

Department of Public Safety - Security Guards

**TITLE 13. PUBLIC SAFETY
CHAPTER 6. DEPARTMENT OF PUBLIC SAFETY
SECURITY GUARDS**

(Authority: A.R.S. § 32-2402(C) et seq.)

ARTICLE 1. GENERAL PROVISIONS

Section

R13-6-01.	Repealed
R13-6-02.	Repealed
R13-6-03.	Repealed
R13-6-04.	Repealed
R13-6-05.	Repealed
R13-6-06.	Repealed
R13-6-07.	Repealed
R13-6-08.	Repealed
R13-6-09.	Repealed
R13-6-10.	Repealed
R13-6-11.	Repealed
R13-6-12.	Repealed
R13-6-13.	Repealed
R13-6-14.	Repealed
R13-6-15.	Repealed
R13-6-16.	Repealed
R13-6-17.	Repealed
R13-6-18.	Repealed
R13-6-19.	Repealed
R13-6-101.	Definitions
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Section

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Article 7, consisting of Sections R13-6-701 through R13-6-704, made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

Section

- R13-6-701. Qualifications of a Firearms-safety Instructor
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- R13-6-703. Firearms-safety Instructor Certification Renewal
- R13-6-704. Requirements of a Firearms-safety Instructor

ARTICLE 1. GENERAL PROVISIONS

R13-6-01. Repealed

Historical Note

Former Rule 1. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-02. Repealed

Historical Note

Former Rule 2. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-03. Repealed

Historical Note

Former Rule 3. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-04. Repealed

Historical Note

Former Rule 4. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-05. Repealed

Historical Note

Former Rule 5. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-06. Repealed

Historical Note

Former Rule 6. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

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R13-6-07. Repealed

Historical Note

Former Rule 7. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-08. Repealed

Historical Note

Former Rule 8. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-09. Repealed

Historical Note

Former Rule 9. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-10. Repealed

Historical Note

Former Rule 10. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-11. Repealed

Historical Note

Former Rule 11. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-12. Repealed

Historical Note

Former Rule 12. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-13. Repealed

Historical Note

Former Rule 14. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-14. Repealed

Historical Note

Former Rule 15. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-15. Repealed

Historical Note

Former Rule 16. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-16. Repealed

Historical Note

Former Rule 17. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-17. Repealed

Historical Note

Former Rule 18. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-18. Repealed

Historical Note

Former Rule 19. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

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R13-6-19. Repealed

Historical Note

Former Rule 20. Section repealed by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-101. Definitions

In addition to the definitions in A.R.S. § 32-2601, the following definitions apply to this Chapter:

“Branch office” means a location other than the principal place of business shown on a qualifying party’s agency license at which the qualifying party conducts the business of private security guard service.

“Branch office certificate” means a document issued by the Department to a qualifying party that authorizes the qualifying party to conduct the business of private security guard service in this state at a location other than the principal place of business shown on the qualifying party’s agency license.

“Classifiable fingerprints” means fingerprint impressions that meet the criteria of the Federal Bureau of Investigation as contained in Form FD-258 (5-11-99), published by the U.S. Government Printing Office. This form is incorporated by reference and available from the Department and the FBI (Attn: Logistical Support Unit, CJIS Division, 1000 Custer Hollow Road, Clarksburg, WV 26306) or online at www.bookstore.gpo.gov. The material incorporated by reference contains no future editions or amendments.

“Corporation” or “domestic corporation” has the same meaning as prescribed in A.R.S. § 10-140.

“Foreign corporation” means a for-profit corporation that is incorporated under a law other than the law of Arizona.

“Limited liability company” means the same as corporation.

“Partnership” means an association of two or more individuals who are co-owners of a for-profit business organized under A.R.S. Title 29, Partnership.

“Probation” means a period during which an agency or individual who has violated A.R.S. Title 32, Chapter 26, is allowed to demonstrate compliance with licensure requirements to avoid having the Department take an administrative action such as suspension or revocation.

“Prohibited possessor” has the same meaning as prescribed in A.R.S. § 13-3101(A)(6).

“Resident manager” means an individual who meets all requirements for an agency license, is a full-time legal resident of Arizona, and is designated by a qualifying party who lives outside of Arizona to manage the agency of the qualifying party.

“Restructure” means to change the name or business form of a licensed agency.

“Sole proprietorship” means a business operated for profit by one owner.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-102. General License Requirements

- A. The qualifying party for an agency license and the resident manager, if the agency will have a resident manager, shall meet the requirements under A.R.S. § 32-2612 and submit the application required under R13-6-201.
- B. Each partner, officer, director, member, and manager of an agency, except the qualifying party and resident manager, shall meet the requirements under A.R.S. § 32-2622 and submit the application required under R13-6-301.
- C. An applicant for a security guard or armed security guard registration certificate shall meet the requirements under A.R.S. § 32-2622 and submit the application required under R13-6-301.
- D. An applicant for a firearms-safety training instructor certificate shall meet the requirements under R13-6-701 and submit the application required under R13-6-702.
- E. An application form may be obtained in person at the Phoenix Licensing Unit office, by mailing a request to the Arizona DPS Licensing Unit, by telephone, or online at www.azdps.gov/license.
- F. A completed application form may be presented in person at the Phoenix Licensing Unit office or by mail to the Arizona DPS Licensing Unit.
- G. A blank application form may be duplicated to provide a copy to multiple individuals.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-103. Fees

- A. Under the authority provided by A.R.S. § 32-2607, the Department establishes and shall collect the following fees:
 - 1. Original agency license application, \$500;
 - 2. Agency license, \$500;
 - 3. Application for renewal of an agency license, \$500;
 - 4. Agency restructure, \$100;
 - 5. Penalty for late application for renewal of an agency license, \$100;
 - 6. Resident manager license application, \$50;
 - 7. Resident manager license renewal application, \$50;
 - 8. Penalty for late application for renewal of resident manager license, \$10;

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9. Associate or security guard registration certificate, \$50;
 10. Associate or security guard registration certificate renewal, \$50;
 11. Armed security guard registration certificate, \$100;
 12. Armed security guard registration certificate renewal, \$100;
 13. Upgrade from security guard to armed security guard registration certificate, \$50;
 14. Replacement identification card, \$10;
 15. Armed security guard additional employer registration, \$10;
 16. Firearms-safety instructor certificate, \$50;
 17. Firearms-safety instructor certificate renewal, \$50; and
 18. Fingerprint and digital photo fee (optional), \$15.
- B.** In addition to the fees in subsections (A)(1), (A)(3), (A)(6), (A)(7), and (A)(9) through (A)(12), and (A)(16) and (A)(17), the Department shall collect a fee in the amount necessary to cover the cost of non-criminal justice fingerprint processing for a criminal history record check under A.R.S. § 41-1750(J).
- C.** If applicable equipment and personnel are available, and if an applicant makes a request, Department personnel shall take the applicant's photograph and fingerprints upon submission of an application and payment of the fee listed in subsection (A)(18).
- D.** A person shall pay a fee by cash, cashier's check, certified check, or money order made payable to the Arizona Department of Public Safety. Upon request, the Department shall accept another means of payment that the Department determines is in the state's interest. All fees are non-refundable except if A.R.S. § 41-1077 applies.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-104. Identification Cards

- A.** The Department shall provide an identification card to the following licensees and certificate holders:
1. Qualifying party,
 2. Resident manager,
 3. Associate,
 4. Security guard, and
 5. Armed security guard.
- B.** The Department shall ensure that an identification card includes the following information about the licensee or certificate holder:
1. Name,
 2. Photograph,
 3. Physical description,
 4. Date of birth,
 5. License or registration certificate number, and
 6. License or registration certificate expiration date.
- C.** A licensee or certificate holder shall not assign or transfer an identification card. An identification card is valid only during the effective dates of the license or certificate under which the card is issued.
- D.** An armed security guard employed by more than one licensee shall pay the fee required under R13-6-103(A)(15) and obtain an identification card for each license under which the armed security guard is employed.
- E.** If an identification card is lost or stolen, the holder of the card shall notify the Department immediately in writing. The Department shall issue a duplicate identification card upon submission of the fee required under R13-6-103(A)(14).
- F.** A security guard shall have the security guard's identification card in the security guard's possession and display it when requested by the Department or any peace officer.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-105. Time-frames for Making License and Registration Determinations

- A.** For the purpose of A.R.S. § 41-1072, the Department establishes the following time-frames for every license issued under this Chapter:
1. Administrative completeness review time-frame: five days;
 2. Substantive review time-frame: 10 days; and
 3. Overall time-frame: 15 days.
- B.** An administratively complete application consists of all the information and documents listed in:
1. R13-6-201 for an agency or resident manager license;
 2. R136301 for a security guard, armed security guard, or associate registration certificate; and
 3. R13-6-702 for a firearms-safety instructor certificate.
- C.** The administrative completeness review time-frame listed in subsection (A)(1) begins on the date the Department receives an application.
1. If the application is not administratively complete when received, the Department shall send a notice of deficiency to the applicant. The Department shall include in the deficiency notice a list of the documents and information needed to complete the application.

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2. Within 45 days from the date of the deficiency notice, the applicant shall submit to the Department the missing documents and information. The time-frame for the Department to finish the administrative completeness review is suspended from the date of the deficiency notice until the date the Department receives the missing documents and information.
 3. The Department and applicant may agree in writing to extend the 45-day period in subsection (C)(2) upon written request by the applicant before the end of the period.
 4. If the applicant fails to provide the missing documents and information within the time provided, the Department shall close the applicant's file. If an individual whose file is closed wants to be considered further for licensing, the individual shall submit a new application under R13-6-201, R13-6-301, or R13-6-702.
- D.** The substantive review time-frame listed in subsection (A)(2) begins on the date the Department determines an application is administratively complete.
1. During the substantive review time-frame, the Department may make one comprehensive written request for additional information. The Department and applicant may agree in writing to allow the Department to make a supplemental request for additional information.
 2. The applicant shall submit to the Department the additional information within 45 days from the date of the Department's comprehensive request. The time-frame for the Department to complete the substantive review of the application is suspended from the date of the comprehensive request for additional information until the Department receives the additional information.
 3. The Department and applicant may agree in writing to extend the 45-day period in subsection (D)(2) upon written request by the applicant before the end of the period.
 4. If the applicant fails to provide the additional information within the time provided, the Department shall close the applicant's file. If an individual whose file is closed wants to be considered further for licensing, the individual shall submit a new application under R13-6-201, R13-6-301, or R13-6-702.
 5. When the substantive review is complete, the Department shall inform the applicant in writing of its decision whether to grant or deny a license to the applicant.
 - a. The Department shall deny a license if it determines that the applicant does not meet all substantive criteria required by statute and rule. An applicant who is denied a license may appeal the Department's decision under A.R.S. Title 41, Chapter 6, Article 10.
 - b. The Department shall grant a license if it determines that the applicant meets all substantive criteria required by statute and rule.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

ARTICLE 2. AGENCY LICENSES

R13-2-201. Application for an Agency License

- A.** The individual who will be the qualifying party of an agency shall submit an application for an agency license. The qualifying party shall ensure that the application consists of:
1. A complete application form that provides the following information about the applicant:
 - a. Full name;
 - b. Home address;
 - c. Mailing address if different from the home address;
 - d. Home and business telephone numbers;
 - e. Height, weight, hair and eye colors, sex, and date and place of birth;
 - f. Social Security number; and
 - g. Any other name by which the applicant has ever been known;
 2. Properly completed fingerprint card with classifiable fingerprints of the qualifying party;
 3. Fees prescribed in R13-6-103;
 4. Legible, notarized copy of a government-issued photo identification document for the qualifying party, such as a state identification card or motor vehicle driver license;
 5. Two color photographs of the qualifying party suitable for use in making an identification card such as passport photos or 1" x 1 1/4" facial photos;
 6. Exact details as to the character and nature of the qualifying party's required experience under A.R.S. § 32-2612;
 7. Proof of U.S. citizenship or legal resident status with authorization to seek employment by providing one document from List A on U.S. Department of Justice Form I-9 or one document from both Lists B and C. The Department shall return original documents to the applicant;
 8. The following information about the agency:
 - a. The name under which the agency will do business and if required under R13-6-207, a copy of the trade name registration provided by the Arizona Secretary of State's Office;
 - b. The principal business address;
 - c. The principal business mailing address if different from the principal business address; and
 - d. A brief statement describing the nature of the business in which the agency will engage;
 9. If the business form is not a sole proprietorship:
 - a. Partnership agreement, articles of organization, or articles of incorporation; and

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- b. From each partner, officer, director, and member of the agency, an application for registration certificate as described in R13-6-301;
- 10. If the agency is a foreign corporation, evidence of Arizona Corporation Commission approval to transact business in Arizona;
- 11. If the agency will maintain a branch office, the notice required under R13-6-204 to obtain a branch office certificate; and
- 12. The following information required for approval of uniforms, badges, patches, and insignia under A.R.S. § 32-2635:
 - a. Color photographs showing the front, back, and both sides of all uniforms;
 - b. A full-size color copy or example of the agency patch;
 - c. A full-size color copy of the agency badge or, if no badge will be used, a written statement of this fact;
 - d. Color photographs showing the front, back, and both sides of agency vehicles;
 - e. Close-up color photograph of insignia on agency vehicles; and
 - f. Color photographs showing the front and back of any light bar on agency vehicles.
- B. The applicant shall sign the completed application form before a notary public, authorize the Department to obtain information about the applicant from any person or entity, and certify that all information provided is true and correct.
- C. If an agency will have a resident manager, the resident manager shall use the application form described under this Section and provide the information required under subsections (A)(1) through (A)(7).

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-202. Issuance of an Agency License

- A. The Department shall notify an applicant when the agency license is ready for issuance. The applicant has 90 days from the date of notification to:
 - 1. Pay applicable license fees;
 - 2. Provide a certificate of liability insurance showing at least \$100,000 coverage for any one person and \$300,000 coverage for any one event and naming the Department as the certificate holder; and
 - 3. If the agency will have employees, provide a certificate of workers' compensation insurance that names the Department as the certificate holder.
- B. If an applicant does not provide the required information within 90 days, the Department shall deny the applicant a license and the application fee is forfeited.
- C. An applicant for an agency license or renewal may request to pick up the license at the Department's office in Phoenix. If no request is made, the Department shall send the license to the mailing address of the applicant.
- D. The Department shall ensure that an agency license contains the name and street address of the licensed business and the number of the license.
- E. The qualifying party shall post the agency license in a conspicuous place in the principal business office.
- F. The qualifying party shall not assign or transfer the agency license.
- G. The qualifying party shall notify the Department in writing within 15 business days of any change of address of the principal office.
- H. If the qualifying party surrenders the agency license before the expiration date, the Department shall not refund any portion of the license fee.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-203. Agency License Renewal

- A. An agency license expires on the date specified on the license. A qualifying party may submit a renewal application to the Department up to 60 days before the expiration date.
- B. The qualifying party shall provide the information required under R13-6-201 with the renewal application.
- C. If the qualifying party fails to submit a renewal application before the expiration date, the qualifying party and each partner, member, officer, director, resident manager, and employee shall cease performing private security guard services subject to regulation by A.R.S. Title 32, Chapter 26.
- D. The Department shall not renew an agency license if a renewal application is filed more than 90 days after the expiration date on the agency license. If more than 90 days elapse after the expiration date on the agency license, the former qualifying party may resume providing security guard services only by obtaining a new license under R13-6-201.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-204. Branch Office Certificate

- A. A qualifying party shall not operate a branch office unless the qualifying party obtains a branch office certificate. To obtain a branch office certificate, the qualifying party shall provide written notice of the branch office address to the Department.
- B. The Department shall ensure that a branch office certificate contains the agency name, license number, expiration date, and address of the branch office.
- C. A branch office certificate expires on the date the agency license expires and is renewed when the agency license is renewed.
- D. The qualifying party shall post the branch office certificate in a conspicuous place in the branch office.
- E. The qualifying party shall notify the Department in writing within 15 business days of any change of address for the branch office.

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Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-205. Change of Qualifying Party

- A. Within 15 business days after the qualifying party leaves an agency, each partner, member, officer, director, resident manager, and employee of the agency shall cease performing private security guard services subject to regulation by A.R.S. Title 32, Chapter 26, unless the requirement in subsection (B) is met.
- B. Before the agency may resume performing private security guard services, an individual who meets the requirements of a qualifying party shall submit an application for a new agency license under R13-6-201.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-206. Restructure of an Agency

- A. If an application for restructure is made at the time of license renewal, the Department shall waive the restructure fee in R13-6-103. If an application for restructure is made at other than the time of license renewal, the agency shall pay the restructure fee.
- B. The qualifying party shall submit an application for restructure for the agency. Any new partner, officer, director, or member of the agency shall meet the requirements of A.R.S. § 32-2622 and submit the application required under R13-6-301.
- C. To change a sole proprietorship to a partnership, the applicant shall provide a partnership agreement with notarized signatures of the partners.
- D. To change a corporation to a partnership, the applicant shall provide documentation of dissolving the corporation and a partnership agreement with notarized signatures of the partners.
- E. To change a corporation to a sole proprietorship, the applicant shall provide documentation of dissolving the corporation.
- F. To change a sole proprietorship or partnership to a corporation, the applicant shall provide the Articles of Incorporation bearing the approval stamp of the Arizona Corporation Commission. If the change is to a foreign corporation, the applicant shall submit documentation of Arizona Corporation Commission approval for the foreign corporation to transact business in Arizona.
- G. To change a partnership to a sole proprietorship, the applicant shall provide documentation of dissolving the partnership.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-207. Business Name

- A. The Department shall not grant a license to an agency with a name that includes the words "United States," "Federal," "State of Arizona," "Police," or "Bureau of Investigation," or a name that associates the business with any governmental or law enforcement agency.
- B. The Department shall not grant a license to an agency with a name that includes "corporation," "corp.," "incorporated," "Inc.," or "L.L.C." unless corporation papers are filed with the Arizona Corporation Commission or approval to operate as a foreign corporation is obtained from the Arizona Corporation Commission.
- C. The Department shall not issue a license to a corporation or limited liability company using a trade name unless the trade name is registered with the Arizona Secretary of State's Office. A sole proprietorship or partnership may, but is not required to, register a trade name.
- D. The Department shall not approve a new business name that is similar to the business name of a currently licensed agency.
- E. The qualifying party of an agency, resident manager, and agency associates and employees shall do business and present themselves under the name on the agency license.
- F. A qualifying party shall do all business under the name and at the address that is on file with the Department and noted on the agency license. The qualifying party shall ensure that both the agency name and license number are listed on all letterhead and business cards and included in advertising and contracts with clients.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

ARTICLE 3. REGISTRATION CERTIFICATES

R13-6-301. Application for Registration Certificate

- A. Before a registration certificate application is submitted, the qualifying party of the agency shall:
 - 1. Determine that the applicant meets the requirements of A.R.S. § 32-2622,
 - 2. Assess the accuracy of the information provided by the applicant,
 - 3. Verify proof of U.S citizenship or legal resident status with authorization to seek employment by examining either one document from List A on U.S. Department of Justice Form I-9 or one document from both Lists B and C, and
 - 4. Ensure that the application includes:
 - a. A properly completed application form that provides the following information about the applicant:
 - i. Full name;
 - ii. Home address;
 - iii. Mailing address if different from the home address;
 - iv. Home and business telephone numbers;
 - v. Social Security number; and

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- vi. Height, weight, sex, hair and eye colors, and date and place of birth;
 - b. The applicant's signature certifying that the information provided is true and correct;
 - c. Two color photographs suitable for use in making an identification card such as passport photos or 1" x 1 1/4" facial photos;
 - d. A properly completed fingerprint card with classifiable fingerprints;
 - e. The fee required under R13-6-103(A)(9) or (A)(11);
 - f. If applicable, the training verification form described in R13-6-601(C); and
 - g. If applicable, the firearms-safety training verification form described in R13-6-603(C);
- B.** An associate, security guard, or armed security guard registrant shall conduct business and be identified under the name used on the application and the registration certificate. The Department shall not approve a fictitious name for use on an associate, security guard, or armed security guard registration certificate.
- C.** If an applicant for an armed security guard registration is employed by more than one agency, the applicant shall submit an application with the words "Additional Employer" written across the top of the application, submit the fee under R13-6-103, and meet the requirements of this Section. The applicant's additional employer armed security guard registration certificate expires on the date specified on the applicant's initial armed security guard registration certificate.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-302. Renewal of Registration Certificate

- A.** An associate, security guard, or armed security guard registration certificate expires on the date specified on the registration certificate. An associate, security guard, or armed security guard may submit a renewal application to the Department up to 60 days before the expiration date.
- B.** The Department shall not renew a registration certificate unless the application is complete and contains:
- 1. The information required under R13-6-301(A)(4)(a) through (A)(4)(d);
 - 2. The fee required under R13-6-103(A)(10) or (A)(12);
 - 3. If applicable, the refresher training verification form described in R13-6-602(C); and
 - 4. If applicable, the refresher firearms-safety training verification form described in R13-6-603(C).
- C.** If an associate, security guard, or armed security guard fails to submit a renewal application before the expiration date, the associate, security guard, or armed security guard shall cease performing private security guard services subject to regulation by A.R.S. Title 32, Chapter 26.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-303. Lost or Stolen Registration Certificate or Identification Card

If a registration certificate or identification card is lost or stolen, the registrant shall notify the Department immediately and request a new registration certificate or identification card and pay the fee under R13-6-103(A)(14).

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-304. Change in Name of Registrant

- A.** A registrant whose name changes shall notify the Department in writing within 15 days of the name change and may request a new identification card.
- B.** The registrant shall include with the notice of name change a government-issued photo identification card with the new name or a certified court document recording the name change and the fee under R13-6-103.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

ARTICLE 4. APPEALS; COMPLAINTS; RECORDS

R13-6-401. Denial of Agency License or Registration Certificate

- A.** The Department shall deny an agency license or registration certificate to an applicant if the Department determines that the applicant does not meet the requirements of A.R.S. § 32-2612 or 32-2622, or there are grounds for denial under A.R.S. § 32-2640 or 32-2641. The Department shall send a notice of denial to the applicant at the address on file with the Department. The Department shall ensure that the notice of denial meets the requirements at A.R.S. § 41-1092.03(A).
- B.** If a request for hearing is received, the Department shall:
- 1. Send a notice of the date and time of the hearing to the applicant,
 - 2. Set the hearing date at least 30 days after the date of the notice, and
 - 3. Hold the hearing before the Board.
- C.** If the applicant does not appear at the scheduled hearing, the Board shall conduct the hearing in the applicant's absence.
- D.** Within 20 days after conclusion of the hearing, the Board shall prepare findings of fact, conclusions of law, and a recommendation for the Director.

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- E. Within 30 days after receiving a copy of the recommendation, the Director shall adopt the recommendation in its entirety, modify it, or decide the case upon the record and issue a final decision.
- F. The Department shall send a copy of the Director's final decision to the applicant at the address on file with the Department.
- G. A denied applicant shall not apply again for at least one year from the date of denial.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-402. Probation of Agency Licensee or Registrant

Upon recommendation of the Board, the Director may fix a period and terms of probation to protect the public health or safety or to rehabilitate or educate a licensee or registrant. A licensee may continue to operate and a registrant may continue to perform the duties of security guard or armed security guard during a period of probation subject to the terms established by the Director.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-403. Employee and Business Records

- A. A qualifying party shall maintain at the principal place of business, a file or record of the name, street address, title, employment date, and date of termination of each resident manager, partner, officer, director, member, security guard, and armed security guard for at least five years from the date of termination.
- B. The qualifying party shall make the files or records available for inspection by any peace officer, personnel of the Department's licensing section, or other designated representative of the Department.
- C. The qualifying party shall submit a copy of the files or records and information pertaining to the files or records to the Department upon request.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-404. Complaints

- A. A person may file with the Department a written complaint against a person regulated under this Chapter. After receiving a complaint, the Department shall investigate to determine whether the allegation, if true, amounts to a violation of statute or rule. The Department may forward a copy of the complaint to the person against whom the complaint is made and request that the person respond.
- B. At the conclusion of the investigation, the Department shall forward a copy of the complaint to the person against whom the complaint is made and the Director shall take an action listed in A.R.S. § 32-2636.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

ARTICLE 5. UNIFORMS AND VEHICLES

R13-6-501. Uniforms, Badges, and Insignia

- A. Uniforms are classified as either traditional or casual.
- B. A traditional uniform consists of slacks and a collared, buttoned-down, long- or short-sleeve shirt, which may be worn with or without a tie. A traditional uniform shall have:
 - 1. A patch on each shoulder of the shirt that is a minimum of two inches by three inches in size and bears the name of the agency;
 - 2. A patch or badge on the left breast of the shirt that is a minimum of 1.5 inches by two inches in size and bears the name of the agency; and
 - 3. If the patches and badge do not contain the words "Security" or "Security Guard," the words "Security" or "Security Guard" in letters that are at least 1/2 inch high and directly below each shoulder patch and the breast patch or badge.
- C. A casual uniform consists of a polo shirt or T-shirt and either shorts or pants. A casual uniform shall have:
 - 1. A patch on each shoulder of the shirt that is a minimum of two inches by three inches in size and bears the name of the agency;
 - 2. A patch or badge on the left breast of the shirt that is a minimum of 1.5 inches by two inches in size and bears the name of the agency;
 - 3. If the patches and badge do not contain the words "Security" or "Security Guard," the words "Security" or "Security Guard" in letters that are at least 1/2 inch high and directly below each shoulder patch and the breast patch or badge; and
 - 4. A patch across the back of the shirt bearing the words "Security" or "Security Guard" in letters that are at least three inches high.
- D. If a security guard wears a jacket or coat with a traditional or casual uniform, the jacket or coat shall have:
 - 1. A patch on each shoulder of the jacket or coat that is a minimum of two inches by three inches in size and bears the name of the agency;
 - 2. A patch or badge on the left breast of the jacket or coat that is a minimum of 1.5 inches by two inches in size and bears the name of the agency;
 - 3. If the patches and badge do not contain the words "Security" or "Security Guard," the words "Security" or "Security Guard" in letters that are at least 1/2 inch high and directly below each shoulder patch and the breast patch or badge; and
 - 4. A patch across the back of the jacket or coat bearing the words "Security" or "Security Guard" in letters that are at least three inches high.

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- E. The patches on a traditional or casual uniform or security guard jacket or coat may be sewed on, embroidered, or imprinted.
- F. The Department shall not approve a uniform, badge, patch, or insignia that bears markings similar to the markings of a law enforcement agency of the federal or state government or a political subdivision of the state.
- G. The Department shall not approve a uniform, badge, patch, or insignia that bears the words "Police," "Officer," "Patrolman," "Deputy," "Marshall," "Agent," "Sheriff," or any other word that could cause a reasonable person to confuse a security guard with law enforcement personnel.
- H. The Department shall not approve a uniform that consists of the color combinations blue over blue, tan over tan, tan over brown, or black over black. The Department shall determine on an individual basis whether other color combinations may cause a reasonable person to confuse a security guard with law enforcement personnel. A security guard jacket or coat may be any color if the jacket or coat meets the requirements in this Section.
- I. The qualifying party shall ensure that a security guard employed by the security guard agency does not wear a uniform, badge, or patch or use an insignia that is not approved by the Department.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-502. Business Attire and Plain Clothes

A security guard who is wearing business attire or plain clothes rather than a uniform described in R13-5-501 shall not display a badge.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-503. Vehicle Markings, Emblems, and Insignia

- A. The qualifying party shall ensure that a vehicle under the control of a security guard agency does not bear markings similar to the vehicle markings used by a law enforcement agency of the federal or state government or a political subdivision of the state.
- B. The qualifying party shall ensure that emblems, seals, and other insignia on a vehicle under the control of a security guard agency do not bear the words "Police," "Officer," "Patrolman," "Deputy," "Marshall," "Sheriff," "Agent," or any other word that could cause a reasonable person to confuse the vehicle with a law enforcement vehicle.
- C. The qualifying party shall ensure that all markings, emblems, seals, and other insignia displayed on a vehicle under the control of a security guard agency have written approval from the Department before being displayed.
- D. A vehicle under the control of a security guard agency is not an authorized emergency vehicle. The operator of a vehicle under the control of a security guard agency shall comply with all traffic-control laws.
- E. The qualifying party shall ensure that a vehicle under the control of a security guard agency is not equipped with a siren or bell unless the vehicle is an armored car equipped with a siren as a crime alarm device.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

ARTICLE 6. TRAINING

R13-6-601. Security Guard Pre-assignment Training

- A. The qualifying party of a security guard agency shall ensure that a person employed as a security guard by the agency completes eight hours of pre-assignment training before applying for and being granted a security guard registration certificate.
- B. The qualifying party shall ensure that the curriculum established by the Department is used for the eight-hour pre-assignment training. The curriculum consists of:
 - 1. Orientation,
 - 2. Criminal law and laws of arrest,
 - 3. Uniform and grooming,
 - 4. Communications,
 - 5. Use of force,
 - 6. General security guard procedures,
 - 7. Crime scene preservation and first response,
 - 8. Ethics, and
 - 9. Emergency response procedures.
- C. After a security guard completes the eight-hour pre-assignment training, the qualifying party shall complete a training verification form and:
 - 1. The security guard shall sign the form affirming completion of the training;
 - 2. The instructor shall sign the form affirming that the security guard completed the training;
 - 3. The qualifying party shall sign the form affirming that the security guard met the training requirements of A.R.S. § 32-2632; and
 - 4. The security guard shall submit the form with the application described under R13-6-301.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

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R13-6-602. Security Guard Refresher Training

- A. The qualifying party of a security guard agency shall ensure that a person employed as a security guard by the agency completes eight hours of refresher training before renewing the security guard's registration certificate.
- B. The qualifying party shall ensure that the curriculum established by the Department is used for the eight-hour refresher training. The curriculum consists of:
 - 1. Criminal law and laws of arrest,
 - 2. Use of force,
 - 3. General security guard procedures,
 - 4. Crime scene preservation and first response,
 - 5. Ethics, and
 - 6. Emergency response procedures.
- C. After the security guard completes the eight-hour refresher training, the qualifying party shall complete a training verification form and:
 - 1. The security guard shall sign the form affirming completion of the refresher training;
 - 2. The instructor shall sign the form affirming that the security guard completed the refresher training;
 - 3. The agency qualifying party shall sign the form affirming that the security guard met the refresher training requirements of A.R.S. § 32-2632; and
 - 4. The security guard shall submit the form with the renewal application described in R13-6-302.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-603. Armed Security Guard Pre-assignment and Refresher Training

- A. The qualifying party of a security guard agency shall ensure that in addition to completing the pre-assignment training described in R13-6-601 and refresher training described in R13-6-602, a security guard who will use a firearm within the scope of the security guard's employment with the agency completes:
 - 1. Sixteen hours of firearms-safety instruction before being assigned to a position requiring that a firearm be carried, and
 - 2. Eight hours of refresher firearms-safety instruction before renewing the security guard's registration certificate.
- B. The qualifying party shall ensure that firearms-safety training is provided by an instructor who is certified by the Department under R13-6-702 and uses the curriculum established by the Department.
- C. After the armed security guard completes the sixteen hours of pre-assignment firearms-safety training or the eight hours of refresher firearms-safety training, the qualifying party shall complete a training verification form and:
 - 1. The armed security guard shall sign the form affirming completion of the firearms-safety training;
 - 2. The instructor shall sign the form affirming that the armed security guard completed the firearms-safety training;
 - 3. The agency qualifying party shall sign the form affirming that the armed security guard met the firearm-safety training requirements of A.R.S. § 32-2632; and
 - 4. The armed security guard shall submit the form with the application described in R13-6-301 or R13-6-302.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

ARTICLE 7. FIREARMS-SAFETY TRAINING INSTRUCTORS

R13-6-701. Qualifications of a Firearms-safety Instructor

Only an individual who meets the following qualifications is eligible to be certified by the Department under A.R.S. § 32-2632 as a firearms-safety instructor:

- 1. Is a resident of this state or a U.S. citizen;
- 2. Is at least 21 years old;
- 3. Is not under indictment for and has not been convicted in any jurisdiction of a felony;
- 4. Does not suffer from mental illness and has not been adjudicated mentally incompetent or committed to a mental institution;
- 5. Is not unlawfully present in the United States;
- 6. Is not a prohibited possessor; and
- 7. Possesses current evidence of completing one of the following firearms-safety training instructor programs:
 - a. Arizona Basic Police Firearms Instructor training provided by the Arizona Peace Officers Standards and Training Board;
 - b. Police Firearms Instructor Development School provided by the National Rifle Association;
 - c. Law Enforcement Security Firearms Instructor Development School provided by the National Rifle Association;
 - d. Training provided by the National Rifle Association that results in rating as one of the following:
 - i. Pistol Instructor and Personal Protection Instructor,
 - ii. Law Enforcement Tactical Handgun Instructor, or
 - iii. Law Enforcement Handgun or Shotgun Instructor; or
 - e. Firearms Instructor Training Program provided by a federal law enforcement agency.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

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R13-6-702. Application for Certification as a Firearms-safety Instructor

- A. To be certified as a firearms-safety instructor, an individual shall provide the following to the Department:
1. A completed application form with the following information:
 - a. Full legal name;
 - b. Home address, including ZIP code and county;
 - c. Mailing address if different from the home address;
 - d. E-mail address;
 - e. Social Security number;
 - f. Driver license number or state identification card number and state of issuance;
 - g. Home, business, and mobile telephone numbers;
 - h. National origin or race, sex, height, weight, eye and hair colors, and date and place of birth; and
 - i. A statement whether the individual suffers from mental illness or has been adjudicated mentally incompetent or committed to a mental institution;
 2. A properly completed fingerprint card with classifiable fingerprints, unless the individual is currently registered as a firearms-safety instructor under A.R.S. § 13-3112;
 3. The current evidence of completion referenced in R13-6-701(7); and
 4. The fees required under R13-6-103.
- B. If an individual is qualified under R13-6-701 and complies with the requirements in this Section, the Department shall certify the individual as a firearms-safety instructor.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-703. Firearms-safety Instructor Certification Renewal

- A. A certified firearms-safety instructor shall renew the instructor's certification every two years by providing the following to the Department:
1. A completed application form with the information listed in R13-6-702(A)(1);
 2. A properly completed fingerprint card with classifiable fingerprints unless currently registered as a firearms-safety instructor under A.R.S. § 13-3112;
 3. The current evidence of completion referenced in R13-6-701(7); and
 4. The renewal fee required under R13-6-103.
- B. Upon verification that the firearms-safety instructor is qualified under R13-6-701 and complied with this Section, the Department shall renew the firearms-safety instructor's certification.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).

R13-6-704. Requirements of a Firearms-safety Instructor

A firearms-safety instructor shall:

1. Conduct only firearms-safety training programs that are established by the Department;
2. Conduct Department-established firearms-safety training programs only in this state;
3. Maintain for five years the following firearms-safety training records regarding each individual to whom training is provided:
 - a. Name and age of the individual at the time training started;
 - b. Date and number of hours of each training session;
 - c. Location of each training session;
 - d. Name of the security guard agency or firearms-safety training organization sponsoring the training session;
 - e. Title and Department-assigned number of the training program; and
 - f. Whether the individual passed, failed, or withdrew from the training program; and
4. Make the firearms-safety training records referenced in subsection (3) available for inspection upon request by the Department.

Historical Note

New Section made by final rulemaking at 12 A.A.R. 2825, effective September 9, 2006 (Supp. 06-3).