

**ADMINISTRATIVE RULES OF THE  
BOARD OF PRIVATE INVESTIGATIVE AND SECURITY SERVICES  
EFFECTIVE DATE: April 1, 2015**

**PART 1. GENERAL INFORMATION**

**1.1 THE BOARD'S PURPOSE**

The State Board of Private Investigative and Security Services ("the Board") has been created and given powers by Vermont law. Its purpose is to protect the public health, safety and welfare by setting standards, licensing only qualified and suitable applicants, and regulating their practice.

**1.2 BUSINESS ADDRESS**

The Board's mailing address is: Office of the Secretary of State, Office of Professional Regulation ("the Office"), Board of Private Investigative and Security Services, 89 Main Street, 3<sup>rd</sup> Floor, Montpelier, VT 05620-3402. Copies of these rules and more information about the Board and its requirements and procedures are available from the Office or at the Board's web site, which can be found at [www.sec.state.vt.us/professional-regulation/professions/private-investigative-security-services](http://www.sec.state.vt.us/professional-regulation/professions/private-investigative-security-services).

**1.3 LAWS THAT GOVERN THE BOARD**

The Board is governed by Title 26, Chapter 59 of the Vermont Statutes Annotated ("V.S.A.") which establishes its responsibilities for setting standards, issuing licenses and regulating the profession. In addition, the Board is obligated to comply with the Administrative Procedure Act (Title 3 V.S.A. Sections 801-849), the Office of Professional Regulation Law (Title 3 V.S.A. Sections 121-131), the Right to Know Law (Title 1, V.S.A. Sections 310-314) and the Access to Public Records Law (Title 1 V.S.A. Sections 315-320). These laws spell out the rights of applicants, license holders and members of the public.

The complete text of any of these laws should be available at Vermont Statutes Online ([www.leg.state.vt.us](http://www.leg.state.vt.us)).

These administrative rules are not intended to duplicate provisions of the Board's governing statute found at 26 V.S.A. Chapter 59. The rulemaking authority of this Board is limited to the Legislature's grant of authority found in the Board's governing statute. Please refer to the Board's governing statute for definitions, licensing requirements, standards of practice and other professional requirements not found in these rules.

**PART 2. INFORMATION FOR APPLICANTS**

**2.1 HOW TO GET A LICENSE**

(a) As a Private Investigator, Security Guard, Combination Private Investigator and Security Guard, or Qualifying Agent:

1. Individual license applicants shall submit a completed application pursuant to 26 V.S.A. §§ 3173 and/or 3174. The applicant must submit documentation showing two years experience, required in § 3173(c) and/or § 3174(c). For purposes of this Rule, "two years experience" shall be defined as work experience of 2,000 hours in the applicable profession in the two year period immediately preceding the date of application.

2. Applicants for a combination Private Investigative and Security Guard license shall submit documentation showing two years experience, as defined in § 3173(c) and/or § 3174(c). For purposes of these Rules, "two years experience" shall be defined as work experience of 4,000 hours in the two year period immediately preceding the date of application.

3. Applicants shall take and pass the required examination.

(b) As a Private Investigative Agency, Security Guard Agency or Combination Private Investigative and Security Guard Agency:

1. The agency must designate a qualifying agent to be the person who shall be responsible and accountable for the employees and operation of the agency. The qualifying agent for a Private Investigative or a Security Guard agency shall hold a Vermont license in the same category of licensure.

2. Qualifying agents who may carry firearms and or handle or use guard dogs shall show evidence of special training as required by Rules 2.7 and 2.8.

(c) When the application is received, the Board shall investigate the background of the applicant, including the qualifying agent, partners and corporate officers to determine competence, character, integrity and reputation. The investigation may include, but is not limited to:

1. searching criminal records;

2. contacting personal references;

3. contacting other persons who know the applicant, qualifying agent, partners or corporate officers;

4. verifying employment and experience; and

5. contacting any other sources of information as might be appropriate in a particular

case.

## 2.2 EXAMINATION

The Board will give the applicable examination after the completed application has been submitted. The applicant shall take the initial examination within 60 days of the application submission. A person who fails the initial examination may be reexamined; however, the applicant shall take the examination for the second time within 60 days of the notice of failure of the initial examination. Upon failure to pass the examination for the second time, the applicant shall not reapply for one year from the notice of failure of the second examination. Information about scheduling an examination may be obtained from the Office.

## 2.3 BASIC TRAINING PROGRAMS

(a) The Board requires that every security guard and private investigator employee registered under these rules complete a minimum forty (40) hour training program approved by the Board before it will issue a permanent registration.

(b) The basic training course and the 8-hour course for part-time employees are in addition to any hourly requirements met for firearms or guard dog training or other specialty training for a specific job or employer.

(c) In order to receive Board approval, the courses shall meet the following requirements:

1. Instructors. Basic training courses shall be taught by Board-approved instructors who have at least two (2) years of experience in the subject area they are instructing or shall be licensed, certified, or able to demonstrate expertise, to the satisfaction of the Board, in the subject area they are instructing. If licensed or certified, instructors must hold a current and unencumbered license or certification.

2. Subject matter. Each course shall cover the subject matter areas listed in these rules and meet the minimum hourly requirements set forth in Rules 2.4(a) and/or 2.5(a).

3. Records. Each course provider shall maintain records on training which shall be made available upon request for inspection by the Board. At a minimum, records shall identify the type of training received, students, examinations, pass/fail records and attendance.

4. Exams. Each course provider shall examine its students prior to issuing a certificate of completion. The examination shall test the student's knowledge in all of the subject areas covered. The course examination and the passing criteria shall be submitted to, and approved by, the Board.

5. Certification. Each student receives a certificate of completion upon successful

completion of the training. This certificate is: signed by the instructor or course provider for the training program and by the student/licensee; presented to the student/licensee; and may be used for future applications with other employers. A copy of the certificate must be filed with the Board prior to registration.

6. Courses may be taught in-house by the agency's own licensed personnel who meet the instructor requirements set forth above, or may be taught by any other instructor whose course has been approved by the Board and who meets the requirements of these rules.

7. On-the-Job Training. The hourly requirements listed in Rules 2.4 and 2.5 may be satisfied in part by practical hands-on training relating to a specific subject. Up to ten (10) hours of on-the-job training may be used to satisfy these hourly requirements, but not the 8-hour requirement for part-time temporary registrants.

8. Computer and video-based training is allowed as approved by the Board. The Board recognizes the value of live presentations and the opportunity for instructor interaction and questions.

(d) Temporary registration and on-the-job training:

1. A temporary registration allows an individual to practice as a security guard or private investigator pending the processing of his or her application. The temporary full-time employee registration may be issued only once for the same employer. Training must be completed before the expiration of a temporary registration (60 days) for a permanent registration to be issued.

2. All temporary registrants under 26 V.S.A. § 3176b shall be supervised. This means, for the purposes of a qualifying agent, being readily available to monitor and advise the employees and daily operation of the agency and performing the duties required of qualifying agents as set forth by the Board's statutes and these rules.

3. Nothing prevents the applicant from beginning or completing the training program prior to obtaining a temporary registration or during the temporary registration period.

4. For good cause shown, the Board may extend a temporary registration one time for up to an additional thirty (30) days.

(e) Once a course has been approved by the Board, it remains a valid and approved course unless substantive changes are made after approval. In that case, the course, including the changes, must be resubmitted to the Board for approval with a detailed cover letter explaining the changes. Changes in instructors must always be submitted to the Board for approval.

(f) Training programs submitted to the Board will be treated as trade secret information and as such will not be subject to public disclosure except to the extent that general discussions occur at public Board meetings when determining whether to approve a course.

## 2.4 PRIVATE INVESTIGATOR TRAINING COURSE

(a) Private investigator training courses must include the following subject areas for the minimum number of hours (in parentheses) listed here for each subject. The Board will consider requests for variances from the minimum hours for each subject. Variance requests must be supported by specific hourly variations and a written explanation as to why the variance is being requested. The total hours must still equal forty (40). See Appendix A for suggested topics to cover each of these areas:

1. Role of the private investigator (2);
2. Ethics and conduct (4);
3. Legal powers and limitations (6);
4. Communication and public relations (4);
5. Investigative tools and applications (6);
6. Observation and note taking (4);
7. Statements (4);
8. Evidence (4); and
9. Report Writing (6).

(b) The 8-hour course for part-time temporary registrants must include the following subject areas for the minimum number of hours (in parentheses) listed here for each subject:

1. Role of the private investigator (2);
2. Ethics and conduct (3); and
3. Legal powers and limitations (3).

(c) The ethics and conduct section must include the Board's statutes and rules and address the grounds for unprofessional conduct.

## 2.5 SECURITY GUARD TRAINING COURSE

(a) Security guard training courses must include the following subject areas for the minimum number of hours (in parentheses) listed here for each subject. The Board will consider requests

for variances from the minimum hours for each subject. Variance requests must be supported by specific hourly variations and a written explanation as to why the variance is being requested. The total hours must still equal forty (40). See Appendix A for suggested topics to cover each of these areas:

1. Role of the security guard (2);
2. Ethics and conduct (4);
3. Legal powers and limitations (4);
4. Communication and public relations (4);
5. Patrolling/investigation (4);
6. Emergency response (8);
7. Observation and note taking (4);
8. Statements (2);
9. Evidence (2);
10. Access control (2); and
11. Report Writing (4).

(b) The 8-hour course for part-time temporary registrants must include the following subject areas for the minimum number of hours (in parentheses) listed here for each subject:

1. Role of the security guard (2);
2. Ethics and conduct (3); and
3. Legal powers and limitations (3).

(c) The ethics and conduct section must include the Board's statutes and rules and address the grounds for unprofessional conduct.

## 2.6 WAIVER OF COURSE REQUIREMENTS

(a) The Board may waive part or all of the training requirements if the applicant has other training or experience equivalent to the course requirements and will consider such requests on a case-by-case basis. The Board may consider:

1. completion of a course in another state with requirements substantially similar to Vermont's;

2. other relevant training (such as emergency medical technician, military or law enforcement); or

3. long-term practice and experience as a private investigator or security guard.

(b) Registrants who have successfully completed the training course once are not required to re-take the training program if they re-apply in the future.

(c) All applicants are responsible for knowledge of the Board's statutes and rules and may be required to complete training or requirements in specific areas for which they are not given credit or a waiver.

## 2.7 FIREARMS TRAINING

(a) Before carrying or using firearms while performing services, a licensee or registrant shall satisfactorily complete a firearms training program approved under this section and shall possess a firearms registration issued by the Board.

(b) Firearms training programs shall be approved by the Board. Applications are available from the Office and online at [www.vtprofessionals.org](http://www.vtprofessionals.org). To be approved, a program shall include the following:

1. Instructors. Instructors shall be trained in a formal program acceptable to the Board and shall possess a current instructor's license issued by the Board.

2. Classroom instruction. Curriculum shall cover safe handling and proper use of firearms, and legal responsibility for improper or negligent use.

3. Examination. A written exam shall adequately test the classroom material.

4. Range qualification. A qualifying course of fire, either police combat or security, appropriate to the weapon, shall be used.

(c) For initial qualification, the applicant shall satisfactorily complete twelve (12) hours of classroom instruction in basic firearms safety, use, and legal responsibility, four (4) hours on safety and use of the particular weapon to be used, pass the examination, and fire a qualifying course on the range.

(d) For requalification, the applicant shall satisfactorily complete instruction in basic firearms safety, use, and legal responsibility, safety and use of the particular weapon to be used, and fire a

qualifying course on the range. Requalification courses need not consist of the sixteen (16) hours for initial qualification, but shall not consist of less than six (6) hours total training.

(e) Firearms training shall occur within two years before initial application and within two years before a renewal.

## 2.8 GUARD DOG HANDLER TRAINING

(a) Before handling or using guard dogs while performing services, a licensee or registrant shall satisfactorily complete a guard dog handling program approved under this section, and shall possess a permanent guard dog handler registration issued by the Board.

(b) Guard dog handler training programs shall be approved by the Board. Applications are available from the Office. To be approved, a program shall include:

1. Instructors: Instructors shall be trained in a formal program acceptable to the Board and shall possess a current instructor's license issued by the Board.
2. Classroom instruction: Curriculum shall cover safe handling and proper use of guard dogs, and legal responsibility for improper or negligent use.
3. Examination: A written exam shall adequately test the classroom material.
4. Field work: The handler and the particular dog shall work together in the field as a team.

(c) For initial qualification, the applicant shall satisfactorily complete classroom instruction in basic guard dog safety, use, and legal responsibility, pass the examination, and demonstrate proficiency in field work.

(d) For requalification, the applicant shall satisfactorily complete classroom instruction in basic guard dog safety, use, and legal responsibility, and demonstrate proficiency in field work.

(e) Guard dog training shall occur within two years before initial application and within two years before a renewal.

## 2.9 FIREARMS/GUARD DOG INSTRUCTOR LICENSURE

(a) Instructors must be licensed by the Board in order for their students to receive Board approval for firearms or guard dog registration.

(b) To become licensed as an instructor, an applicant must submit the information required by 26 V.S.A. § 3175a, which includes a copy of the instructor's course he or she took to become an instructor, proof of certification as an instructor, and the course he or she intends to teach once



licensed.

(c) The Board may issue continuing approval of courses for instructor licensing with which it is familiar and which have previously been approved, but reserves the right to examine each course on an individual basis.

(d) Individuals holding a current instructor license will be granted a firearms or guard dog certification, as appropriate, upon request. The Board may require proof of training for instructor requalification for renewal of firearms certifications.

### PART 3. INFORMATION FOR LICENSEES AND REGISTRANTS

#### 3.1 RENEWING LICENSES OR REGISTRATIONS

(a) The Office has a fixed 24-month licensing schedule. Licensees or registrants renew on a fixed biennial schedule: June 1 of the odd-numbered years. A licensee or registrant shall renew by the expiration date printed on his or her license or registration. Before the license or registration expiration date, the Office will mail a renewal application and notice of renewal fee. A license or registration will expire automatically if the renewal application and fee are not returned to the Office by the expiration date.

(b) Evidence of having completed requalification in special training shall accompany the renewal application, which will not be granted if requalification has not been completed. Special training includes firearms and guard dog instructing and/or handling.

(c) An applicant issued an initial license or registration within ninety (90) days of the renewal date will not be required to renew or pay the renewal fee. The license or registration will be issued through the next full license or registration period. An applicant issued an initial license or registration more than ninety (90) days prior to the renewal expiration date will be required to renew and pay the renewal fee.

#### 3.2 INFORMATION FOR AGENCIES AND QUALIFYING AGENTS

(a) The qualifying agent shall notify the Office in writing within seventy-two (72) hours of when a registrant's employment ends. The employee's uniform and all other pertinent forms of professional identification shall be returned to the qualifying agent. If an employee fails or refuses to surrender the employee's uniform and pertinent forms of professional identification, the qualifying agent shall notify the Office in writing within ten (10) days.

(b) Qualifying agents shall require that employees acquire and carry a temporary registration or permanent registration card. A registrant shall carry his/her permanent or temporary registration at all times while working and shall display these to any member of the Board, representative of the Office, or any law enforcement officer, upon request.

(c) A partner, corporate officer, agent or other employee of an agency shall notify the agency and the qualifying agent within forty-eight (48) hours of an arrest, charge or conviction for a criminal offense. The agency or qualifying agent shall notify the Board in writing within seventy-two (72) hours of the time they receive notice of an arrest, charge or conviction for a criminal offense of any partner, corporate officer, agent or other employee and give complete details.