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**RULES
OF
GEORGIA BOARD OF PRIVATE
DETECTIVE AND
SECURITY AGENCIES**

GEORGIA ORGANIZATION

509-1-.02 Fees. Amended.

The payments of any fees of the Georgia Board of Private Detective and Security Agencies for licensure, registration, or weapon permit shall be made by a cashier's check, certified check, or money order. The Board, in its discretion, may also accept a company check for the purpose of licensure, registration, or weapon permit (but not for fees provided for processing fingerprint cards through the Federal Bureau of Investigation). The board shall have the right to refuse payment of any fees not made in accordance with this rule. Refer to fee schedule for appropriate fees payable to the Board. Any request for refund must be submitted in writing. Any indebtedness to the Board caused by a returned check will be dealt with in accordance with Code Section 16-9-20 of the Criminal Code of Georgia.

(a) Application Fees. Each application for company licensure, employee registration, or weapon permit shall be accompanied by a non-refundable application fee. Refer to fee schedule for appropriate fees payable to the Board.

(b) Fee for processing fingerprint cards through Federal Bureau of Investigation. Each application for employee registration shall be accompanied by a separate cashier's check or money order made payable to the GBI or the Georgia Bureau of Investigation. Amount of fee is set by the Federal Bureau of Investigation. Refer to fee schedule for current fee.

1. Fees submitted for use of the Federal Bureau of Investigation fingerprint system of identification are nontransferable.

2. Each cashier's check or money order submitted for processing fingerprint cards through the Federal Bureau of Investigation must be accompanied by a list of names of the employees for whom the check was provided.

Authority O.C.G.A. 43-38-4. **Administrative History.** Original Rule entitled "Meetings" was filed on July 24, 1981, as Emergency Rule 509-1-0.1-.02; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-1-0.1-.02 repealed and Emergency Rule 509-1-0.6-.02, of the same title adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-1-0.6-.02 repealed and permanent Rule 509-1-.02, entitled

"Fees," adopted. Filed December 15, 1981; effective January 4, 1982. **Amended:** Filed May 4, 1982; effective May 24, 1982. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed December 13, 1985; effective January 2, 1986.

509-1-.01 Meetings. Amended.

The board shall meet at least twice a year to carry out regular business. The chairman or Joint Secretary may call special meetings. Notice of the meetings shall be given to all members at least ten days prior to the date of the meeting. Parliamentary procedure shall be according to Robert's Rules of Order, latest edition.

(a) A majority of the board members shall constitute a quorum for all board business.

Authority Ga. L. 1981, pp. 1828, 1832. **Administrative History.** Original Rule entitled "Organization" was filed on July 24, 1981, as Emergency Rule 509-1-0.1-.01; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-1-0.1-.01 repealed and Emergency Rule 509-1-0.6-.01, of the same title, adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-1-0.6-.01 repealed and permanent Rule 509-1-.01, entitled "Meetings," adopted. Filed December 15, 1981; effective January 4, 1982.

509-1-.03 Repealed.

Authority Ga. L. 1981, pp. 1828, 1838; Ga. L. 1981, 1901, 1902. **Administrative History.** Original Rule entitled "Fees" was filed on July 24, 1981, as Emergency Rule 509-1-0.1-.03; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-1-0.1-.03 repealed and Emergency Rule 509-1-0.6-.03, of the same title, adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-1-0.6-.03 repealed. Filed December 15, 1981; effective January 4, 1982.

GEORGIA LICENSURE AND REGISTRATION

509-2-.01 Certificates. Amended.

(1) Company licenses issued by the Board shall expire on June 30 of each odd-numbered year.

(2) A penalty fee as determined by the Board shall be applicable to any applicant renewing their company license after June 30 and through July 31 of the renewal period. Failure to renew a company license by July 31 shall have the same effect as a revocation of said license.

Reinstatement of a revoked company license shall be in the discretion of the Board, which may require that a completed application for company licensure, including all applicable fees and other required information to be submitted as if it was a new application. In the discretion of the Board, an applicant for company re-licensure may be required to successfully pass a written examination.

(3) Employee registration cards and/or weapon permits issued by the Board shall expire on August 31 of each odd-numbered year.

(4) A penalty fee as determined by the Board shall be applicable to any employee applicant renewing their registration or weapon permit after August 31 and through September 31 of the renewal period. Failure to renew a registration or weapon permit by September 31 shall have the same effect as a revocation of said registration card or weapon permit. Reinstatement of a revoked employee registration or weapon permit shall be in the discretion of the Board, which may require that a completed application for employee registration and/or a completed application for permit to carry firearms, including all applicable fees and other required information to be submitted as if it was a new application.

Authority O.C.G.A. Secs. 43-1-4, 43-38-4, 43-38-6, 43-38-7, 43-38-10. **History.** Original Rule entitled "Certificates" adopted as ER. 509-2-0.2-.01. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-2-0.7-.01 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Repealed:** New Rule of same title adopted. F. Dec. 13, 1985; eff. Jan. 2, 1986. **Amended:** F. May 28, 1998; eff. June 17, 1998.

509-2-.02 Qualifications.

- (1) Any applicant for licensure to operate a private detective company must have at least two (2) years experience as a licensed private detective with a licensed detective agency or at least two (2) years experience in law enforcement with a federal, state, county, or municipal police department, or has a four (4) year degree in criminal justice or related field from an accredited university.
- (2) Any applicant for licensure to operate a security company must have at least two (2) years full-time experience as a supervisor or administrator in in-house security operations or with a licensed security agency or at least two (2) years experience in law enforcement with federal, state, county, or municipal police department, or a four (4) year degree in criminal justice or related field from an accredited university.
- (3) Two (2) years of full-time experience, as used in Rule 509-2-.02(1) & (2), shall mean that an individual was employed at least two (2) years and worked a minimum of 30 hours per week. Experience in law enforcement must meet the definition in O.C.G.A. 35-8-2(8), or the definition of any other state or federal agency with similar criteria.
- (4) The Board shall be responsible for adopting an examination for the licensure of applicants on behalf of private detective and private security companies. The examinations shall be designed to assess candidates' abilities to perform at an acceptable level of practice, which will not be harmful to the public health, safety or welfare.
 - (a) The contents of the examination for private detective company licensure shall reflect the scope of practice of the private detective profession, as defined in O.C.G.A. Section 43-38-3(3), or as approved by the Board.
 - (b) The contents of the examination for private security company licensure shall reflect the scope of practice of the private security profession, as defined in O.C.G.A. Section 43-38-3(4), of this chapter, or as approved by the Board.

- (c) The Joint-Secretary shall determine the time, location and schedule of examinations, and shall conduct such examinations according to procedures which protect examination security, and provide a fair and equitable examination administration for all candidates.
- (d) The Board will provide reasonable modification to a qualified applicant with a disability in accordance with the Americans With Disabilities Act. The request for a modification by an individual with a disability must be made in writing and received in the Board's office by the application deadline, along with appropriate documentation, as indicated in the Request for Disability Modification Guidelines.
- (e) Each candidate for licensure shall submit a completed application form and required fee no later than 45 days prior to the scheduled examination. An incomplete application will not be presented to the board for review and may be returned to the applicant for completion. Upon notification by the board off ice that an application is incomplete, the applicant must complete the application within 60 days of the notice. Failure to do so will invalidate the application and will require a new application and fee, along with all required documents.
- (f) All applications for examination must be reviewed and approved by the board prior to an examination. Applications must be submitted to the Board's office, at least, 45 days prior to the scheduled examination.
- (g) The passing level for the examination shall be determined by the Board, or a group of experts in the field as approved by the Board to review the questions on each examination.
- (h) An applicant who has failed the licensure examination may retake the examination by completing a reexamination application or submitting a written notice of request to retake the examination and the required reexamination fee to the Board's office no later than 45 days prior to the scheduled examination. The examination cannot be taken more than three times, by an applicant, without submitting a new application and appropriate fee to the Board.
- (i) An applicant scheduled for an examination who fails to appear for three (3) consecutive examinations will not be permitted thereafter to stand the examination until he has submitted a new application and fee.
- (j) The Board shall set the fee for the examinations.

Authority O.C.G.A. Secs. 43-1-2, 43-1-19, 43-1-24, 43-1-25, 43-38-3, 43-38-4, 43-38-6, 43-38-11; 42 U.S.C. Sec. 12101 et seq. **History.** Original Rule entitled "Qualifications" adopted as ER. 509-2-0.2-.02. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-2-0.7-.02 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Nov. 1, 1988; eff. Nov. 21, 1988. **Amended:** F. July 31, 1990; eff. Aug. 20, 1990. **Amended:** F. Sept. 29, 1993; eff. Oct. 19, 1993. **Amended:** F. Mar. 28, 1995; eff. Apr. 17, 1995. **Amended:** F. Apr. 5, 1996; eff. Apr. 25, 1996. **Amended:** F. Aug. 17, 1998; eff. Sept. 6, 1998. **Amended:** F. Oct. 1, 1998; eff. Oct. 21, 1998. **Repealed:** New Rule of same title adopted. F. Mar. 29, 2005; eff. Apr. 18, 2005.

509-2-.03 Issuance of Licenses and Registrations.

- (1) Any applicant for licensure who is filing the application on behalf of a firm, association, company, partnership, or corporation shall be the president or secretary of such company or corporation or a member of such firm, association, or partnership. Said officer or member shall be directly responsible for all operations and must be registered with the Board.
- (2) At any time after the receipt by the Board of all documents and fees required by law or by these rules, and after being satisfied that the applicant has the qualifications set forth by law, and has received the minimum training required by rule, the Board may issue a license or registration card, provided that reports have been received from the state and federal agencies to which the applicant's fingerprint cards have been sent. Should any statement appearing in the application or any other form submitted to the Board by the applicant be demonstrated to be untrue or false, the Board will then, at its earliest opportunity, take appropriate action against the applicant.
- (3) Upon death, resignation or termination of the license holder of the company, the chief officer of the company shall notify the Board within 10 (ten) business days of the absence of the license holder, and shall request a 180-day grace period to operate the company until a qualified license holder can be submitted to the Board for approval with a new application for company license.
- (4) Upon death, resignation or termination of a registrant the licensee (employer) shall notify the Board within 30 days of the termination of employment of any registered employee by mailing to the office of the Division Director the employee's registration and weapon permit cards.
- (5) When any registrant transfers from one employer to another, the employer must make a new application and submit the appropriate fee to the Board. Refer to the fee schedule for fee. The board may issue the registration with weapon permit to such registrant before receiving the results of the criminal background check, based upon a current registration with weapon permit with another employer.
- (6) When any registrant is employed by more than one agency simultaneously, each employer must complete application for registration on behalf of the employee. Each application must be accompanied by the appropriate fee. Refer to the fee schedule for fee. The board may issue the registration with weapon permit to such registrant before receiving the results of the criminal background check, based upon a current registration with weapon permit with another employer.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-38-3, 43-38-4. **History.** Original Rule entitled "Issuance of Licenses and Registration" adopted as ER. 509-2-0.2-.03. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-2-0.7-.03 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. May 4, 1982; eff. May 24, 1982. **Amended:** F. Aug. 21, 1989; eff. Sept. 10, 1989. **Repealed:** New Rule of same title adopted. F. Dec. 11, 2006; eff. Dec. 31, 2006.

509-2-.04 Exposed Weapon Permit.

- (1) A permit to carry an exposed weapon may be issued by the Board, in its discretion, upon being satisfied of the applicant's character, competency, and eligibility, if the Board has received all documents and fees required by the licensing laws of this Chapter and has received satisfactory reports on the background investigations on the applicant through the system of identification of the Georgia Bureau of Investigation (GCIC) and Federal Bureau of Investigation (NCIC). The Board, in its discretion, may approve an application for a permit to carry an exposed weapon for a post on a federal installation prior to receiving the reports on the background investigations from GCIC and NCIC, provided that the Board receives from the Federal Protection Agency an official letter of adjudication for work on a federal installation for the employee.
- (2) The Board shall be authorized to suspend any license or registration without a prior hearing, if the applicant makes a false statement in the application or has been convicted of a felony and has not had all his or her civil rights restored pursuant to law, and any weapons permit issued shall stand suspended at the same time as the suspension of the license or registration. Upon request, the licensee or registrant shall be entitled to a hearing on such matter subsequent to the suspension.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-9 to 43-38-11, 43-38-11.1. **History.** Original Rule entitled "Weapon Permits" adopted as ER. 509-2-0.2-.04. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-2-0.7-.04 entitled "Exposed Weapon Permit" adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Aug. 27, 1991; eff. Sept. 16, 1991. **Repealed:** New Rule of same title adopted. F. May 17, 2005; eff. June 6, 2005.

509-2-.05 Concealed Weapon Permit. Amended.

- (1) A permit to carry a firearm in a concealed manner may be issued by the Board, in its discretion, upon being satisfied of the applicant's character, competency, and eligibility, only if all of the following requirements are met:
 - (a) The application is accompanied by a sworn statement from the employer, describing the duties of the applicant and the need to carry the firearm in a concealed manner, together with detailed and complete justification for such request. Any license holder found to have intentionally misrepresented to the Board facts in support of the application for a concealed weapons permit shall be subject to disciplinary action by the Board up to and including revocation of license.
 - (b) The Board has received all documents and fees required by the licensing laws of this chapter and has received satisfactory reports on the background investigations on the applicant through the system of identification of the Georgia Bureau of Investigation (GCIC) and the Federal Bureau of Investigation (NCIC).
- (2) The Board shall be authorized to suspend any license or registration without a prior hearing, if the applicant makes a false statement in the application or has been convicted

of a felony and has not had all his or her civil rights restored pursuant to law, and any weapons permit issued shall stand suspended at the same time as the suspension of the license or registration. Upon request, the licensee or registrant shall be entitled to a hearing on such matter subsequent to the suspension.

Authority O.C.G.A. Secs. 43-38-4, 43-38-6, 43-38-9, 43-38-10, 43-38-11, 43-38-11.1. **History.** Original Rule entitled "Consideration of Applications" adopted as ER. 509-2-0.2-.05. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-2-0.7-.05 entitled "Concealed Weapon Permit" adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Repealed:** New Rule of same title adopted. F. Feb. 8, 1982; eff. Feb. 28, 1982. **Amended:** F. Aug. 27, 1991; eff. Sept. 16, 1991.

509-2-.06 Consideration of Applications. Amended.

- (1) In order for a non-examination application to be considered at a forthcoming Board meeting, the application, properly completed, and all supporting documentation, forms, and fees must be submitted at least 10 days prior to the scheduled Board meeting.
- (2) All documentation of experience, including verification of licensure, must be original documents or notarized copies of the original documents.

Authority O.C.G.A. Secs. 43-38-4, 43-38-6. **History.** Original Rule entitled "Consideration of Applications" adopted as ER. 509-2-0.7-.06. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Sept. 29, 1993; eff. Oct. 19, 1993.

509-2-.07 Criminal Convictions.

- (1) Upon receipt of an application for employee registration that indicates a prior criminal record, the Board may register such employee who has previously been convicted of a misdemeanor provided that:
 - (a) The criminal record does not show evidence of disregard for the law, which may be cause for the Board to deny any application for registration and/or permit to carry firearms.
- (2) Any felony conviction may be cause for the Board to reject an application for employee registration and/or weapon permit. However, the Board may inquire into the nature of the crime, the date of conviction or plea, and other underlying facts and circumstances surrounding such criminal conviction and, in its discretion, may allow the employee to be registered.
- (3) Under no circumstances shall the Board issue an exposed or concealed weapon permit to any applicant who has been convicted of a felony without first having been provided with proof of a pardon or restoration of civil rights which specifically states the restoration of the right to carry firearms.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-7, 43-38-10, 43-38-11. **History.** Original Rule entitled "Criminal Convictions" adopted. F. Dec. 13, 1985; eff. Jan. 2, 1986. **Repealed:** New Rule of same title adopted. F. Mar. 29, 2005; eff. Apr. 18, 2005.

509-2-.08 Annual Record Checks.

For compliance with the Armored Car Industry Reciprocity Act of 1993, affected licensees may elect to have yearly criminal background checks. Affected licensees shall request the appropriate fingerprint cards from the Board's office. It shall be the responsibility of the licensees to pay all costs involved for the criminal history check. The results of the background check must be received in the Board's office no later than December 31st annually.

Authority O.C.G.A. Secs. 43-38-4, 43-38-9. **History.** Original Rule entitled "Annual Record Checks" adopted. F. Apr. 5, 1996; eff. Apr. 25, 1996.

MINIMAL ACCEPTABLE TRAINING PROGRAM LICENSES

509-3-.01 Instructors. Amended.

Licensees and registrants shall be trained and instructed according to the training curriculum set out in this chapter, which training and instruction shall be provided by instructors certified by the Board.

- (a) Employees shall be required to complete the training within six (6) months of employment. Record of training must be maintained in the employees' files.
- (b) Temporary employees hired for special events shall receive training prior to the events. (This rule applies only to the temporary employees of persons or corporation licensed by the Board.)
- (c) The instruction provided to temporary employees shall comply with the requirements as established for the unarmed security personnel pursuant to the relevant rule of Georgia Board of private Detective and Security Agencies.

Authority Ga. L. 1981, pp. 1828, 1832, 1836, 1839; O.C.G.A. Secs. 43-38-4, 43-38-6. **History.** Original Rule entitled "Unarmed Guards and Watchmen" was filed as Emergency Rule 509-3-0.3-.01 on July 24, 1981; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.3-.01 repealed and Emergency Rule 509-3-0.8-.01 entitled "Instructors," adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.8-.01 repealed and permanent Rule of the same title, adopted. Filed December 15, 1981; effective January 4, 1982. **Amended:** F. Mar. 27, 1990; eff. Apr. 16, 1990. **Amended:** F. Nov. 7, 1991; eff. Nov. 27, 1991. **Amended:** F. Aug. 17, 1998; eff. Sept. 6, 1998.

509-3-.02 Basic Training Curriculum for Security Officers.

Effective September 1, 2007, a minimum of 24 hours of classroom instruction is required in a basic training program that includes, but is not limited to, the following:

(1) Role of Private Security

- (a) Crime Awareness and Prevention
- (b) Private Security and the Criminal Justice System
- (c) Ethics and Professionalism

(2) Legal Aspects

- (a) Principal Misdemeanors and Felonies
- (b) Overview of Title 43-38 as it relates to the Security Profession
- (c) Overview of Board Rules 509 et al
- (d) Arrest and Proper Use of Force
- (e) Liability
- (f) Courtroom testimony

(3) Patrol and Observation

- (a) Patrol techniques
- (b) Information gathering
- (c) Crimes in progress
- (d) Officer Safety
- (e) Note taking and Report Writing

(4) Incident Response

- (a) Responding to Emergencies
- (b) Crowd control and evacuation
- (c) Fire control and Prevention
- (d) Hazardous Materials
- (e) Bomb Threats and Terrorism

(5) Security Resources

- (a) CCTV Operation and Video Documentation
- (b) Alarm systems
- (c) Access Control
- (d) Electronic Article Surveillance

(6) Customer Service Issues

- (a) Public relations
- (b) Interpersonal Communications

(7) First Aid Overview

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38.7.1, 43-38-10, 43-38-10.1, 43-38-11. **History.** Original Rule entitled "Armed Guards and Watchmen" was filed as Emergency Rule 509-3-0.3-.02 on July 24, 1981; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.3-.02 repealed and Emergency Rule 509-3-0.8-.02, entitled "Unarmed Guards and Watchmen" adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.8-.02 repealed and permanent Rule, of the same title, adopted. Filed December 15, 1981; effective January 4, 1982. **Amended:** February 8, 1982; effective February 28, 1982. **Repealed:** New Rule entitled "Basic Training Curriculum for Security Officers" adopted. F. Dec. 11, 2006; eff. Dec. 31, 2006.

509-3-.03 Armed Security Officers.

(These are employees performing the functions of armed private security personnel). In addition to the 24-hour basic training curriculum as set out in Rule 509-3-.02, these personnel must satisfy the requirements set forth in 509-3-.10.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, 43-38-11, 43-38-11.1. **History.** Original Rule entitled "In-House Investigative Personnel" was filed as Emergency Rule 509-3-0.3-.03 on July 24, 1981; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.3-.03 repealed and Emergency Rule 509-3-0.8-.03, entitled "Armed Guards and Watchmen" adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.8-.03 repealed and permanent Rule, of the same title, adopted. Filed December 15, 1981; effective January 4, 1982. **Repealed:** New Rule entitled "Armed Security Officers" adopted. F. Dec. 11, 2006; eff. Dec. 31, 2006.

509-3-.04 Reserved.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-38-3, 43-38-4, 43-38-10.1. **History.** Original Rule entitled "Unarmed Private Detective Personnel" adopted as ER. 509-3-0.3-.04. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-3-0.8-.04 entitled "In-House Investigative Personnel" adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Repealed:** New Rule of same title adopted. F. Apr. 5, 2002; eff. Apr. 25, 2002. **Repealed:** Rule reserved. F. Dec. 12, 2006; eff. Jan. 1, 2007.

509-3-.05 Reserved.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-38-3, 43-38-4, 43-38-10.1. **History.** Original Rule entitled "Conceal-Armed Private Detective Personnel" adopted as ER. 509-3-0.3-.05. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-3-0.8-.05 entitled "Unarmed Private Detective Personnel" adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Repealed:** New Rule of same title adopted. F. Apr. 5, 2002; eff. Apr. 25, 2002. **Repealed:** Rule reserved. F. Dec. 12, 2006; eff. Jan. 1, 2007.

509-3-.06 Basic Training Requirements for Private Detectives.

- (1) A minimum of seventy hours of classroom instruction is required in a basic training program for private detective license holders and registered private detective employees consisting of the following:
 - (a) one hour of instruction in Registration and Orientation: introduction of officials and trainees, statement of procedures, rules and regulations governing the classes, filling in of personnel data and official records;
 - (b) two hours of instruction in the history of law enforcement and the private investigations industry, and a discussion of crime and security in the United States;
 - (c) two hours of instruction on ethics;
 - (d) two hours of instruction on the types of investigations undertaken by the private detective investigator;

- (e) four hours of instruction in Principal Georgia Misdemeanors and Felonies; our most often used laws and the elements necessary for establishing a crime, jurisdiction, venue, and Georgia criminal procedure;
- (f) four hours of instruction in Laws of Arrest: deals with the legal authority to make arrests, due process, as well as constitutional guarantees;
- (g) two hours of instruction in Search and Seizure: laws rules and methods of lawful search and seizure;
- (h) two hours of instruction in crime scene investigation searches and scientific aids: laboratories, documenting examiners, polygraph, latent fingerprinting, various fluorescent powders, etc.;
- (i) two hours of instruction in Interviewing Suspects and Witnesses: how to conduct a successful interview, qualifications and preparation necessary, kinesic and cognitive interview techniques;
- (j) two hours of instruction in process serving: civil suits, subpoenas, state courts, superior courts, and magistrate courts;
- (k) four hours of instruction in sources of information, database searches and use of information brokers;
- (l) eight hours of instruction in surveillance: a course designed to teach the proper methods of surveillance and its importance in modern police functions, to include instruction in the Georgia eavesdropping law;
- (m) two hours of instruction in basic videography and photography methods;
- (n) two hours of instruction in proper note taking and recording of pertinent information;
- (o) four hours of instruction in case management and report writing, discussion of report formats and content of reports, reducing verbal statements to writing and common mistakes in investigative report writing;
- (p) two hours of instruction in the rules of evidence: a history of trial methods and procedures, as well as instruction in the fundamental concepts of evidence;
- (q) four hours of instruction in courtroom testimony;
- (r) four hours of instruction in court records research;
- (s) two hours of instruction in criminal defense investigations;
- (t) two hours of instruction in undercover investigations;

- (u) two hours of instruction on domestic investigations;
 - (v) two hours of instruction on insurance fraud investigations;
 - (w) two hours of instruction on white collar crime investigations to include retail fraud loss prevention, and computer crime investigations;
 - (x) two hours of instruction on executive protection services;
 - (y) two hours of instruction in proper business practices to include, but not limited to, contracts, reports, invoices, and client relations;
 - (z) a two hour examination should be given at the completion of the course covering all subjects, a passing grade being one of the requirements for qualification. (These records shall be subject to inspection, upon request by the Board or its representative.)
- (2) In addition to the requirements in paragraph (1), all private detective license holders and registered private detective employees who will be authorized to carry a handgun must complete the applicable firearms training curriculum as set forth in Board Rules 509-3-.08 and/or 509-3-.10.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, 43-38-11, 43-38-11.1. **History.** Original Rule entitled "Concealed-Armed Private Detective Personnel" was filed as Emergency Rule 509-3-0.8-.06 on October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-3-0.8-.06 repealed and permanent Rule of same title adopted. Filed December 15, 1981; effective January 4, 1982. **Repealed:** New Rule of same title adopted. F. Apr. 5, 2002; eff. Apr 25, 2002. **Repealed:** New Rule entitled "Basic Training Requirements for Private Detectives" adopted. F. Dec. 12, 2006; eff. Jan. 1, 2007.

509-3-.07 Certification of Instructors.

- (1) Firearms and classroom training instructors must complete application for certification on form provided by the Board. Classroom training instructors shall submit a resume and a course outline with application.
- (2) Qualifications. Any applicant for certification as an instructor must meet one of the following qualifications:
 - (a) Minimum four years supervisory experience with a contract or industrial security organization;
 - (b) Minimum four years experience with a law enforcement agency;
 - (c) Any other experience or education comparable to (a) or (b) above which may qualify applicant for certification upon the discretion of the Board.

- (3) A non-refundable fee shall be submitted with the application for certification as a training instructor. Refer to the fee schedule for the appropriate fee.
- (4) All applicants for certification shall submit to the board appropriate notarized documentation and qualifications verifying that such instructor is qualified to teach the basic curriculum as outlined in these rules along with the application. Such documentation shall include but not be limited to the following:
 - (a) education;
 - (b) previous courses taught;
 - (c) work experience.
- (5) Any licensee who contracts for or has training provided through other means shall so indicate on the application for company license.
- (6) Effective June 30, 1993, firearms and classroom training instructors must be recertified every two years. A penalty fee will be imposed on any instructor renewing between July 1 and July 31 of the year of re-certification. A new application for certification will be required after July 31 of the year of re-certification.

Authority O.C.G.A. Secs. 43-1-4, 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-10.1, 43-38-11. **History.** Original Rule entitled "Certification of Instructors" adopted as ER. 509-3-0.8-.07. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Aug. 27, 1991; eff. Sept. 16, 1991. **Amended:** F. Aug. 10, 1992; eff. Aug. 30, 1992. **Repealed:** New Rule of same title adopted. F. Apr. 5, 2002; eff. Apr. 25, 2002. **Repealed:** New Rule of same title adopted. F. Mar. 29, 2005; eff. Apr. 18, 2005.

509-3-.08 Shotgun Training.

- (1) Instructors shall qualify personnel authorized to carry a shotgun according to a course of fire acceptable to the Board. A minimum passing score of 80% must be achieved on the firing range, proctored by a firearms instructor licensed by the Board. All armed personnel must comply with the requirements of Board Rule 509-4-.01.
- (2) All agencies using 12 gauge riot-type shotgun, or other type shotgun approved by the Board, shall provide training to personnel authorized to carry a shotgun according to the curriculum approved by the Board prior to issuance of weapons. A minimum of two hours of additional classroom training is required in a basic shotgun training program as follows:
 - (a) History of Shotgun 15 minutes
 - (b) The Modern Shotgun 15 minutes
 1. General Description

- (i) The Pump Shotgun (Slide Action)
 - (ii) The Automatic Shotgun (Self Loader)
- (c) The Police Shotgun 15 minutes
- 1. Shotgun Parts
 - (i) Stock
 - (ii) The Shotgun Action
 - (I) The Self-Loader
 - (II) Slide Action
 - (iii) Barrels
 - (I) Length
 - (II) Bore Size
 - (III) Choke
- (d) Shotgun Ammunition 15 minutes
- 1. Components of the Shotshell
 - (i) Shot sizes, description of
 - (ii) Penetration
 - (iii) Spread
- (d) Why the Shotgun is used 15 minutes
- (f) Shooting Position and Techniques 30 minutes
- 1. Standing Position
 - 2. Kneeling Position
 - 3. Sitting Position
 - 4. Prone Position
 - 5. Skip Firing
- (g) Safety 15 minutes
- 1. Carrying or holding the Shotgun
 - 2. Safety in the Automobile

Authority O.C.G.A. Secs. 43-1-4, 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-10, 43-38-10.1, 43-38-11. **History.** Original Rule entitled "Firearms Training" adopted as ER. 509-2-0.8-.08. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Feb. 8, 1982; eff. Feb. 28, 1982. **Amended:** F. Jan. 23, 1985; eff. Feb. 12, 1985. **Amended:** F. Jan. 29, 1990; eff. Feb. 18, 1990. **Repealed:** New Rule of same title adopted. F. Mar. 29, 2005; eff. Apr. 18, 2005. **Repealed:** New Rule entitled "Shotgun Training" adopted. F. Dec. 12, 2006; eff. Jan. 1, 2007.

509-3-.09 Annual Training.

For compliance with the Armored Car Industry Reciprocity Act of 1993, affected licensees may elect to receive annual classroom and range training in weapons safety and marksmanship. This training must be provided by a qualified training instructor. Written confirmation of the licensee's compliance with the annual training requirements must be submitted to the Board for each affected individual no later than December 31st annually.

509-3-10 Firearm Training Curriculum for Handguns.

- (1) This curriculum is intended to meet the minimum requirements of the Georgia Board of Private Detective and Security Agencies. A minimum passing score of 80% must be achieved on a written exam addressing the topics listed below in subparagraphs (a), (b), (1) (i), (1) (ii), (1) (iii), and (c), proctored by a firearms instructor licensed by the Board. A minimum passing score of 80% must be achieved on the firing range, proctored by a firearms instructor licensed by the Board. All armed personnel must comply with the requirements of Board Rule 509-4-.01.
- (2) The holders of weapon permits must qualify with the same type weapon carried. A minimum of 144 rounds of ammunition must be fired as practice and two (2) strings of 48 rounds with the highest score to be used for qualification. A minimum of 15 hours of instruction is required for the firearm training curriculum for handguns, administered by an instructor who is licensed by the Board, consisting of the following:
 - (a) One (1) hour of instruction in the use of deadly force. The instruction shall include Georgia Laws 16-3-21 & 17-4-20, Official Code of Georgia Annotated;
 - (b) Two (2) hours of instruction in liability issues. The instruction shall include Georgia Laws 16-1-3(5), 16-1-3(6), Title 42, USC Sec. 1983;
 1. Issues to be covered shall include three (3) situations which justify use of deadly force. Three (3) situations are as follows:
 - (i) Defense of self from great bodily harm of death;
 - (ii) Defense of a third person from great bodily harm of death; and
 - (iv) To prevent the commission of a forcible felony.
 - (c) One hour of instruction in ballistics to include selecting the proper ammunition and factors that affect trajectory, over-penetration and ricochet;
 - (d) Three hours of instruction in types of handguns. This instruction shall include the following:
 1. Nomenclature;
 2. Selection of a handgun;
 3. Selection of proper ammunition;
 4. Care and cleaning of a handgun;
 5. Proper techniques for storage, loading and unloading a handgun;
 6. Selection of the proper holster and equipment for your weapon;
 7. Weapon retention techniques.

(e) Eight (8) hours of instruction in firearm range qualifications. This instruction shall include the following:

1. Proper stance;
2. Proper grip and draw;
3. Sight alignment, sight picture, and trigger control;
4. Firearm range safety;
5. Range procedures and rules of conduct;
6. Course of fire as set by instructor to include, but not limited to, the following:
 - Distance Rounds
 - 3 Yards 24
 - 7 Yards 18
 - 15 Yards 6

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, 43-38-11. **History.** Original Rule entitled "Firearm Training Curriculum for Revolvers" adopted. F. May 28, 1998; eff. June 17, 1998. **Repealed:** New Rule entitled "Firearm Training Curriculum for Handguns" adopted. F. May 17, 2005; eff. June 6, 2005. **Repealed:** New Rule of same title adopted. F. Dec. 12, 2006; eff. Jan. 1, 2007.

509-3-11 Firearm Training Curriculum for Semi -Automatic Pistols.

- (1) This curriculum is intended to meet the minimum requirements of the Georgia Board of Private Detective And Security Agency. A passing score of 70% must be achieved.
- (2) The holders of weapon permits must qualify with the same type weapon carried. A minimum of 144 rounds of ammunition must be fired as practice and two (2) strings of 48 rounds with the highest score to be used for qualification. A minimum of 16 hours of instruction is required for the firearm training curriculum for semi-automatic pistols consisting of the following:
 - (a) One (1) hour of instruction in the use of deadly force to include Georgia Laws 16-3-21 & 17-4-20, Official Code of Georgia Annotated;
 - (b) Two (2) hours of instruction in liability issues, which shall include Georgia Laws 16-1-3(5), 16-1-3(6), Title 42, USC Sec. 1983;
- (1) Issues to be covered shall include three (3) situations which justify use of deadly force. Three (3) situations are as follows:
 - (i) Defense of self from greatly bodily harm or death;
 - (ii) Defense of a third person from great bodily harm or death; and
 - (v) To prevent the commission of a forcible felony;
- (c) One hour of instruction in ballistics to include selecting the proper ammunition and factors that affect trajectory;
- (d) One (1) hour of instruction in the history and development of the semi-automatic pistol;

(e) Two (2) hours of instruction in safety and functional operation of the semi-automatic pistol including, but not limited to the following:

- (1) Operational safety;
- (2) Proper loading and unloading;
- (3) Mechanical safety;
- (4) Magazine removal; and
- (5) Locking and unlocking the slide;

(f) One (1) hour of instruction in malfunctions-causes and methods for clearing semiautomatic pistols. The instructor shall include the four basic failures or malfunctions that could occur, which are as follows:

- (1) Failure to feed;
- (2) Failure to fire;
- (3) Failure to extract (double feed); and
- (4) Failure to eject (smoke stack/stove pipe);

(g) Eight (8) hours of instruction in firearm range qualifications. The instruction shall include the following:

- (1) Proper stance;
- (2) Proper grip and draw;
- (3) Slight alignment, sight picture, and trigger control;
- (4) Firearm range safety;
- (5) Range procedures and rules of conduct;
- (6) Range commands for semi-automatic pistol; and
- (7) Course of fire.

<u>Distance</u>	<u>Position</u>	<u>Total Rounds</u>	<u>Time</u>
Three (3) yards	Hip	6	10 seconds
Seven (7) yards	Point shoulder	12	40 seconds
Fifteen (15) yards	Point shoulder (6 rounds) Kneeling (6 rounds)	12	45 seconds
Twenty-five (25) yards	Kneeling (6 rounds) standing with or without Barricade (12 rounds)	18	120 seconds

509-3-.12 Continuing Education.

- (1) Requirement. Any registered employee who renews a registration after September 1, 2007 must comply with continuing education requirements contained in this rule.
- (2) Exemption for Newly-Registered Employees. Private detective and security employees who obtain their first registration by the Board within the second year of the renewal cycle (after September 1 of the even-numbered year) will not be required to obtain continuing education hours for the first renewal of their registrations.
- (3) Hours. Registered security employees must have eight (8) hours of continuing education prior to renewal of employee registrations. Registered private detective employees must have sixteen (16) hours of continuing education prior to renewal of employee registrations. Employees registered as private detective and security guards must have sixteen (16) hours of continuing education prior to renewal of employee registrations.
 - (a) Security Continuing Education: 2 hours in Homeland Security, to include, but not limited to, indicators of terrorism, and cooperation with Homeland Security agencies; 2 hours in Firearms-related training; 4 hours in industry-related training.
 - (b) Private Detective Continuing Education: 2 hours in Homeland Security, to include, but not limited to, indicators of terrorism, and cooperation with Homeland Security agencies; 2 hours in ethics; 12 hours in industry-related training, which may include up to 4 hours of firearms-related training.
 - (c) Acceptable Continuing Education Providers. The purpose of this chapter is to identify acceptable sources for providing continuing training and to establish guidelines for designating those providers as Acceptable Continuing Education Providers (ACEPs). As such, it is not the Board's intent to require providers or registrants to seek pre-approval of specific training programs. Continuing education documentation should not be submitted to the Board, unless specifically requested by the Board. An acceptable Continuing Education Provider (ACEP) is defined as any individual, organization, institution, association, firm, or other entity that provides ongoing training services to the private detective or security profession that directly relates to the scope of practice. This training must be facilitated or provided by an instructor licensed by the Board.
 1. Associations. The board will accept continuing education credits for instruction provided by legitimate private detective and/or security associations. This shall include, but is not limited to, state and national associations which are properly incorporated and in good standing with the appropriate incorporating body.

2. Company training. Companies may develop continuing education courses to provide training solely for their own registered employees.
 3. Institutions. Institutions that provide training for profit must meet the criteria as listed in Rule 509-3-.12 (4).
 - (d) Distance learning. Distance learning shall include, but is not limited to, online Internet-based training and correspondence courses. Institutions that provide training for profit must meet the criteria as listed in Rule 509-3-.12 (4).
 - (e) Individuals and Firms. Individual instructors and firms that provide training for profit must meet the criteria as listed in 509-3-.12 (4).
- (4) Requirements of Approved Continuing Education Providers. An ACEP must meet the following requirements to be in compliance with Board rules:
- (a) Mandatory attendance sheet or roster to be signed or initialed by the participant. Electronic signatures are acceptable for distance learning purposes.
 - (b) A written agenda, course outline, or syllabus must be developed that covers the subject matter presented.
 - (c) A certificate must be presented to each participant upon successful completion of the training. The certificate must contain (but is not limited to) the name of the participant, course topic, number of continuing education hours achieved, name and signature of provider or facilitator, and date(s) of training. In lieu of a certificate, the Board, in its sole discretion, may require or accept other appropriate documentation.
 - (d) Training offered by instructors who are not licensed by the Board, including POST certified instructors and subject-matter experts, must be provided under the direction of an instructor licensed by the Board.
- (5) Records. It is the sole responsibility of the registrant and the registrant's employer to provide proof to the Board, upon request, of completion of the required continuing education hours. Providers must retain records of training for a minimum of five (5) years. The Board reserves the right to conduct an audit of registered employees to determine compliance with continuing education requirements. Proof of continuing education hours should not be submitted to the Board, unless an individual employee is audited by the Board.
- (6) Waivers. In the sole discretion of the Board, waivers of the requirement of continuing education may be granted in cases of hardship, disability, illness, or under such circumstances as the Board deems appropriate. Such waiver must be requested in writing to the Board and must be accompanied by acceptable documentation.

MINIMUM STANDARDS GOVERNING THE SAFETY AND CONDUCT OF LICENSEES AND REGISTRANTS

509-4-.01 Weapons.

- (1) No person licensed by the board to carry a firearm shall carry any firearm which is not in operable condition and capable of firing live ammunition, and when carrying such a weapon, the licensee shall have on his person live ammunition capable of being fired in the weapon which he carries.
- (2) No person licensed or registered by the board to provide security services shall carry a firearm while performing services for a private security agency or in-house security agency except while providing actual security services or while going directly to and from work (no stopovers allowed enroute to or from work). Under no condition will a licensee, registrant or any other employee or agent of a licensee carry any sort of firearm or have anyone accompanying them who is carrying a firearm while soliciting new or prospective clients.
- (3) The issuance of an exposed weapons permit shall authorize the holder of such permit to carry a revolver of no greater caliber than a .357, or to carry a semi-automatic handgun of no greater caliber than a .45. The applicant for a weapon permit must submit proof of range and classroom training for the caliber weapon carried. All classroom training must be conducted using curriculum approved by the Board.
 - (a) The holder of a weapons permit may be authorized to carry a shotgun upon request in writing to the board. Such request shall include supporting justification and reasons for the need to use such weapon;
 - (b) The holder of a weapons permit who has been authorized to carry a shotgun must submit proof of two hours of classroom instruction within the past two years to include mechanics of the shotgun, components of the shot-shell, penetration power of the shotgun and safe handling of the shotgun.
- (4) The issuance of a concealed weapons permit shall authorize the holder of such permit to carry a revolver of no greater caliber than a .357, or to carry a semi-automatic handgun of no greater caliber than a .45. The holder of a concealed weapon permit must submit proof of firing range score for the caliber weapon carried.

- (5) The holder of any weapon permit issued by the board must qualify annually with the weapon carried or assigned. Proof of range scores must be retained by the license holder or agency.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, 43-38-11. **History.** Original Rule entitled "Weapons" adopted as ER. 509-4-0.4-.01. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-4-0.9-.01 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Jan. 23, 1985; eff. Feb. 12, 1985. **Amended:** F. Dec. 27, 1989; eff. Jan. 16, 1990. **Amended:** F. Aug. 17, 1998; eff. Sept. 6, 1998. **Repealed:** New Rule of same title adopted. F. May 17, 2005; eff. June 6, 2005. **Repealed:** New Rule of same title adopted. F. Dec. 12, 2006; eff. Jan. 1, 2007.

509-4-.02 Uniforms. Amended.

- (1) Uniforms worn by licensees or registrants should not be confusingly similar to any uniforms used by any law enforcement agency in the State of Georgia.
- (2) Uniforms worn by licensees or registrants should state the name of the company, under which the license has been issued.
- (3) All security personnel, armed or unarmed, shall be required to wear a patch or armband on the upper left sleeve of the uniform with the word SECURITY shown in three quarter inch block lettering. Lettering of the word SECURITY shall be dark on light background or light on dark background. Patches or armbands may be applied by Velcro closure bands, elastic bands or sewn patches. Effective August 1, 1993.
- (4) No person licensed or registered by the board to provide security services shall wear a uniform while soliciting a new or prospective client unless requested by the new or prospective client.

Authority O.C.G.A. Sec. 43-38-4. **History.** Original Rule entitled "Uniforms" adopted as ER. 509-4-0.4-.02. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-4-0.9-.02 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. July 1, 1993; eff. July 21, 1993. **Amended:** F. Oct. 2, 1997; eff. Oct. 22, 1997.

509-4-.03 Confusing Names. Amended.

- (1) No private detective or security agency will be approved for licensure if, in the opinion of the Board, the agency's name may be confused with the name of any public law enforcement agency or any nation, state, unit of local government or other governmental body, or if, in the opinion of the Board, the agency's name may mislead the public into believing that the agency is (or is associated with) a public law enforcement agency of any nation, state, unit of local government, or other governmental investigative body.
- (2) No private detective or security agency will be approved for licensure if the agency's name includes the word "police".

- (3) Licensed private detective and security companies shall operate only under the name in which the license was issued.

Authority O.C.G.A. Sec. 43-38-4. **History.** Original Rule entitled "Confusing Names" adopted as ER. 509-4-0.4-.03. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-4-0.9-.03 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. May 28, 1998; eff. June 17, 1998.

509-4-.04 Motor Vehicles. Amended.

- (1) Every motor vehicle which bears the identifying marks or name of any licensee must also include, conspicuously displayed, the license number issued to the agency by the board.
- (2) Any security motor vehicle may display flashing or revolving amber lights after obtaining authorization from the Board of Public Safety. The licensee shall obey all the rules and regulations of the Department of Public Safety. Pursuant to O.C.G.A. Section 40-8-92, a security motor vehicle may use amber lights as caution or warning devices, but may not use the amber lights to respond to emergency situations.

Authority O.C.G.A. Sec. 43-38-4. **History.** Original Rule entitled "Motor Vehicles" adopted as ER. 509-4-0.4-.04. F. July 24, 1981; eff. July 20, 1981, the date of adoption. **Amended:** ER. 509-4-0.9-.04 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982. **Amended:** F. Nov. 7, 1991; eff. Nov. 27, 1991.

509-4-.05 Weapons Discharge Report.

Any time a registrant, who is a holder of an exposed or concealed weapons permit, discharges the weapon which the permit authorizes the holder to carry other than on a supervised range, the licensed company for whom the registrant is employed shall immediately report to the board the circumstances surrounding the discharge of the weapon by the registrant. The report shall be made within ten (10) business days of the date of discharge and shall be made on forms provided by the board.

Authority O.C.G.A. Sec. 43-38-4. **History.** Original Rule entitled "Weapons Discharge Report" was filed on January 23, 1985; effective February 12, 1985.

509-4-.06 Reports.

When requested by the client, reports of investigations shall be submitted in writing, along with a detailed accounting of investigative fees. Unless otherwise agreed upon, the reports shall be submitted within thirty (30) days after the completion of the investigation.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-11. **History.** Original Rule entitled "Reports" adopted. F. Sept. 26, 1996; eff. Oct. 16, 1996. **Repealed:** New Rule of same title adopted. F. May 16, 2005; eff. June 5, 2005.

509-4-.07 Similar Names.

No company license shall be issued in the exact name as submitted on the application, if that name has been previously issued.

Authority O.C.G.A. Sec. 43-38-4(3). **History.** Original Rule entitled "Similar Names" adopted. F. Oct. 2, 1997; eff. Oct. 22, 1997.

509-4-.08 Advertising and Promotional Materials.

Effective September 1, 2007, any advertising material distributed or published by a licensee of a private detective agency or security agency must display the agency license number as issued by the Board.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-11. **History.** Original Rule entitled "Advertising and Promotional Materials" adopted. F. Dec. 12, 2006; eff. Jan. 1, 2007.

PROCEDURAL RULES

509-5-.01 Procedural Rules.

The Georgia Board of Private Detective and Security Agencies hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of Joint Secretary, State Examining Boards, relating to Procedure for Hearings before the several State Examining Boards.

Authority Ga. L. 1981, pp. 1828, 1832. **Administrative History.** Original Rule entitled "Procedural Rules" was filed as Emergency Rule 509-5-.01 on July 24, 1981; effective July 20, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-5-0.5-.01 repealed and Emergency Rule 509-5-0.10-.01, of the same title, adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency. **Amended:** Emergency Rule 509-5-0.10-.01 repealed and permanent Rule, of the same title, adopted. Filed December 15, 1981; effective January 4, 1982.

CHANGES

509-6-.01 Change of Location.

In the event the location of the business is changed, the licensee shall notify the Board, within 30 days, of the new business location and shall submit any appropriate documents as required by the Board.

Authority O.C.G.A. Sec. 43-38-4. **History.** Original Rule entitled "Change of Location" adopted. F. Mar. 27, 1990; eff. Apr. 16, 1990.

509-6-.02 Change in Ownership.

When a change in the ownership of a firm, association, company, partnership, or corporation occurs, the following shall be submitted to the Board within thirty (30) days from the change in ownership:

- (a) A new application for licensure; and
- (b) An application for transfer of all employees.

Authority O.C.G.A. Sec. 43-38-4. **History.** Original Rule entitled "Change in Ownership" adopted. F. Aug. 10, 1992; eff. Aug. 30, 1992.

ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

- f. -- filed
- eff. -- effective
- R. -- Rule (Abbreviated only at the beginning of the control number)
- Ch. -- Chapter (Abbreviated only at the beginning of the control number)
- ER -- Emergency Rule
- Rev. -- Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

(The Georgia Board of Private Detective and Private Security Agencies, created by Ga. L. 1973, p. 40, was terminated by Ga. L. 1978, pp. 961, 965-967, 971, effective July 1, 1981, and, the Act known as the "Georgia Private Detective and Private Security Agencies Act," approved March 12, 1973 (Ga. L. 1973, p. 40), as amended, was repealed by Ga. L. 1981, pp. 1828, 1848, effective July 1, 1981. The **Georgia Board of Private Detective and Security Agencies** was created by Ga. L. 1981, pp. 1828, 1830, 1831, 1848.)

Emergency Rules Chapters 509-1-0.1, 509-2-0.2, 509-3-0.3, 509-4- 0.4, 509-5-0.5 adopted. Filed July 24, 1981; effective July 20, 1981, the date of adoption, to be in effect for 120 days or until the effective date of permanent Rules covering the same subject matter superseding these Emergency Rules are adopted, as specified by the Agency. These Emergency Rules were adopted to comply with General Assembly Act 814 (Georgia Law 1981) creating the Georgia Board of Private Detective and Security Agencies. (These Emergency Rules will not be published; copies may be obtained from the Agency.)

Emergency Rules Chapters 509-1-0.6 superseding 509-1-0.1, 509- 2-0.7 superseding 509-2-0.2, 509-3-0.8 superseding 509-3-0.3, 509-4- 0.9 superseding 509-4-0.4, 509-5-0.10 superseding 509-5-0.5 adopted. Filed October 13, 1981; effective October 7, 1981, the date of adoption, to be in effect for 120 days or until the effective date of permanent Rules covering the same subject matter superseding these Emergency Rules are adopted, as specified by the Agency. These Emergency Rules were adopted to comply with General Assembly Act 814 (Georgia Law 1981)

creating the Georgia Board of Private Detective and Security Agencies. (These Emergency Rules will not be published; copies may be obtained from the Agency.)

Chapters 509-1 entitled "Organization" superseding Emergency Rule 509-1-0.6, 509-2 entitled "Licensure and Registration" superseding Emergency Rule 509-2-0.7, 509-3 entitled "Minimum Acceptable Training Program to Be Submitted by Licensees" superseding Emergency Rule 509-3-0.8, 509-4 entitled "Minimum Standards Governing the Safety and Conduct of Licensees and Registrants" superseding Emergency Rule 509-4-0.9, 509-5 entitled "Procedural Rules" superseding Emergency Rule 509-5-0.10 have been adopted. Filed December 15, 1981; effective January 4, 1982.

Rule 509-2-.05 has been repealed and a new Rule adopted. Rules 509-3-.02, .08 have been amended. Filed February 8, 1982; effective February 28, 1982.

Rules 509-1-.02 and 509-2-.03 have been amended. Filed May 4, 1982; effective May 24, 1982. Rules 509-3-.08 and 509-4-.01 have been amended.

Rule 509-4-.05 has been adopted. Filed January 23, 1985; effective February 12, 1985.

Rules 509-1-.02 and 509-2-.01 have been repealed and new Rules adopted. Rule 509-2-.07 has been adopted. Filed December 13, 1985; effective January 2, 1986.

Rule 509-2-.02 has been amended. Filed November 1, 1988; effective November 21, 1988.

Rule 509-2-.03 has been amended. Filed August 21, 1989; effective September 10, 1989.

Rule 509-4-.01 has been amended. Filed December 27, 1989; effective January 16, 1990.

Rule 509-3-.08 has been amended. Filed January 29, 1990; effective February 18, 1990.

Rule 509-3-.01 has been amended. Chapter 509-6 entitled "Changes" has been adopted. Filed March 27, 1990; effective April 16, 1990.

Rule 509-2-.02 has been amended. Filed July 31, 1990; effective August 20, 1990.

Rules 509-2-.04, .05 and 509-3-.07 have been amended. Filed August 27, 1991; effective September 16, 1991.

Rule 509-3-.01 and 509-4-.04 have been amended. Filed November 7, 1991; effective November 27, 1991.

Rule 509-3-.07 has been amended. Rule 509-6-.02 has been adopted. Filed August 10, 1992; effective August 30, 1992.

Rule 509-4-.02 has been amended. Filed July 1, 1993; effective July 21, 1993.

Rules 509-2-.02 and .06 have been amended. Filed September 29, 1993; effective October 19, 1993.

Rule 509-2-.02 has been amended. Filed March 28, 1995; effective April 17, 1995.

Rules 509-2-.08, 509-3-.09 have been adopted.

Rule 509-2-.02 has been amended. Filed April 5, 1996; effective April 25, 1996.

Rule 509-4-.06 has been adopted. Filed September 26, 1996; effective October 16, 1996.

Rule 509-4-.02 has been amended. Rule 509-4-.07 has been adopted. Filed October 2, 1997; effective October 22, 1997.

Rules 509-2-.01 and 509-4-.03 have been amended. Rules 509-3-.10 and .11 have been adopted. Filed May 28, 1998; effective June 17, 1998.

Rules 509-2-.02, 509-3-.01, and 509-4-.01 have been amended. Filed August 17, 1998; effective September 6, 1998.

Rule 509-2-.02 has been amended. Filed October 1, 1998; effective October 21, 1998.

Rules 509-3-.04, .05, and .06 have been repealed and new Rules adopted. Rule 509-3-.12 has been adopted. Filed April 5, 2002; effective April 25, 2002.

Rule 509-3-.12 has been repealed. Filed December 8, 2003; effective December 28, 2003.

Rules 509-2-.02, .07, 509-3-.07, and .08 have been repealed and new Rules adopted. Filed March 29, 2005; effective April 18, 2005.

Rule 509-4-.06 has been repealed and a new Rule adopted. Filed May 16, 2005; effective June 5, 2005.

Rules 509-2-.04, 509-3-.10, and 509-4-.01 have been repealed and new Rules adopted. Filed May 17, 2005; effective June 6, 2005.

Rules 509-2-.03, 509-3-.02, and .03 have been repealed and new Rules adopted. Filed December 11, 2006; effective December 31, 2006.

Rules 509-3-.04 and .05 have been repealed and Rules reserved. Rules 509-3-.06, .08, .10, and 509-4-.01 have been repealed and new Rules adopted. Rules 509-3-.12 and 509-4-.08 have been adopted. Filed December 12, 2006; effective January 1, 2007.