- 8. Central station dispatcher -- 8 hours
- 9. Electronic security sales representative -- 8 hours
- 10. Electronic security technician -- 14 hours
- 11. Electronic security technician's assistant -- 4 hours
- 12. Compliance agent -- 6 hours

November 05, 2003

- D. Course content. The compulsory minimum entry level training course content by category, excluding examinations, mandated practical exercises and range qualification, shall be as provided in this subsection.

**1. Security officer core subjects.** The entry level curriculum for unarmed security officer, armed security officer/courier, security canine handler, and alarm respondent sets forth the following areas identified as:

- a. Orientation - 2 hours
    - (1) Virginia Law and Regulations
    - (2) Code of Ethics
    - (3) General Duties and Responsibilities
  - b. Law – 4 hours
  - c. Security patrol, Access Control and Communications – 2 hours
  - d. Documentation – 4 hours
  - e. Emergency Procedures – 4 hours
  - f. Confrontation Management – 2 hour
- Total hours (excluding exam) – 18 hours

**2. Armed security officer/courier.**

- a. Security officer core subjects – 18 hours
  - b. Entry level handgun training (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) -- 14 hours includes dry fire, and judgmental shooting and low level light shooting familiarization)
  - c. Arrest Powers, Policies, Procedures – 8 hours
  - d. Entry level shotgun training, if applicable (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) –2 hours
- Total hours (excluding examinations, shotgun classroom instruction and range qualification) – 40 hours

**3. Armored car personnel.**

- a. Administration and armored car orientation -- 1 hour
- b. Applicable sections of the Code of Virginia and DCJS regulations -- 1 hour
- c. Armored car procedures -- 10 hours
- d. Written examination

November 05, 2003

- e. Entry level handgun training (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) – 14 hours (includes 4 hours of range dry fire and low level lighting)
  - f. Entry level shotgun training, if applicable (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) – 2 hour
- Total hours (excluding examinations, shotgun classroom instruction and range qualification) – 26 hours

**4. Security canine handler.**

Complete entry level training requirements pursuant to Article 3 (6 VAC 20-171-430 et seq.) of this part.

**5. Private investigator.**

- a. Orientation: applicable sections of the Code of Virginia; Administrative Code 6VAC 20-171; standards of professional conduct; and ethics - 6 hours.
  - b. Law: basic law; legal procedures and due process; civil law; criminal law; evidence; and legal privacy requirements - 16 hours plus one practical exercise.
  - c. General Investigative Skills, Tools and Techniques: surveillance; research; and interviewing - 16 hours plus one practical exercise.
  - d. Documentation: Report preparations; photography; audio recording; general communication; and courtroom testimony – 8 hours plus one practical exercise.
  - e. Types of investigations: accident; insurance; background; domestic; undercover; fraud and financial; missing persons and property; and criminal – 14 hours plus one practical exercise.
  - f. Written comprehensive examination.
- Total hours in classroom (excluding written examination and practical exercises) -- 60 hours

**6. Personal protection specialist.**

- a. Administration and personal protection orientation -- 3 hours
- b. Applicable sections of the Code of Virginia and DCJS regulations -- 1 hour
- c. Assessment of threat and protectee vulnerability -- 8 hours
- d. Legal authority and civil law -- 8 hours
- e. Protective detail operations -- 28 hours

November 05, 2003

- f. Emergency procedures -- 12 hours
    - (1) CPR
    - (2) Emergency first aid
    - (3) Defensive preparedness
  - g. Performance evaluation -- Five practical exercises
  - h. Written examination
- Total hours (excluding written examination and performance evaluation) -  
- 60 hours

**7. Alarm respondent.**

Security officer core subjects -- 18 hours

**8. Electronic security subjects.** The entry level electronic security subjects curriculum for central station dispatcher, electronic security sales representative, electronic security technician and electronic security technician's assistant sets forth the following areas identified as:

- a. Administration and orientation to private security -- 1 hour
  - b. Applicable sections of the Code of Virginia and DCJS regulations -- 1 hour
  - c. Overview of electronic security -- 1 hour
  - d. False alarm prevention -- 1 hour
  - e. Written examination
- Total hours (excluding examination) -- 4 hours

**9. Central station dispatcher.**

- a. Electronic security subjects -- 4 hours
  - b. Central station dispatcher subjects -- 4 hours
    - (1) Duties and responsibilities
    - (2) Communications skills
    - (3) Emergency procedures
  - c. Written examination
- Total hours (excluding examination) -- 8 hours

**10. Electronic security sales representative.**

- a. Electronic security subjects -- 4 hours

November 05, 2003

- b. Electronic security sales representative subjects -- 4 hours
    - (1) Duties and responsibilities
    - (2) System design/components
    - (3) False alarm prevention
  - c. Written examination
- Total hours (excluding examination) -- 8 hours

**11. Electronic security technician.**

- a. Electronic security subjects -- 4 hours
  - b. Electronic security technician subjects -- 10 hours
    - (1) Duties and responsibilities
    - (2) Electronics
    - (3) Control panels
    - (4) Protection devices and application
    - (5) Test equipment
    - (6) Power and grounding
    - (7) National electrical code
    - (8) Job safety
  - c. Written examination
- Total hours (excluding examination) -- 14 hours

**12. Compliance agent.**

- a. Industry overview and responsibilities
  - b. Regulations review
  - c. Business practices and ethical standards
  - d. Records requirements and other related issues
  - e. Written examination
- Total hours (excluding written examination) -- 6 hours

November 05, 2003

**6 VAC 20-171-360. In-service training.**

- A. Each person registered with the department as an armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, unarmed security officer or electronic security technician's assistant, or certified by the department to act as a compliance agent shall complete the compulsory in-service training standard once during each 24-month period of registration or certification.
1. Compliance agent.
    - a. In-service training must be completed within 12 months immediately preceding the expiration date.
    - b. Individuals who fail to complete in-service training prior to the established expiration date may complete in-service training within 30 days after the expiration date if a completed in-service training enrollment application and a \$25 delinquent training fee is received by the department.
  2. Instructor. All private security instructors must complete instructor in-service training within-12-months immediately preceding the individual's expiration date.
- B. Hour requirement. The compulsory minimum in-service training hour requirement by category, excluding examinations, practical exercises and range qualification, shall be as follows:
1. Unarmed security officer--4 hours
  2. Armed security officer/courier--4 hours
  3. Armored car personnel--4 hours
  4. Security canine handler--8 hours
  5. Private investigator--8 hours
  6. Personal protection specialist--8 hours
  7. Alarm respondent--4 hours
  8. Central station dispatcher--4 hours
  9. Electronic security sales representative--4 hours
  10. Electronic security technician--4 hours
  11. Electronic security technician's assistant--2 hours
  12. Compliance agent--4 hours
  13. Firearms Instructor --4 hours
  14. General Instructor – 4 hours

November 05, 2003

C. Course content. The compulsory minimum in-service training course content by category, excluding examinations, practical exercises and range qualification, shall be as follows:

1. Security officer core subjects: Unarmed security officer/armed security officer/courier/alarm respondent
  - a. Legal authority--2 hours
  - b. Job-related training--2 hoursTotal hours--4 hours
2. Armored car personnel  
Job-related training--4 hours  
Total hours--4 hours
3. Security canine handler (Annual requirement per 6 VAC 20-171-440)
  - a. Basic obedience evaluation and retraining--4 hours
  - b. Job-related training--4 hoursTotal hours--8 hours
4. Private investigator  
Job-related training--8 hours  
Total hours--8 hours
5. Personal protection specialist  
Job-related training--8 hours  
Total hours--8 hours
6. Central station dispatcher  
Job-related training--4 hours  
Total hours--4 hours
7. Electronic security sales representative  
Job-related training--4 hours  
Total hours--4 hours
8. Electronic security technician  
Job-related training--4 hours  
Total hours--4 hours
9. Electronic security technician's assistant  
Job-related training--2 hours  
Total hours--2 hours

November 05, 2003

10. Compliance agent

- a. Industry overview and responsibilities
- b. Regulations review
- c. Business practices and ethical standards
- d. Records requirements and other related topics

Total hours--4 hours

11. General instructor

- a. Regulations review and legal issues
- b. Ethical standards
- c. Records requirements and other related topics
- d. Techniques of instruction delivery, including practical exercises

Total hours--4 hours

12. Firearms instructor

- a. Legal issues
- b. Techniques of delivery of instruction and other related topics

Total hours--4 hours

**ARTICLE 2. Firearms Training Requirements**

**6 VAC 20-171-365. General firearms training requirements.**

- A. Firearms training endorsement is required for all private security services business personnel who carry or have immediate access to a firearm while on duty. Each person who carries or has immediate access to firearms while on duty shall qualify with each type of action and caliber of firearm to which he has access.

**6 VAC 20-171-370. Entry level handgun training.**

- A. Handgun classroom training.
1. The entry level handgun classroom training will include but not be limited to the following:
    - a. The proper care and maintenance of the firearm;
    - b. Civil liability of the use of firearms;
    - c. Criminal liability of the use of firearms;
    - d. Firearms retention and storage;
    - e. Deadly force;
    - f. Justifiable deadly force;
    - g. Range safety;
    - h. Principles of marksmanship;
    - i. Practical firearms handling and safety;
    - j. Judgmental shooting; and
    - k. Dim Low level light shooting familiarizationTotal Hours (excluding written examination)--14 hours
  2. Written examination required.
- B. Range qualification (no minimum hours). The purpose of the range qualification course is to provide practical firearms training to individuals desiring to become armed private security services business personnel.
1. Prior to the date of range training, it will be the responsibility of the school director to ensure that all students are informed of the proper attire and equipment to be worn for the firing range portion of the training. Equipment needed: handgun, belt with directional draw holster, ammunition (60 rounds)
  2. Factory loaded practice or duty ammunition (60 rounds) may be used for practice or range qualification.

November 05, 2003

3. Course shall be fired double action, or double single action except for single action semi-automatic handguns.
  4. All qualifications shall be conducted using a B-27 silhouette target or the FBI "Q" target. Alternate targets may be utilized with prior approval by the department.
  5. With prior approval of the department, a reasonable modification of the firearms course may be approved to accommodate qualification on indoor ranges.
  6. A certified firearms instructor must be present on the range directly controlling the fire line during all phases of firearms training. There shall be a minimum of one certified firearms instructor per five shooters on the line.
  7. All individuals shall qualify with directional draw holsters only.
  8. The range qualification of individuals shall be scored as follows:  
  
B27 target: (use indicated K-value) 7, 8, 9, 10 X rings--value 5 points, other hits on silhouette--value 0 points: divide points scored by maximum possible score to obtain decimal and convert to percentage, e.g.,  $225 \div 300 = .75 = 75\%$ .  
  
FBI Q target: all hits inside the bottle – value 5 points; hits outside the bottle – value 0 points.
  9. The low light range familiarization of individuals shall be scored as indicated above. This is strictly a familiarization course with no pass or fail grade provided.
- C. Course: Virginia Private Security Course of Fire for Handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in subsection B of this section. Strong/weak hand refers to the primary hand used in firing the firearm. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:
1. Phase 1; 3 yards, utilizing weaver, Modified Weaver, or isosceles stance, 18 rounds:
    - a. Load 6 rounds and holster loaded firearm.
    - b. On command, draw and fire 2 rounds (3 seconds), repeat.
    - c. Load 6 rounds and holster loaded firearm.
    - d. On command, draw and fire 6 rounds with strong hand.
    - e. Unload, reload 6 rounds and fire 6 rounds with weak hand (25 seconds).

November 05, 2003

2. Phase 2; 7 yards, utilizing weaver, Modified Weaver, or isosceles stance, 24 rounds:
    - a. Load 6 rounds and holster loaded firearm.
    - b. On command, draw and fire 1 round (2 seconds), repeat.
    - c. Load 6 rounds and holster loaded firearm.
    - d. On command, draw and fire 2 rounds (3 seconds), repeat.
    - e. Load 6 rounds and holster loaded firearm.
    - f. On command, draw and fire 6 rounds, reload 6 rounds, fire 6 rounds (30 seconds).
  3. Phase 3; 15 yards, 70 seconds, 18 rounds:
    - a. Load 6 rounds and holster loaded firearm.
    - b. On command, assume kneeling position, draw and fire 6 rounds with strong hand.
    - c. Assume standing position, unload, reload and fire 6 rounds from weak-hand barricade position.
    - d. Unload, reload and fire 6 rounds from strong-hand barricade position (Kneeling position may be fired using barricade position.) (70 seconds).
- D. Low Light Course: Virginia Private Security Low Light Familiarization Course of Fire for Handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in this subsection. Equipment needed: belt with directional draw holster, handgun, two speed loaders or three magazines, range ammunition (30 rounds). Equipment provided by instructor: A range that can simulate low light or a pair of welders goggles for each student that simulates low light. Strong/weak hand refers to the primary hand used in firing the firearm. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:
1. Phase I; 3 yards, utilizing weaver or isosceles stance, 18 rounds:
    - a. Load 6 rounds and come to ready
    - b. On command, fire 2 rounds (3 seconds) repeat
    - c. Load 6 rounds and come to ready
    - d. On command, fire 6 rounds with strong hand
    - e. Unload, reload 6 rounds and fire 6 rounds (30 seconds)
  2. Phase 2; 7 yards, utilizing weaver or isosceles stance, 12 rounds
    - a. Load 6 rounds and come to ready
    - b. On command, fire 2 rounds (5 seconds), and repeat
    - c. Load 6 rounds and come to ready
    - d. On command, draw and fire 3 rounds (6 seconds), and repeat

November 05, 2003

**6 VAC 20-171-380. Entry level shotgun training.**

A. Shotgun classroom training. The entry level shotgun classroom instruction will emphasize but not be limited to:

1. Safe and proper use and handling of the shotgun;
2. Nomenclature;
3. Positions and combat loading techniques;
4. Decision-making for the officer with the shotgun;
5. Transition from sidearm to shotgun; and
6. Shotgun retention and proper use of a sling.

Total hours—2 hours

B. Range qualification (no minimum hours). The purpose of the range firing course is to provide practical shotgun training to those individuals who carry or have immediate access to a shotgun in the performance of their duties.

1. For certification, 12 gauge, double aught "00" buckshot ammunition shall be used. Five rounds.
2. Scoring--70% of available pellets must be within silhouette.

C. Course: Virginia Private Security Course of Fire for Shotguns.

Distance	Position	No. Rounds	Target	Time
Combat load & fire 15 Yds.	Standing/ Shoulder	3	B-27 Silhouette	20 sec.
Combat load & fire 25 Yds.	Kneeling/ Shoulder	2	B-27 Silhouette	15 sec.

D. A certified firearms instructor must be present on the range directly controlling the firing line during all phases of firearms range training. There shall be a minimum of one certified firearms instructor per five shooters on the line.

November 05, 2003

**6 VAC 20-171-390. Advanced handgun training required for the entry level personal protection specialist who wish to have firearms endorsement and optional for other armed registrants. The entry level handgun training is a prerequisite for taking the advanced handgun training.**

- A. Advanced handgun classroom training.
  - 1. The advanced handgun training will include but not be limited to:
    - a. Proper care of the weapon;
    - b. Civil liability of the use of firearms;
    - c. Criminal liability of the use of firearms;
    - d. Weapons retention;
    - e. Deadly force;
    - f. Justifiable deadly force;
    - g. Range safety;
    - h. Practical firearms handling;
    - i. Principles of marksmanship; and
    - j. Decision-making for the personal protection specialist.

Total hours (excluding written examination)--24 hours
  - 2. Written examination required.
- B. Range qualification (no minimum hours). The purpose of this course of fire is to assess and improve the tactical, protection-related shooting skills for personal protection specialist candidates seeking certification to be armed. This course entails five increasingly challenging stages of advanced firearms exercises with a 92% score required for qualification.
  - 1. The advanced handgun course of fire is comprised of the following exercises:
    - a. Shoot/don't shoot judgment;
    - b. Turn and fire drills;
    - c. Failure to stop drills;
    - d. Multiple target drills; and
    - e. Judgmental shooting.

November 05, 2003

2. For all range practicals (stage two through stage four):
  - a. The student will fire at a man-size silhouette target with the following requirements:
    - (1) 4" diameter circle in head;
    - (2) 8" diameter circle in chest/body area; and
    - (3) Center points of circles--13½ inches apart.
  - b. All rounds fired must hit within these circles.
  - c. Minimum 92% qualification score = 25 rounds total requiring 23 hits.  
With regard to scoring:
    - (1) 25 points (1 round is good for 1 point).
    - (2) 92% of shots must be "in circle" hits for a passing grade (2 misses allowed on total course).
    - (3) Shots not taken during stage five when a "no-shoot" situation is presented scores a point, just as an accurate shot in a hostile situation.
    - (4) 92% is 23 of 25 possible.
3. A certified firearms instructor must be on the range during all phases of advanced handgun training. There shall be no less than one certified firearms instructor per four students.

C. Course: Virginia Private Security Advanced Handgun\_Course of Fire

1. Stage One: Shoot/don't shoot drill. Stage one of the advanced handgun course of fire is conducted in a classroom using a 16 mm film or video cassette tape of firearms combat scenarios or in practical exercises on the range to assess the student's decision-making capability given job-related shoot/don't shoot incidents.  
  
After the interaction of the scenario, the students must explain all their commands and actions.  
  
Dry-fire response from a weapon rendered safe should be incorporated into the scenario interaction.
2. Stage Two: Turn-and-fire drill. Stage two of the advanced handgun course of fire is held at a firing range and consists of turn-and-fire drills from varying distances (straight draw hip holsters only).  
  
All handguns are loaded with six rounds of ammunition and safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command "fire," the students must quickly turn while acquiring a firm grip on the weapon. Once facing the target and in a stable position, they must safely draw and fire two rounds at the designated target circle.

November 05, 2003

After shooting, while facing the target, the student must reholster safely, then turn around to face up range, ready to continue the exercise. The "fire" commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

3. Stage Three: Failure to stop drill. Stage three of the advanced handgun course of fire is held at a firing range and consists of failure to stop drills fired from the seven-yard line (straight draw hip holsters only).

All handguns are loaded with six rounds of ammunition and are safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command "fire," given at approximately the seven-yard line, each shooter must safely turn around while acquiring a firm grip on their weapon as performed in the previous drill. Once facing the target, the students will draw and fire two rounds at the 8-inch body circle, and then one immediate round to the 4-inch head circle. The student will then safely reholster. The drill will be repeated three times.

4. Stage Four: Multiple target identification drill. Stage four of the advanced handgun course of fire is held at a firing range and consists of multiple target identification drills fired from varying distances (straight draw hip holsters only).

Each shooter will line up on a set of three targets. Only two shooters at one time can complete this exercise on a standard 10-12 station range. However, smaller ranges may allow for only one shooter at a time.

Each handgun is loaded with six rounds of ammunition and safely holstered. The shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the targets. Upon the command "left," "right," or "center," the student must again turn around safely while establishing a firm grip on the weapon. Then, once stable, the student must quickly draw and fire 2 rounds at the designated circle on the "called" target ("L," "R," "C"). Then, the shooter, while still facing the targets, must safely reholster, turn around to face up range, and continue the exercise. Each two-round pair must be fired within four seconds of the called command. Direction commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

5. Stage Five: Judgmental shooting. This drill combines the skills developed in the prior four stages. The shooter will be required to safely turn and fire at a "photograph" type target which may be either friendly or hostile. It requires hostile targets to be stopped using deadly force. Necessity (immediate jeopardy) is presumed for this exercise. This stage allows the instructor to evaluate the decision-making capability of the student as well as his shooting accuracy and safety.

November 05, 2003

Shooter is placed on the 10-yard line facing the instructor with the target to his rear. The target will be placed at any location along the range target line and should not be seen by the student until he is given the "turn" command during the drill. Each shooter has the opportunity to complete this drill four times. Each decision is worth one point. If he shoots at a hostile target, a hit anywhere on that target will score the point. If a friendly target is presented, it is clearly a no-shoot situation and the student should merely holster safely to score the point. There is a four-second time limit at this stage for any "shoot" situation.

The instructor will allow each shooter two opportunities to complete this drill and place two targets downrange for each. Four points or hits are still necessary at this stage for the total score. If two targets are used, then the time limit is raised to six seconds, regardless of whether two hostile targets are used or one hostile with one friendly.

November 05, 2003

**6 VAC 20-171-400. Firearms (handgun/shotgun) retraining.**

A. All armed private security services business personnel must satisfactorily complete two hours of firearms classroom training or practical exercises and range training, and requalify as prescribed in 6VAC20-171-370 for handgun and 6VAC20-171-380 for shotgun, if applicable, on an annual basis prior to the issuance of the Firearms Endorsement, as follows.

1. Classroom retraining or practical exercises--2 hours
2. Range qualification with handgun and/or shotgun, if applicable (no minimum hours)

Total hours (excluding range qualification)--2 hours

**6 VAC 20-171-410. Reserved**

November 05, 2003

**6 VAC 20-171-420. Advanced handgun retraining.**

A. All armed private security services business personnel registered in the category of personal protection specialist or other armed category seeking advanced handgun designation must satisfactorily complete Advanced Handgun Retraining which includes eight hours of firearms classroom training and range training, and requalify as prescribed in 6VAC20-171-390 **B** for handgun within the 12-month period immediately preceding the expiration date of his registration as follows:

1. Legal authority and decision making--4 hours
  2. Handgun safety, marksmanship and skill development--4 hours
  3. Completion of advanced handgun course of fire
- Total Hours (excluding range qualification)--8 hours

November 05, 2003

**ARTICLE 3. Security Canine Handler Training Requirements**

**6 VAC 20-171-430. Entry level security canine handler training.**

- A. Prerequisites for security canine handler entry level (official documentation required):
1. Successful completion of the security officer core subjects curriculum--18 hours; and
  2. Successful completion of basic obedience training.
- B. Following successful completion of the above prerequisites, each security canine handler must also comply with the following requirements:
1. Demonstration of proficiency. The student must demonstrate his proficiency in the handling of a security canine to satisfy the minimum standards.--2 hours
  2. Evaluation by a certified private security canine handler instructor and basic obedience retraining
  3. Security canine handler orientation/legal authority--4 hours
  4. Canine patrol techniques--6 hours
  5. Written examination
- Total hours (excluding examinations)— 30 hours

November 05, 2003

**6 VAC 20-171-440. Security canine handler retraining.**

A. Each security canine handler registrant shall comply annually with the requirement for basic obedience evaluation and retraining (Refer to 6VAC20-171-430).

1. Applicable sections of the Code of Virginia and DCJS regulations – 1 hour
2. Security canine handler basic obedience evaluation and retraining - 4 hours
3. Canine, grooming, feeding, and health care – 1 hour
4. Apprehension techniques – 1 hour
5. Obedience – 1 hour

Total hours—8 hours

**ARTICLE 4. Training Exemptions**

**6 VAC 20-171-445. Training exemptions.**

- A. Persons who meet the statutory requirements as set forth in § 9.1-141 of the Code of Virginia may apply for a partial exemption from the compulsory training standards. Individuals requesting such partial exemption shall file an application furnished by the department and include the applicable, nonrefundable application fee. The department may issue such partial exemption on the basis of individual qualifications as supported by required documentation. Those applying for and receiving exemptions must comply with all regulations promulgated by the board. Each person receiving a partial exemption must apply to the department for registration within 12 months from the date of issuance, otherwise the partial exemption shall become null and void.

November 05, 2003

**6 VAC 20-171-450. Entry level training exemption.**

- A. Persons previously employed as law-enforcement officers who have not terminated or been terminated from said employment more than five years prior to the application date must submit official documentation of the following with the application for partial exemption:
  - 1. Completion of law-enforcement entry level training; and
  - 2. Five continuous years of law-enforcement employment provided such employment as a law-enforcement officer was not terminated due to misconduct or incompetence.
  
- B. Persons having previous training or employment in any of the classifications defined in § 9.1-138 of the Code of Virginia must submit official documentation of the following with the application for partial exemption:
  - 1. Completion of previous private security training, which has been approved by the department and which meets or exceeds the compulsory minimum training standards promulgated by the board; or
  - 2. Five years continuous employment in the category for which partial exemption is sought, provided such employment was not terminated due to misconduct or incompetence and such employment ended within five years of the date of application.

November 05, 2003

**6 VAC 20-171-460. In-service training exemption.**

- A. Persons who have completed training which meets or exceeds the compulsory minimum training standards promulgated by the board for the in-service training required for the individual's particular category may be authorized credit for such training, provided the training has been completed within 12 months of the expiration date of the registration period during which in-service training is required. Such training must be provided by a third party organization offering services or expertise for the particular training category. Official documentation of the following must accompany the application for in-service training credit:
1. Information regarding the sponsoring organization, including documentation regarding the instructor for each session; and
  2. An outline of the training session material, including the dates, times and specific subject matter.
  3. Proof of attendance and successful completion.

November 05, 2003

**6 VAC 20-171-470. Prior firearms training exemption.**

- A. Persons having previous department-approved firearms training may be authorized credit for such training which meets or exceeds the compulsory minimum training standards for private security services business personnel, provided such training has been completed within the 12 months preceding the date of application. Official documentation of the following must accompany the application for partial in-service training credit:
1. Completion of department-approved firearms training; and
  2. Qualification at a Virginia criminal justice agency, academy or correctional department.

November 05, 2003

**PART VI.  
COMPLAINTS,  
DEPARTMENT  
ACTIONS,  
ADJUDICATION**

**ARTICLE 1. Complaints**

**6 VAC 20-171-480. Submittal requirements.**

- A. In accordance with § 9.1-141 of the Code of Virginia, this chapter establishes standards designed to secure the public safety and welfare against incompetent or unqualified persons engaging in private security services. It shall be the responsibility of the licensee, its compliance agents and employees, to provide private security services in a professional manner and ethical manner, utilizing sound business practices.
- B. Any aggrieved or interested person may file a complaint against any individual, person, firm or licensed firm, school or certified school whose conduct and activities are regulated or required to be regulated by the board. The complaint must allege a violation of the law governing private security services or this chapter.
- C. Complaints may be submitted:
  - 1. In writing, or on a form provided by the department, by a signed complainant;
  - 2. In writing, submitted anonymously, that provide sufficient detailed information for the department to conduct an investigation; or
  - 3. Telephonically, providing the complaint alleges activities which constitute a life-threatening situation, or have resulted in personal injury or loss to the public or to a consumer, or which may result in imminent harm or personal injury, and that provide sufficient detailed information for the department to conduct an investigation.

November 05, 2003

**6 VAC 20-171-490. Department investigation.**

- A. The department may initiate or conduct an investigation based on any information received or action taken by the department to determine compliance with the Code of Virginia and this chapter.
- B. Documentation.
  - 1. Persons regulated or required to be regulated by this chapter pursuant to the Code of Virginia are required to provide department investigators with any and all records required to be maintained by this chapter.
    - a. This shall not be construed to authorize the department to demand records protected under applicable federal and state laws. If such records are necessary to complete an investigation, the department may seek a subpoena to satisfy the request.
    - b. The department shall endeavor to review, and request as necessary, only those records required to verify alleged violations of compliance with the Code of Virginia and this chapter.
  - 2. The department shall endeavor to keep any documentation, evidence or information on an investigation confidential until such time as adjudication has been completed, at which time information may be released upon request pursuant to applicable federal and state laws, rules or regulations.

ARTICLE 2. Department Actions

**6 VAC 20-171-500. Disciplinary action; sanctions; publication of records.**

- A. Each person subject to jurisdiction of this chapter who violates any statute or regulation pertaining to private security services shall be subject to sanctions imposed by the department regardless of criminal prosecution.
- B. The department may impose any of the following sanctions, singly or in combination, when it finds the respondent in violation or in noncompliance of the Code of Virginia or of this chapter:
  - 1. Letter of reprimand or censure;
  - 2. Probation for any period of time;
  - 3. Suspension of license, registration, certification, or approval granted, for any period of time;
  - 4. Revocation;
  - 5. Refusal to issue, renew or reinstate a license, registration, certification or approval;
  - 6. Fine not to exceed \$2,500 per violation as long as the respondent was not criminally prosecuted.
  - 7. Remedial Training
- C. The department may conduct hearings and issue cease and desist orders to persons who engage in activities prohibited by this chapter but do not hold a valid license, certification or registration. Any person in violation of a cease and desist order entered by the department shall be subject to all of the remedies provided by law and, in addition, shall be subject to a civil penalty payable to the party injured by the violation.
- D. The director may summarily suspend a license, certification or registration under this chapter without a hearing, simultaneously with the filing of a formal complaint and notice for a hearing, if the director finds that the continued operations of the licensee or registrant would constitute a life-threatening situation, or has resulted in personal injury or loss to the public or to a consumer, or which may result in imminent harm, personal injury or loss.
- E. All proceedings pursuant to this section are matters of public record and shall be preserved. The department may publish a list of the names and addresses of all persons, licensees, firms, registrants, training schools, school directors, compliance agents and licensed firms whose conduct and activities are subject to this chapter and have been sanctioned or denied licensure, registration, certification or approval.

November 05, 2003

**6 VAC 20-171-510. Fines, administrative and investigative costs.**

- A. The department may recover costs of any investigation and adjudication of any violations of the Code of Virginia or regulations which result in a sanction, including fine, probation, suspension, revocation or denial of any license, certification or registration. Such costs shall be in addition to any monetary penalty that may be imposed.
- B. All monetary penalties imposed as a sanction shall be deposited into the state treasury to the credit of the State Literary Fund.

**ARTICLE 3. Adjudication**

**6 VAC 20-171-520. Hearing process.**

- A. Following a preliminary investigative process, the department may initiate action to resolve the complaint through an informal fact-finding conference or formal hearing as established in this chapter. Pursuant to the authority conferred in § 9.1-141 C 6 of the Code of Virginia and in accordance with the procedures set forth by the Administrative Process Act and the procedures prescribed herein, the department is empowered to receive, review, investigate and adjudicate complaints concerning the conduct of any person whose activities are regulated by the board. The board will hear and act upon appeals arising from decisions made by the director. In all case decisions, the Criminal Justice Services Board shall be the final agency authority.

November 05, 2003

**6 VAC 20-171-530. Informal fact-finding conference.**

- A. The purpose of an informal fact-finding conference is to resolve allegations through informal consultation and negotiation. Informal fact-finding conferences shall be conducted in accordance with § 2.2-4019 of the Code of Virginia. The respondent, the person against whom the complaint is filed, may appeal the decision of an informal fact-finding conference and request a formal hearing, provided that written notification is given to the department within 30 days of the date the informal fact-finding decision notice was served, or the date it was mailed to the respondent, whichever occurred first. In the event the informal fact-finding decision was served by mail, three days shall be added to that period.

November 05, 2003

6 VAC 20-171-540. Formal hearing.

- A. Formal hearing proceedings may be initiated in any case in which the basic laws provide expressly for a case decision, or in any case to the extent the informal fact-finding conference has not been conducted or an appeal thereto has been timely received. Formal hearings shall be conducted in accordance with § 2.2-4020 of the Code of Virginia. The findings and decision of the director resulting from a formal hearing may be appealed to the board.
- B. After a formal hearing pursuant to § 2.2-4020 of the Code of Virginia wherein a sanction is imposed to fine, or to suspend, revoke or deny issuance or renewal of any license, registration, certification or approval, the department may assess the holder thereof the cost of conducting such hearing when the department has final authority to grant such license, registration, certification or approval, unless the department determines that the offense was inadvertent or done in good faith belief that such act did not violate a statute or regulation. The cost shall be limited to (i) the reasonable hourly rate for the hearing officer and (ii) the actual cost of recording the proceedings. This assessment shall be in addition to any fine imposed by sanctions.

November 05, 2003

**6 VAC 20-171-550. Appeals.**

- A. The findings and the decision of the director may be appealed to the board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219, within 30 days following the date notification of the hearing decision was served, or the date it was mailed to the respondent, whichever occurred first. In the event the hearing decision is served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)

November 05, 2003

**6 VAC 20-171-560. Court review; appeal of final agency order.**

- A. The agency's final administrative decision (final agency orders) may be appealed. Any person affected by, and claiming the unlawfulness of the agency's final case decision, shall have the right to direct review thereof by an appropriate and timely court action. Such appeal actions shall be initiated in the circuit court of jurisdiction in which the party applying for review resides; save, if such party is not a resident of Virginia, the venue shall be in the city of Richmond, Virginia.
- B. Notification shall be given to the attention of the Director, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Virginia 23219, in writing within 30 days of the date notification of the board decision was served, or the date it was mailed to the respondent, whichever occurred first. In the event the board decision was served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)
- C. During all judicial proceedings incidental to such disciplinary action, the sanctions imposed by the board shall remain in effect, unless the court issues a stay of the order.