

Virginia Administrative Code

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Article 8

Reinstatement and Renewal Extension

6VAC20-171-180. Reinstatement.

A. Any business license, training school, instructor, compliance agent, detector canine handler examiner certification, or registration not renewed on or before the expiration date shall become null and void. Pursuant to the Code of Virginia, all such persons must currently be licensed, registered or certified with the department to provide private security services.

B. A renewal application must be received by the department within 60 days following the expiration date of the license, certification or registration in order to be reinstated by the department providing all renewal requirements have been met. Prior to reinstatement the following shall be submitted to the department:

1. The appropriate renewal application and completion of renewal requirements including required training pursuant to this chapter; and
2. The applicable, nonrefundable reinstatement fee pursuant to this chapter and in accordance with 6VAC20-171-20 B.

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

C. No license, registration or certification shall be renewed or reinstated when all renewal application requirements are received by the department more than 60 days following the expiration date of the license. After that date, the applicant shall meet all initial application requirements, including applicable training requirements.

D. Following submittal of all reinstatement requirements, the department will process and may approve any application for reinstatement pursuant to the renewal process for the application.

E. When a license, certification, or registration is reinstated, the applicant shall continue to have the same DCJS number and shall be assigned an expiration date two years from the previous expiration

date of the license, certification, or registration.

F. An applicant who reinstates shall be regarded as having been continuously licensed, certified, or registered without interruption. Therefore, the applicant shall remain under the disciplinary authority of the department during this entire period and may be held accountable for his activities during this period.

G. A person who fails to reinstate his license, certification, or registration shall be regarded as unlicensed, uncertified, or unregistered from the expiration date of the license, certification, or registration forward.

H. Nothing in this chapter shall divest the department of its authority to discipline a person for a violation of the law or regulations during the period of time for which the person was licensed, certified, or registered.

I. Firearms endorsements are not eligible for reinstatement. If renewal requirements are not met pursuant to 6VAC20-171-135, the applicant shall meet all initial application requirements, including applicable initial firearms training requirements.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-190. Renewal extension.

A. An extension of the time period to meet renewal requirements may be approved only under specific circumstances which do not allow private security personnel, businesses, or training schools to complete the required procedures within the prescribed time period. The following are the only circumstances for which extensions may be granted:

1. Extended illness;
2. Extended injury;
3. Military or foreign service; or
4. Any emergency temporary assignment of private security personnel for purposes of (i) natural disaster, (ii) homeland security, or (iii) documented threat, by the private security services business or training school for which he is employed.

B. A request for extension shall:

1. Be submitted in writing, dated and signed by the individual or principal of a licensed entity prior to the expiration date of the time limit required for completion of the requirements. This requirement may be waived by the department based on an evaluation of the justification for waiver;
2. Indicate the projected date the person, business, or training school will be able to comply with the requirements; and
3. Include a copy of the physician's record of the injury or illness, a copy of the government orders or documentation of emergency temporary assignment.

C. Applications for additional extensions may be approved upon written request of the person, business, or training school.

D. The total time for renewal extension, including additional extensions, shall not exceed 12 months beyond the original expiration date. If renewal requirements are not met during the period of extension, the individual must complete all initial training requirements to include applicable entry-level training.

E. The private security services person, business, or training school shall be nonoperational during the period of extension unless otherwise issued a temporary exemption and has been authorized by the department pursuant to § 9.1-139 of the Code of Virginia.

Statutory Authority

§ 9.1-141 of the Code of Virginia

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

Article 9

Application Sanctions; Exemptions, Recognition/Reciprocity

6VAC20-171-200. Denial, probation, suspension and revocation.

A. The department may deny a license, registration or certification in which any person or principal of an applying business has been convicted in any jurisdiction of any felony or of a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or

imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. The record of a conviction, authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted, shall be admissible as prima facie evidence of such conviction.

B. The department may deny a license, registration or certification in which any person or principal of an applying business or training school has not maintained good standing in every jurisdiction where licensed, registered or certified in a private security services or related field; or has had his license, registration or certification denied upon initial application, suspended, revoked, surrendered, or not renewed; or has otherwise been disciplined in connection with a disciplinary action prior to applying for licensing, registration or certification in Virginia.

C. Any false or misleading statement on any state application or supporting documentation is grounds for denial or revocation and may be subject to criminal prosecution.

D. The department may deny licensure, certification, or registration for other just cause.

E. A licensee, training school, compliance agent, instructor, detector canine handler examiner, or registered individual shall be subject to disciplinary action for violations or noncompliance with the Code of Virginia or this chapter. Disciplinary action shall be in accordance with procedures prescribed by the Administrative Process Act. The disciplinary action may include but is not limited to a letter of censure, fine, probation, suspension or revocation.

F. If a registrant or certified person is subject to disciplinary action for violations or noncompliance with the Code of Virginia or this chapter, the department will notify the last known licensed or certified private security services business or training school by which they were employed or affiliated.

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-210. Exemptions, recognition/reciprocity.

A. The department may grant a temporary exemption from the requirements for licensing, registration or certification for a period of not more than 30 days in a situation deemed an emergency by the department.

B. The department may recognize administrative and application requirements for licensing, registration or certification based on agreements that have been entered into with other states and approved by the board.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000.

Part IV

Administrative Requirements/Standards of Conduct

Article 1

General Requirements

6VAC20-171-215. General requirements.

All private security services registered and certified personnel, licensed businesses and certified training schools are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, department guidelines and this chapter.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

Article 2

Private Security Services Businesses

6VAC20-171-220. Business administrative requirements.

A licensee shall:

1. Maintain at all times with the department its physical address in Virginia where records required

to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department, the physical address of all locations in Virginia utilized by the licensee in which regulated services are offered, and email address if applicable. A post office box is not a physical address. Notification of any change shall be in writing and received by the department no later than 10 days after the effective date of the change.

2. Maintain at all times with the department its current operating name and all fictitious names. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents that establish the name change.
3. Report in writing to the department any change in its ownership or principals that does not result in the creation of a new legal entity. Such written report shall be received by the department within 30 days after the occurrence of such change to include fingerprint cards pursuant to this chapter.
4. Report in writing to the department any change in the entity of the licensee that results in continued operation requiring a license. Such written report shall be received by the department within 10 days after the occurrence of such change.
5. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Each day of uninsured activity would be construed as an individual violation of this requirement.
6. Maintain at all times with the department a completed irrevocable consent for service if the licensee is not a resident of the Commonwealth of Virginia. Licensees that move their business from the Commonwealth shall file a completed irrevocable consent for services within 15 days of the change in location.
7. Employ at all times at least one individual designated as compliance agent who is in good standing and is certified pursuant to 6VAC20-171-70. In the event there is more than one compliance agent designated for the business, designate one as the primary compliance agent and point of contact.
8. Maintain at all times and for a period of not less than three years from the date of termination of employment the following documentation concerning all regulants: documentation or electronic images of the date of hire in the regulated category, documentation that the fingerprint processing

application was submitted on the date of hire, verification that the employee is a U.S. citizen or legal resident alien and is properly registered/certified and trained, current physical and mailing addresses for all regulated employees and telephone numbers if applicable.

9. Upon termination of employment of a certified compliance agent, notify the department in writing within 10 calendar days. This notification shall include the name of the individual responsible for the licensee's adherence to applicable administrative requirements and standards of conduct during the period of replacement.

10. Within 90 days of termination of employment of the sole remaining compliance agent, submit the name of a new compliance agent who is eligible for certification pursuant to this chapter. Individuals not currently eligible may pursue certification pursuant to Part III (6VAC20-171-30 et seq.) of this chapter. This notification shall be in writing and signed by a principal of the business and the designated compliance agent.

11. Prominently display at all times for public inspection, in a conspicuous place where the public has access, the business license issued by the department.

12. Ensure that all individuals submit fingerprint cards pursuant to 6VAC20-171-30 as required by the Code of Virginia.

13. Inform the department in writing within 10 days of receiving knowledge of any principal, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor as outlined in § 9.1-139 K of the Code of Virginia.

14. Inform the department in writing within 10 days of receiving knowledge of any principal, licensee, subsidiary, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter, having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction.

15. On a form provided by the department and within 10 calendar days of receiving knowledge of an incident, submit a report of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise.

16. In the event a complaint against the licensee is received by the department, be required to

furnish documentary evidence (written agreement) of the terms agreed to between licensee and client, which shall include at a minimum the specific scope of services and fees assessed for such services. The licensee shall retain a copy for a period of not less than three years from completion of said agreement.

17. Not fail to honor the terms and conditions of a warranty or written agreement.

18. In the event a licensee sells or otherwise transfers the ownership of a monitoring agreement of an electronic security customer in Virginia, notify the end user, in writing, within 30 days of the transfer of monitoring services. No licensee shall sell or otherwise transfer to an entity not licensed in Virginia.

19. Ensure that all regulated employees carry the department issued registration card or temporary registration letter along with a photo ID while on duty.

20. Ensure that all regulated employees authorized to provide private security services while completing compulsory minimum training standards pursuant to § 9.1-139 H of the Code of Virginia carry a photo ID along with an authorization form provided by the department while on duty.

21. Maintain a written use of force policy dictating the business' policy for using deadly force and for use of less lethal force. A statement certifying that the employee has read and understands the business' use of force policy must be signed by each employee who is permitted to carry firearms or intermediate weapons and maintained in the employee's file.

22. Maintain records for individual employees permitted to carry intermediate weapons while on duty to verify training in the use of the permitted intermediate weapons.

23. Maintain at all times and for a period of not less than three years from the date of termination, decertification or other separation, records of detector canine handler team certifications to include a photo of detector canine teams utilized to provide regulated private security services as defined in this chapter.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register

Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-230. Business standards of conduct.

A licensee shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Not direct any employee regulated, or required to be regulated, by this chapter to engage in any acts prohibited by the Code of Virginia and this chapter.
4. Employ individuals regulated, or required to be regulated, as follows:
 - a. A licensee shall employ or otherwise utilize individuals possessing a valid registration issued by the department showing the registration categories required to perform duties requiring registration pursuant to the Code of Virginia;
 - b. A licensee shall not allow individuals requiring registration as armored car personnel, armed security officers/couriers, armed alarm respondents with firearm endorsement, private investigators, personal protection specialists, detector canine handlers or security canine handlers to perform private security services until such time as the individual has been issued a registration by the department;
 - c. A licensee may employ individuals requiring registration as unarmed alarm respondent, locksmith, central station dispatcher, electronic security sales representative, electronic security technician, unarmed armored car driver, unarmed security officer or electronic security technician's assistant for a period not to exceed 90 consecutive days in any registered category listed above while completing the compulsory minimum training standards provided:
 - (1) The individual's fingerprint card has been submitted pursuant to Article 1 (6VAC20-171-30 et seq.) of Part III of this chapter;
 - (2) The individual is not employed in excess of 120 days without having been issued a registration from the department; and
 - (3) The individual did not fail to timely complete the required training with previous employer(s).

- d. A licensee shall not employ any individual carrying or having access to a firearm in the performance of his duties who has not obtained a valid registration and firearms endorsement from the department; and
 - e. A licensee shall maintain appropriate documentation to verify compliance with these requirements. A licensee shall maintain these documents after employment is terminated for a period of not less than three years.
5. Not contract or subcontract any private security services in the Commonwealth of Virginia to a person not licensed by the department. Verification of a contractor's or subcontractor's license issued by the department shall be maintained for a period of not less than three years.
 6. Ensure that the compliance agent conforms to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
 7. Permit the department during regular business hours to inspect, review, or copy those documents, electronic images, business records or training records that are required to be maintained by the Code of Virginia and this chapter.
 8. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
 9. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
 10. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
 11. Not obtain or aid and abet others to obtain a license, license renewal, registration, registration

- renewal, certification, certification renewal, or firearms endorsement through any fraud or misrepresentation.
12. Include the business license number issued by the department on all business advertising materials pursuant to the Code of Virginia. Business advertising materials containing information regarding more than one licensee must contain the business license numbers of each licensee identified.
 13. Not conduct a private security services business in such a manner as to endanger the public health, safety and welfare.
 14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration or certification.
 15. Not represent as one's own a license issued to another private security services business.
 16. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by calling the site of the alarm. If unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch. (This shall not apply if the alarm user has provided written authorization requesting immediate or one call dispatch to both their local police department and their dealer of record). This shall not apply to duress or hold-up alarms.
 17. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.
 18. Utilize vehicles for private security services using or displaying an amber flashing light only as specifically authorized by § 46.2-1025.9 of the Code of Virginia.
 19. Not use or display the state seal of Virginia or the seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision of the Commonwealth, or any portion thereof, as a part of any logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.
 20. Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not

constitute a violation of this chapter.

21. Not engage in acts of unprofessional conduct in the practice of private security services.
22. Not engage in acts of negligent or incompetent private security services.
23. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
24. Not violate any state or local ordinances.
25. Satisfy all judgments to include binding arbitrations related to private security services not provided.
26. Not publish or cause to be published any material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive or misleading.
27. Not conduct private security business under a fictitious or assumed name unless the name is on file with the Department of Criminal Justice Services. This does not apply to a private investigator conducting a "pretext," provided that the private investigator does not state that he is representing a private security business that does not exist or otherwise prohibited under federal law.
28. Not act as or be an ostensible licensee for undisclosed persons who do or will control directly or indirectly the operations of the licensee's business.
29. Not provide false or misleading information to representatives of the department.
30. Not provide materially incorrect, misleading, incomplete, or untrue information on any email, application, or any other document filed with the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-240. Compliance agent administrative requirements and standards of conduct.

A compliance agent shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his mailing address and email address if applicable. Written notification of any change of address shall be received by the department no later than 10 days after the effective date of the change.
3. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
4. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
5. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
6. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor as outlined in § 9.1-139 K of the Code of Virginia.
7. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction.
8. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
9. Be designated with the department as compliance agent for a licensee and shall:
 - a. Ensure that the licensee and all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of

- conduct pursuant to the Code of Virginia and this chapter;
- b. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter;
 - c. Notify the department in writing within 10 calendar days following termination of his employment as compliance agent for the licensee;
 - d. Ensure that all regulated employees carry the department issued registration card or temporary registration letter along with a photo ID while on duty; and
 - e. Ensure that all regulated employees authorized to provide private security services while completing compulsory minimum training standards pursuant to § 9.1-139 H of the Code of Virginia carry a photo ID along with an authorization form provided by the department while on duty.
10. Not engage in acts of unprofessional conduct in the practice of private security services.
 11. Not engage in acts of negligent and/or incompetent private security services.
 12. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
 13. Satisfy all judgments to include binding arbitrations related to private security services not provided.
 14. Not publish or cause to be published any material relating to private security services that contain an assertion, representation, or statement of fact that is false, deceptive or misleading.
 15. Not conduct private security business under a fictitious or assumed name unless the name is on file with the Department of Criminal Justice Services. This does not apply to a private investigator conducting a "pretext," provided that the private investigator does not state that he is representing a private security business that does not exist or otherwise prohibited under federal laws.
 16. Not violate any state or local ordinances related to private security services.
 17. Not provide false or misleading information to representatives of the department.
 18. Not use access to the department's database information for any other purpose than verifying employee's application status.
 19. Not allow another to use access granted to the department's database for any purpose.

20. Not provide materially incorrect, misleading, incomplete, or untrue information on any email, application, or any other document filed with the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013; Errata, 30:4 VA.R. 453 October 21, 2013.

6VAC20-171-245. (Repealed.)

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; repealed, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

Article 3

Private Security Services Training Schools

6VAC20-171-250. Training school administrative requirements.

A training school shall:

1. Maintain at all times with the department its physical address and email address if applicable. A post office box is not a physical address. Notification of any change shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Employ at all times one individual designated as training director who is currently certified as an instructor pursuant to this chapter and who is not currently designated as training director for another training school. A training school may designate a maximum of four individuals as assistant training school directors.
3. Upon termination of the services of a certified instructor, notify the department in writing within 10 calendar days. Should the instructor also be designated as the training director for the training

school, this notification shall include the name of the instructor responsible for the training school's adherence to applicable administrative requirements and standards of conduct during the period of training director replacement.

4. Within 90 days of termination of employment of the sole remaining training director, submit the name of a new instructor eligible for designation pursuant to this chapter and who is not currently designated for another training school. Individuals not currently eligible may pursue certification pursuant to Part III (6VAC20-171-30 et seq.) of this chapter. Such notification shall be in writing and signed by a principal of the training school and the designated training director.
5. Notify the department in writing of any certified instructors or subject matter specialists eligible to provide instruction at the training school. The notification shall be received by the department prior to the individual conducting any training for the training school and signed by the training school director and the designated instructor or subject matter specialist.
6. Prominently display at all times, in a conspicuous place where the public has access, the training school certification issued by the department.
7. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Each day of uninsured activity would be construed as an individual violation of this requirement.
8. Inform the department in writing within 10 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor as outlined in § 9.1-139 K of the Code of Virginia.
9. Inform the department in writing within 10 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction.
10. Report in writing to the department any change in its ownership or principals that does not result in the creation of a new legal entity. Such written report shall be received by the department within 10 days after the occurrence of such change to include fingerprint cards submitted pursuant to 6VAC20-171-30.

11. Maintain at all times with the department its current operating name and fictitious names. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents that establish the name change.
12. Report in writing to the department any change in the entity of the training school that results in continued operation requiring a certification. Such written report shall be received by the department within 10 days after the occurrence of such change.
13. Maintain written authorization from the department for any subject matter specialists being used to provide instruction.
14. Develop lesson plans for each training curriculum and subject being offered in accordance with the topical outlines submitted to the department to include hours of instruction.
15. Maintain comprehensive and current lesson plans for each entry level training curriculum and subject being offered.
16. Maintain comprehensive and current lesson plans for each in-service training curriculum and subject being offered.
17. Maintain comprehensive and current lesson plans for each firearms training curriculum and subject being offered.
18. Date all lesson plans and handout material, including the initial date of development and subsequent revisions.
19. Ensure that current copies of the following requirements are provided to and maintained with the department, including:
 - a. A list of all training locations used by the training school, excluding hotel/motel facilities;
 - b. A list of all firing range names and locations;
 - c. A list of all subject matter specialists currently employed, or otherwise utilized; and
 - d. Copies of current topical outlines for all lesson plans and curriculums. The lesson plans and subsequent course outlines shall include (i) specific reference to the course content involving the Code of Virginia and this chapter and (ii) the hours of instruction.
20. Ensure that range qualification for all firearms training is completed pursuant to this chapter except with written authorization from the department.

21. On a form provided by the department and within 10 calendar days of an incident, submit a report of any incident in which any instructor, student or employee has discharged a firearm while on duty, excluding any training exercise.
22. Not act as or be a certified training school for undisclosed persons who directly or indirectly control the operation of the training school.
23. Inform the department and compliance agent of the employing business if applicable, in a format prescribed by the department within seven days of any person regulated under this chapter who fails to requalify with a minimum passing score on the range.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-260. Training school standards of conduct.

A training school shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that the owners, principals, training director and all instructors employed by the training school conform to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Utilize only certified instructors, or other individuals eligible to provide instruction pursuant to this chapter in the conduct of private security training sessions.
4. Maintain current files that include copies or electronic images of attendance records, a master final examination, pass/fail recording of examination and firearms qualification scores, training completion rosters, and training completion forms for each student for three years from the date of the training session in which the individual student was enrolled.
5. Permit the department during regular business hours to inspect, review, or copy those documents, electronic images, business records or training records that are required to be

- maintained by the Code of Virginia and this chapter.
6. Permit the department to inspect and observe any training session. Certified training schools that conduct training sessions not located within Virginia may be required to pay the expenses of inspection and review.
 7. Include the training school certification number issued by the department on all business advertising materials pursuant to the Code of Virginia.
 8. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
 9. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
 10. Ensure that the owner, principals, training director and all instructors employed by the training school have not been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
 11. Not obtain or aid and abet others to obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
 12. Conduct entry-level and in-service training sessions separately. In-service subjects and curriculums may not be incorporated or included as a part of the entry-level subjects and curriculums unless otherwise authorized by the department.
 13. Not conduct a private security services training school in such a manner as to endanger the public health, safety and welfare.
 14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school

director or instructor.

15. Not represent as one's own a certification issued to another private security services training school.
16. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.
17. Not use or display the state seal of Virginia, or any portion thereof, as a part of any logo, stationery, business card, badge, patch, insignia or other form of identification or advertisement.
18. Not use or display the state seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision of the Commonwealth, or any portion thereof, as a part of the training school's logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.
19. Not engage in acts of unprofessional conduct in the practice of private security services.
20. Not engage in acts of negligent or incompetent private security services.
21. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
22. Not violate any state or local ordinances related to private security services.
23. Satisfy all judgments to include binding arbitrations related to private security services not provided.
24. Not publish or cause to be published any material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive or misleading.
25. Not provide false or misleading information to representatives of the department.
26. Not act as or be an ostensible certified training school for undisclosed persons who do or will control directly or indirectly the operations of the training school.
27. Not provide materially incorrect, misleading, incomplete, or untrue information on any email, application, or any other document filed with the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register

Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-270. Training school director administrative requirements and standards of conduct.

A training school director shall:

1. Ensure that the certified training school and all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
2. Conform to all application requirements, administrative requirements and standards of conduct as a certified instructor pursuant to the Code of Virginia and this chapter.
3. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter.
4. Notify the department in writing within 10 calendar days following termination of his employment as training director for the certified training school.
5. Not engage in acts of unprofessional conduct in the practice of private security services.
6. Not engage in act of negligent or incompetent private security services.
7. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
8. Not violate any state or local ordinances relating to private security services.
9. Satisfy all judgments to include binding arbitrations relating to private security services not provided.
10. Not publish or cause to be published any material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive or misleading.
11. Use access to the department's database information only for the purpose of verifying employed instructors' or students' application status.
12. Not allow another to use access granted to the department's database for any purpose.
13. Inform the department and compliance agent of the employing business if applicable, in a format prescribed by the department within seven days of any person regulated under this chapter who fails to requalify with a minimum passing score on the range.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-280. Private security services instructor administrative requirements and standards of conduct.

An instructor shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his mailing address and email address if applicable. Written notification of any address change shall be in writing and received by the department no later than 10 days after the effective date of the change.
3. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
4. Inform the department, and the training school for which the individual is designated as an instructor if applicable, in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor as outlined in § 9.1-139 K of the Code of Virginia.
5. Inform the department, and the training school for which the individual is designated as instructor, if applicable, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction.
6. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of

- Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
7. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
 8. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
 9. Conduct training sessions pursuant to requirements established in this chapter.
 10. Notify the department within 10 calendar days following termination of his employment as instructor for the training school.
 11. Not engage in acts of unprofessional conduct in the practice of private security services.
 12. Not engage in acts of negligent or incompetent private security services.
 13. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
 14. Not violate any state or local ordinances relating to private security services.
 15. Maintain documentation of successful completion of a minimum of two hours of professional development for topics related to each category of instructor certification as established in 6VAC20-171-100 B 6 during each certification period or successful completion of compulsory in-service training by another private security services certified instructor if also registered in the same categories.
 16. Not publish or cause to be published any material relating to private security services that contain an assertion, representation, or statement of fact that is false, deceptive, or misleading.
 17. Not provide false or misleading information to representatives of the department.
 18. Not provide materially incorrect, misleading, incomplete, or untrue information on any email, application, or any other document filed with the department.
 19. Transport, carry, and utilize firearms while on duty only in a manner that does not endanger the public health, safety, and welfare.
 20. Report in writing to the training school director within 24 hours of any person regulated under this chapter who fails to requalify with a minimum passing score on the range.
 21. Provide any person who fails to requalify with a minimum passing score on the range with a failure to requalify notice provided by the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-290. Instructor alternatives.

A. Subject matter specialist.

1. Training schools may employ or otherwise utilize individuals as subject matter specialists to provide instruction in specific areas of a training curriculum. During the approved portions of training, a certified instructor is not required to be present.
2. The training school shall obtain written authorization from the department prior to any subject matter specialist providing instruction. Written authorization may be requested by submitting on a form provided by the department:
 - a. A written request for authorization specifically outlining the requested subject matter; and
 - b. Documentation that supports the individual's credentials for instructing in the proposed subject matter.
3. The department may issue a written authorization for a period not to exceed 24 months.

B. Guest lecturer. Training schools may employ or otherwise utilize individuals as guest lecturer in specific areas of a training curriculum. A certified instructor is required to be present during all portions of training conducted by a guest lecturer.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-300. Private security services training session.

A. Training sessions will be conducted in accordance with requirements established in this chapter.

Adherence to the administrative requirements, attendance and standards of conduct are the responsibility of the training school, training school director and instructor of the training session.

B. Administrative requirements.

1. In a manner approved by the department, a notification to conduct a training session shall be submitted to the department. All notifications shall be received by the department, or postmarked if mailed, no less than seven calendar days prior to the beginning of each training session to include the date, time, instructors and location of the training session. The department may allow a session to be conducted with less than seven calendar days of notification with prior approval. Session notifications require no fee from the training school. A notification to conduct a training session shall be deemed to be in compliance unless the training school director is notified by the department to the contrary.
2. Notification of any changes to the dates, times, location or cancellation of a future training session must be submitted to the department in writing and received by the department at least 24 hours in advance of the scheduled starting time of the class. In the event that a session must be cancelled on the scheduled date, the department must be notified immediately followed by a cancellation in writing as soon as practical.
3. Course outline and training objectives must be approved by the department prior to offering a course of instruction for enrollment.
4. The training school director shall issue an original training completion form provided by the department to each student who satisfactorily completes a training session no later than five business days following the training completion date.
5. In a manner approved by the department, the training school director shall submit an original training completion roster to the department affirming each student's successful completion of the session. The training completion roster shall be received by the department within seven calendar days, or postmarked if mailed, no later than five business days following the training completion date and must be accompanied by the applicable, nonrefundable processing fee.
6. A written examination shall be administered at the conclusion of each entry level training session. The examination shall be based on the applicable learning objectives. The student must attain a minimum grade of 70% for all entry-level training examinations and pass any applicable

practical exercises, to satisfactorily complete the training session.

7. Firearms classroom training shall be separately tested and graded. Individuals must achieve a minimum score of 70% on the firearms classroom training examination.

8. Failure to achieve a minimum score of 70% on the firearms classroom written examination will exclude the individual from the firearms range training.

9. To successfully complete the handgun or shotgun firearms range training, the individual must achieve a minimum qualification score of 75% of the scoring value of the target.

10. To successfully complete the advanced firearms range training, the individual must achieve a minimum qualification score of 92% of the scoring value of the target.

11. To successfully complete the patrol rifle firearms range training, the individual must achieve a minimum qualification score of 85% of the scoring value of the target.

C. Attendance.

1. Private security services business personnel enrolled in an approved training session are required to be present for the hours required for each training session unless they have been granted a partial exemption to training from the department.

2. Tardiness and absenteeism will not be permitted. Individuals violating these provisions will be required to make up any training missed. All training must be completed within the 12 months prior to application of a registration or certification. Individuals not completing the required training within this period are required to complete the entire training session.

3. Individuals who do not successfully complete the compulsory minimum training standards of the training session shall not be issued a training completion form or training certificate.

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

D. Standards of conduct.

1. The training school, training school director and instructor shall at all times conform to the

application requirements, administrative requirements and standards of conduct established for certification as a training school and instructor.

2. Training sessions will be conducted by certified instructors or other individuals authorized to provide instruction pursuant to this chapter and each of whom must be present for all periods of instruction unless otherwise authorized by the department.
3. Training sessions will be conducted utilizing lesson plans developed including at a minimum the compulsory minimum training standards established pursuant to this chapter.
4. Instruction shall be provided in no less than 50-minute classes.
5. Training sessions shall not exceed nine hours of classroom instruction per day. Range qualification and practical exercises shall not be considered classroom instruction; however, total training, including the maximum allotment of nine hours classroom instruction and applicable range qualification and practical exercises, shall not exceed 12 hours per day. This does not include time allotted for breaks, meals and testing.
6. All audio-visual training aids must be accompanied by a period of instruction where the instructor reviews the content of the presentation and the students are provided the opportunity to ask questions regarding the content.
7. A training session must adhere to the minimum compulsory training standards and must be presented in its entirety. Training school directors may require additional hours of instruction, testing or evaluation procedures.
8. A training session must provide accurate and current information to the students.
9. Mandated training that is not conducted in accordance with the Code of Virginia and this chapter is null and void.
10. A duplicate set of instructor course materials, including all student materials, shall be made available to any department inspector during the training session, if requested.
11. Certifiable in-service training may include a maximum of one hour of instruction dedicated to the review of regulations unless otherwise authorized by the department.
12. Live ammunition, pyrotechnics, and explosives are not to be utilized or present in any firearms training environment except on a firing range approved by the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-305. On-line in-service training programs.

On-line training programs may only be offered for compulsory minimum in-service training requirements. On-line training programs shall meet the following requirements:

1. All on-line schools shall maintain a private security services training school certification in good standing and meet all of the administrative requirements and standards of conduct specified in this chapter.
2. All on-line training courses must meet the minimum compulsory in-service training standards pursuant to 6VAC20-171-360 to include topic and hour requirements.
3. All on-line training courses must provide that a private security services instructor certified in the category of training in which the course is being offered is available to the students during normal business hours.
4. All on-line training material to include complete course content, performance objectives, and other applicable instructional material of mandated compulsory training requirements must be approved by the department prior to offering a course of instruction for enrollment.
5. Certifiable in-service training may include a maximum of one hour of instruction dedicated to the review of regulations unless otherwise authorized by the department.
6. All on-line training course content, lesson plans, course objectives, and other applicable instructional material must be updated every two years to ensure curriculum is current.
7. All on-line training must be delivered through a learning management system (LMS) capable of managing training records, delivering course content, monitoring participation, assessing performance, and creating and editing course content.
8. Students enrolled in an on-line training program shall successfully complete all course material within 30 days of the first log-on to the training school learning management system or prior to the registration or certification expiration date or final reinstatement date.

9. All on-line training must include assessment instruments that evaluate student performance.
10. Training schools offering on-line courses that accept credit card payments shall subscribe to an e-commerce solution service to protect the security and integrity of the monetary transaction.
11. The learning management system used by a certified training school shall allow the department auditing access to the training system. Such auditing access shall be available 24 hours a day, seven days a week.
12. The learning management system shall be capable of generating a unique electronic notification of training completion for each student completing the course requirements and each course of instruction on a 24-hour a day basis.
13. The training completion form shall include the following:
 - a. The name, a unique identification number, and address of the individual;
 - b. The name of the particular course that the individual completed;
 - c. Dates of course completion;
 - d. Name, address, telephone number, and license number of the training school; and
 - e. Name and DCJS identification number of the school director and primary instructor.
14. The learning management system shall be capable of generating a training certificate for each student and each course of instruction that can be printed by the student's computer and printer. This training certificate shall only be made available to the student upon successful completion of all course material.
15. The learning management system shall be capable of capturing and archiving student information for a period of not less than three years.
16. Training schools offering on-line training courses will designate one individual as the network administrator for that school's network server. The network administrator will be the technical contact between the department and the training school. Upon termination of the services of the designated network administrator, a new administrator shall be designated and notification made to the department within 10 days after effective date of the change.

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-308. Detector canine handler examiners administrative requirements and standards of conduct.

A. Administrative requirements. An examiner shall:

1. Maintain at all times with the department his mailing address and email address if applicable. Written notification of any address change shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Inform the department, and the business or training school for which the individual is employed, if applicable, in writing within 10 days after pleading guilty or nolo contendere, and after being convicted or found guilty of any felony or of a misdemeanor as outlined in § 9.1-139 K of the Code of Virginia.
3. Inform the department, and the licensed business or training school for which the individual is employed or utilized, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction
4. Satisfy all judgments to include binding arbitrations related to private security services not provided.
5. Notify the department within 10 calendar days following termination of his employment as an examiner for a business or training school.
6. Conduct examinations in accordance with the standards of the Department of Defense Military Working Dog Program, Scientific Working Group on Dog and Orthogonal Detector Guidelines, or other nationally recognized organization approved by the department.
7. Notify the department within 10 calendar days following termination of any certification as a detector canine handler examiner or equivalent with any national organization, unit of the United States military, or other formal entity involved with certifying, training or setting standards for detection canines.
8. Notify the department in writing within 10 calendar days of determining that a detector canine handler or detector canine fails to successfully complete the certification examination.

9. Maintain documentation and a photograph of the examined detector canine team for three years for all examinations conducted that verifies compliance with requirements pursuant to the Code of Virginia and this chapter.
10. Utilize only department-approved certification examinations for the testing and certification of detector canine teams.

B. Standards of conduct. An examiner shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms,. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
3. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
4. Not commit any act or omission that results in a private security license, registration, or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
5. Not obtain a license, license renewal, registration, registration renewal, certification, or certification renewal through any fraud or misrepresentation.
6. Not engage in acts of unprofessional conduct in the practice of private security services.
7. Not engage in acts of negligent or incompetent private security services.
8. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
9. Not violate any state or local ordinances relating to private security services.
10. Not publish or cause to be published any material relating to private security services that contain an assertion, representation, or statement of fact that is false, deceptive, or misleading.

11. Not provide false or misleading information to representatives of the department.

12. Not provide materially incorrect, misleading, incomplete, or untrue information on any email, application, or any other document filed with the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

Article 4

Private Security Services Registered Personnel

6VAC20-171-310. Registered personnel administrative requirements.

A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his mailing address, e-mail address and phone number, if applicable. Written notification of any change in mailing address, e-mail address or phone number shall be in writing and received by the department no later than 10 days after the effective date of the change.
3. Inform the department, and the business for which the individual is employed if applicable, in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor as outlined in § 9.1-139 K of the Code of Virginia.
4. Inform the department, and the business for which the individual is employed if applicable, in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction.
5. Inform the department, and the compliance agent of the licensee if employed by a private security services business, of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise. This report shall be made within 24 hours of the incident.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-320. Registered personnel standards of conduct.

A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
3. Not commit any act or omission that results in a private security license, registration or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
4. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
5. Not obtain a license, license renewal, registration, registration renewal, certification or certification renewal through any fraud or misrepresentation.
6. Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.
7. Carry a valid registration card or valid temporary registration letter at all times while on duty. Individuals requiring registration as an unarmed security officer, an alarm respondent, a locksmith, a central station dispatcher, an electronic security sales representative or an electronic security technician may be employed for not more than 90 consecutive days in any category listed above while completing the compulsory minimum training standards and may not be employed in excess

of 120 days without having been issued a registration or an exception from the department and must carry a photo ID and authorization from their employer on a form provided by the department at all times while on duty.

8. Carry the private security state issued registration card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the state issued registration card prior to providing services when physically located in the Commonwealth.
9. Perform those duties authorized by his registration only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is registered as an armed security officer from being employed by a nonlicensee as provided for in § 9.1-140 of the Code of Virginia.
10. Possess a valid firearms training endorsement if he carries or has access to firearms while on duty and then only those firearms by type of action and caliber to which he has been trained on and is qualified to carry. Carry or have access to a patrol rifle while on duty only with the expressed written authorization of the licensed private security services business employing the registrant.
11. Carry a firearm concealed while on duty only with the expressed written authorization of the licensed private security services business employing the registrant and only in compliance with § 18.2-308 of the Code of Virginia.
12. Transport, carry and utilize firearms while on duty only in a manner that does not endanger the public health, safety and welfare.
13. If authorized to make arrests, make arrests in full compliance with the law and using only the minimum force necessary to effect an arrest.
14. Engage in no conduct which shall mislead or misrepresent through word, deed or appearance that a registrant is a law-enforcement officer, or other government official.
15. Display one's registration or temporary registration along with a photo ID while on duty in response to the request of a law-enforcement officer, department personnel, or client. Individuals providing private security services as authorized pursuant to subdivision 7 of this section who have not received their registration must display a state issued photo identification and

authorization while on duty in response to the request of a law-enforcement officer, department personnel, or client.

16. Not perform any unlawful or negligent act resulting in a loss, injury or death to any person.

17. If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an armed security officer, unarmed security officer, alarm respondent or armored car personnel, that uniform must:

a. Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a name plate or tape bearing, as a minimum, the individual's last name attached on the outermost garment, except rainwear worn only to protect from inclement weather; and

b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law-enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law-enforcement agency of this Commonwealth, its political subdivisions or of the federal government.

18. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by calling the site of the alarm. If unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch. This shall not apply if the alarm user has provided written authorization requesting immediate dispatch or one call dispatch to both their local police department and their dealer of record. This shall not apply to duress or hold-up alarms.

19. Act only in such a manner that does not endanger the public health, safety and welfare.

20. Not represent as one's own a registration issued to another individual.

21. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.

22. Not provide information obtained by the registrant or his employing firm to any person other than the client who secured the services of the licensee without the client's prior written consent.

Provision of information in response to official requests from law-enforcement agencies, the

courts, or from the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.

23. Not engage in acts of unprofessional conduct in the practice of private security services.

24. Not engage in acts of negligent or incompetent private security services.

25. Not make any misrepresentation or make a false promise to a private security services business client or potential private security services business client.

26. Satisfy all judgments to include binding arbitrations related to private security services not provided.

27. Not provide false or misleading information to representatives of the department.

28. Not provide materially incorrect, misleading, incomplete, or untrue information on a registration application, renewal application, or any other document filed with the department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-325 to 6VAC20-171-340. [Repealed]

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; repealed, Virginia Register Volume 20, Issue 3, eff. November 19, 2003.

Part V

Compulsory Minimum Training Standards for Private Security Services Registrations

Article 1

Registration Category Requirements

6VAC20-171-350. Entry level training.

A. Each person employed by a private security services business or applying to the department for registration as an unarmed security officer, armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, explosives detector canine handler, narcotics detector canine handler, private investigator, alarm respondent, locksmith, central station dispatcher, electronic security sales representative, electronic security technician, or electronic security technician's assistant as defined by § 9.1-138 of the Code of Virginia must meet the compulsory minimum training standards herein established, unless provided for otherwise in accordance with this chapter.

B. Training will be credited only if application for registration is received by the department within 12 months of completion of training.

C. Course and minimum hour requirement. The compulsory minimum entry level training courses and specific minimum hour requirement by category, excluding examinations, practical exercises and range qualification, shall be:

1. Unarmed security officer - 18 hours

01E: Security Officer Core Subjects - 18 hours

2. Armed security officer/courier - 50 hours (53 hours including shotgun training)

a. 01E: Security Officer Core Subjects - 18 hours

b. 05E: Armed Security Officer Arrest Authority - 8 hours

c. 075E: Security Officer Handgun - 24 hours

d. 08E: Entry-level Shotgun - 3 hours (if applicable - to also have access to a shotgun while on duty, the additional shotgun course is required)

3. Armored car personnel - 28 hours (31 hours with shotgun)

a. 03E: Armored Car Procedures - 12 hours

b. 07E: Entry-level Handgun - 16 hours

c. 08E: Entry-level Shotgun - 3 hours (if applicable - to also have access to a shotgun while on duty, the additional shotgun course is required)

4. Security canine handler - 30 hours (excluding basic obedience training)

a. 01E: Security Officer Core Subjects - 18 hours (prerequisite for 04ES)

b. Prerequisite for 04ES - Basic Obedience Training

- c. 04ES: Security Canine Handler - 12 hours
- 5. Private investigator - 60 hours
 - 02E: Private Investigator Subjects - 60 hours
- 6. Personal protection specialist - 60 hours
 - a. 32E: Personal Protection Specialist - 60 hours
 - b. 07E: Entry-level Handgun - 16 hours (prerequisite for 09E Advanced Handgun)
 - c. 09E: Advanced Handgun - 14 hours (for armed personal protection specialists)
- 7. Alarm respondent - 18 hours
 - 01E: Security Officer Core Subjects - 18 hours
- 8. Central station dispatcher - 8 hours
 - a. 30E: Electronic Security Core Subjects - 4 hours
 - b. 38E: Central Station Dispatcher - 4 hours
- 9. Electronic security sales representative - 8 hours
 - a. 30E: Electronic Security Core Subjects - 4 hours
 - b. 39E: Electronic Security Sales - 4 hours
- 10. Electronic security technician - 14 hours
 - a. 30E: Electronic Security Core Subjects - 4 hours
 - b. 35E: Electronic Security Technician - 10 hours
- 11. Electronic security technician's assistant - 4 hours
 - 30E: Electronic Security Core Subjects - 4 hours
- 12. Detector Canine Handler - 160 hours (excluding certification examination)
 - a. 04ED: Detector Canine Handler - 160 hours
 - b. Certification exam by a Certified Detector Canine Handler Examiner
- 13. Locksmith - 18 hours
 - 25E: Locksmith - 18 hours

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

subsection.

1. Security officer core subjects (01E) - 18 hours (excluding examination)

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

a. Orientation

(1) Applicable sections of the Code of Virginia and Regulations Relating to Private Security Services

(2) Code of ethics

(3) General duties and responsibilities

(4) Signs of Terrorism

b. Law

c. Security patrol, access control and communications

d. Documentation

e. Emergency procedures

f. Confrontation management

g. Use of force

h. Written comprehensive examination

2. Armed Security Officer Arrest Authority (05E) - 8 hours (excluding examination)

a. Arrest powers, policies and procedures

b. Written comprehensive examination

3. Armored car personnel (03E) - 12 hours (excluding examination)

a. Administration and armored car orientation

b. Signs of Terrorism

c. Applicable sections of the Code of Virginia and Regulations Relating to Private Security Services

d. Armored car procedures

e. Written comprehensive examination

4. Security canine handler (04ES) - 12 hours (excluding examination and basic obedience training)
 - a. Prerequisites for security canine handler entry level (official documentation required):
Successful completion of basic obedience training
 - b. Demonstration of proficiency. The student must demonstrate his proficiency in the handling of a security canine to satisfy the minimum standards.
 - c. Evaluation by a certified private security canine handler instructor and basic obedience retraining
 - d. Security canine handler orientation/legal authority
 - e. Canine patrol techniques
 - f. Written comprehensive examination
5. Private investigator (02E) - 60 hours (excluding examination and practical exercises)
 - a. Orientation
 - (1) Applicable sections of the Code of Virginia
 - (2) 6VAC20-171, Regulations Relating to Private Security Services
 - (3) Standards of professional conduct
 - (4) Ethics
 - (5) Signs of Terrorism
 - b. Law - one practical exercise
 - (1) Basic law
 - (2) Legal procedures and due process
 - (3) Criminal and Civil law
 - (4) Evidence
 - (5) Legal privacy requirements
 - c. General investigative skills - one practical exercise
 - (1) Tools and techniques
 - (2) Surveillance
 - (3) Research

(4) Interviewing

d. Documentation - one practical exercise

(1) Report preparations

(2) Photography

(3) Audio recording

(4) General communication

(5) Courtroom testimony

e. Types of investigations - one practical exercise

(1) Accident

(2) Insurance

(3) Background

(4) Domestic

(5) Undercover

(6) Fraud and financial

(7) Missing persons and property

(8) Criminal

f. Written comprehensive examination

6. Personal protection specialist (32E) - 60 hours (excluding written examination and practical exercises)

a. Administration and personal protection orientation

Signs of Terrorism

b. Applicable sections of the Code of Virginia and DCJS regulations

c. Assessment of threat and protectee vulnerability

d. Legal authority and civil law

e. Protective detail operations

f. Emergency procedures

(1) CPR

- (2) Emergency first aid
 - (3) Defensive preparedness
 - g. Performance evaluation - Five practical exercises
 - h. Written comprehensive examination
7. Electronic security core subjects (30E) - 4 hours (excluding examination)
- a. Administration and orientation
 - (1) Applicable sections of the Code of Virginia
 - (2) 6VAC20-171, Regulations Relating to Private Security Services
 - (3) Signs of Terrorism
 - b. Overview of electronic security
 - c. False alarm prevention
 - d. Written comprehensive examination
8. Central station dispatcher (38E) - 4 hours (excluding examination)
- a. Central station dispatcher subjects
 - (1) Duties and responsibilities
 - (2) Communications skills
 - (3) Emergency procedures
 - b. Written comprehensive examination
9. Electronic security sales representative (39E) - 4 hours (excluding examination)
- a. Electronic security sales representative subjects
 - (1) Duties and responsibilities
 - (2) System design/components
 - (3) False alarm prevention
 - b. Written comprehensive examination
10. Electronic security technician (39E) - 4 hours (excluding examination)
- a. Electronic security technician subjects - 10 hours
 - (1) Duties and responsibilities

- (2) Electronics
- (3) Control panels
- (4) Protection devices and application
- (5) Test equipment
- (6) Power and grounding
- (7) National electrical code
- (8) Job safety

b. Written comprehensive examination

11. Detector Canine Handler (04ED) - 160 hours to include practical exercises (excluding certification exam)

a. Introduction/orientation/administration

- (1) Code of Ethics
- (2) General Duties and Responsibilities
- (3) Legal
- (4) Applicable sections of the Code of Virginia and Regulations Relating to Private Security Services
- (5) Signs of Terrorism

b. Working Canines

- (1) Historical Perspective
- (2) Terms and Definitions
- (3) Methodology and Application
- (4) Training Documentation
- (5) Search Patterns

c. Basic Canine Handling (including practical exercises)

- (1) Training
- (2) Care and Health
- (3) Emergency Medical Care

d. Detector Canine Deployment

Canine Behavior: Reading and Understanding

e. Explosive or Narcotics Familiarization (including practical exercises)

(1) Illegal Narcotics Familiarization

(2) Explosives Substance and I.E.D. Familiarization

(3) Safety

f. Written comprehensive exam

12. Locksmith (25E) - 18 hours (excluding examination)

a. Code of Virginia and 6VAC20-171, Regulations Relating to Private Security Services

b. Signs of Terrorism

c. Orientation to Locksmithing

(1) History of locksmithing

(2) Ethics

(3) Trade resources

(4) Terminology

(5) Professional conduct

(6) Job safety

d. Public Safety Codes

(1) NFPA (80, 101)

(2) Overview of Authorities Having Jurisdiction (AHJs)

(3) ADA

(4) Terminology

(5) Safety code resources

e. Technical Applications

(1) Terminology (to include definition/purpose/function)

(2) Locks/types

(3) Handing

- (4) Master keying
- (5) Key records and codes
- (6) Key blanks and keyways
- (7) Physical security
- (8) Types of client sites
- (9) Safes/vaults
- (10) Access control
- (11) Handling restricted keys
- (12) Door system components
- (13) Automotive

f. Written Comprehensive Examination

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Errata, 18:20 VA.R. June 17, 2002; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013; Errata, 30:4 VA.R. 453 October 21, 2013.

6VAC20-171-360. In-service training.

A. Each person registered with the department as an armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, narcotics detector canine handler, explosives detector canine handler, private investigator, alarm respondent, locksmith, central station dispatcher, electronic security sales representative, electronic security technician, unarmed security officer or electronic security technician's assistant, shall complete the compulsory in-service training standard once during each 24-month period of registration or certification.

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

1. Unarmed security officer: (01I) Security Officer Core Subjects In-Service - 4 hours

Job-related training

2. Armed security officer/courier (01I) Security Officer Core Subjects In-Service - 4 hours (not including range retraining)

Job-related training

3. Armored car personnel (03I) Armored Car Personnel In-Service - 4 hours (not including range retraining)

Job-related training

4. Security canine handler (04IS) Security Canine Handler In-Service - 8 hours

a. Basic obedience evaluation and retraining

b. Canine grooming, feeding, and health care

c. Apprehension techniques

d. Obedience

5. Private investigator (02I) Private Investigator In-Service - 8 hours

Job-related training

6. Personal protection specialist (32I) Personal Protection Specialist In-Service - 8 hours (not including range retraining for armed)

Job-related training

7. Alarm respondent (01I) Security Officer Core Subjects In-Service - 4 hours

Job-related training

8. Central station dispatcher (30I) Electronic Security Subjects In-Service - 4 hours

Job-related training

9. Electronic security sales representative (30I) Electronic Security Subjects In-Service - 4 hours

Job-related training

10. Electronic security technician (30I) Electronic Security Subjects In-Service - 4 hours

Job-related training

11. Electronic security technician's assistant (30I) Electronic Security Subjects In-Service - 4 hours

Job-related training

12. Detector canine handler (04ID) Detector Canine Handler In-Service - 8 hours (excluding certification exam)

- a. Detector canine team retraining and problem solving
- b. Search techniques
- c. Terrorist/criminal intelligence updates and team safety
- d. Certification exam (conducted by a certified detector canine handler examiner)

13. Locksmith (25I) Locksmith In-Service - 4 hours

Job-related training

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

Article 2

Firearms Training Requirements

6VAC20-171-365. General firearms training requirements.

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

B. Each person registered as armored car personnel, security canine handler, detector canine handler, private investigator, alarm respondent, locksmith, central station dispatcher, electronic security sales representative, electronic security technician, or electronic security technician's assistant must complete entry-level handgun training in order to apply for a firearms endorsement.

C. Each person applying for a registration as an armed security officer/courier must complete security officer handgun training in order to apply for a firearms endorsement.

D. Each person registered as a personal protection specialist must complete entry-level or armed

security officer handgun training and advanced handgun training in order to apply for a firearms endorsement.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-370. Entry level handgun training.

Handgun classroom training.

1. The entry-level handgun classroom training will include but not be limited to the following:

a. Practical handgun handling

- (1) Identification of handgun parts
- (2) Draw
- (3) Reholstering
- (4) Ready position
- (5) Loading
- (6) Administrative loading
- (7) Tactical reloading
- (8) Rapid reloading
- (9) Unloading
- (10) Malfunctions
- (11) Immediate actions procedures
- (12) Remedial action
- (13) Proper care and maintenance
- (14) Firearms retention
- (15) Ammunition identification and management
- (16) Range safety

b. Fundamentals of marksmanship

- (1) Grip
- (2) Stance (position)
- (3) Sight alignment
- (4) Sight picture
- (5) Trigger control
- (6) Breathing
- (7) Follow through

c. Dim light/low light/reduced light practice and familiarization

- (1) Identification of target/threat/background
- (2) Unaided training
- (3) Aided training
- (4) Flashlight use
- (5) Reloading during low light conditions
- (6) Malfunctions
- (7) Range safety

d. Use of force

- (1) Deadly force
- (2) Justifiable deadly force

e. Liability

- (1) Criminal liability
- (2) Civil liability
- (3) Negligent discharge prevention

f. Judgmental shooting: judgmental shooting scenarios will be conducted in the classroom/range

g. Lead exposure

Total Hours (excluding written examination) - 16 hours

2. Written examination required.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-375. Security officer handgun training.

Handgun classroom training.

1. The security officer handgun classroom training will include but not be limited to the following:

a. Practical handgun handling

- (1) Identification of handgun parts
- (2) Draw
- (3) Reholstering
- (4) Ready position
- (5) Loading
- (6) Administrative loading
- (7) Tactical reloading
- (8) Rapid reloading
- (9) Unloading
- (10) Malfunctions
- (11) Immediate actions procedures
- (12) Remedial action
- (13) Proper care and maintenance
- (14) Firearms retention
- (15) Ammunition identification and management
- (16) Range safety
- (17) Tactical considerations
- (18) Movement

(19) Cover and concealment

b. Fundamentals of marksmanship

(1) Grip

(2) Stance (position)

(3) Sight alignment

(4) Sight picture

(5) Trigger control

(6) Breathing

(7) Follow through

c. Dim light/low light/reduced light practice and familiarization

(1) Identification of target/threat/background

(2) Unaided training

(3) Aided training

(4) Flashlight use

(5) Reloading during low light conditions

(6) Malfunctions

(7) Range safety

(8) Tactical considerations

(9) Movement

(10) Cover and concealment

(11) Multiple target drills

d. Use of force

(1) Deadly force

(2) Justifiable deadly force

e. Liability

(1) Criminal liability

(2) Civil liability

(3) Negligent discharge prevention

f. Judgmental shooting: judgmental shooting scenarios will be conducted in the classroom/range

(1) Shoot/don't shoot judgment

(2) Turn and fire drills

(3) Failure to stop drills

(4) Multiple target drills

g. Lead exposure

Total Hours (excluding written examination) - 24 hours

2. Written examination required.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-376. Entry-level and security officer handgun range qualification.

A. Range qualification (no minimum hours). The purpose of the range qualification course is to provide practical firearms training and qualification to individuals desiring to become armed private security services business personnel.

1. Prior to the date of range training, it will be the responsibility of the school director to ensure that all students are informed of the proper attire and equipment to be worn for the firing range portion of the training. Equipment needed: handgun, belt with directional draw holster, i.e., one that is worn on the same side of the body as the shooting hand, two speed loaders or three magazines, ammunition (100 rounds).
2. Each student will fire a minimum of 22 rounds of factory loaded ammunition for familiarization prior to qualification. (There is no course of fire and it is not scored; it is at the firearms instructor's discretion on how the round will be utilized.)
3. Course shall be fired double action or double/single action, except for single action semi-automatic handguns.
4. All qualifications shall be conducted using a B-27 silhouette target or the FBI "Q" target.

Alternate targets may be utilized with prior approval by the department.

5. With prior approval of the department, a reasonable modification of the firearms course may be approved to accommodate qualification on indoor ranges.
6. For those utilizing semi-automatic firearms, it is not necessary to reload after every stage so long as there are at least three tactical reloads during the course of fire.
7. A certified firearms instructor must be present on the range directly controlling the firing line during all phases of firearms training. There shall be a minimum of one certified firearms instructor per five shooters on the line.
8. The range qualification of individuals shall be scored as follows:
 - a. B27 target: (use indicated K-value) 7, 8, 9, 10 X rings - value 5 points, other hits on silhouette - value 0 points: divide points scored by maximum possible score to obtain decimal and convert to percentage, e.g., $225 \div 300 = .75 = 75\%$.
 - b. FBI Q target: all hits inside the bottle - value 5 points; hits outside the bottle - value 0 points.
9. Although not scored, each student is required to complete the low light range/night time practice as outlined in subsection C of this section and the familiarization course of fire.

B. Course: Virginia private security course of fire for handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in this subsection. Strong/weak hand refers to the primary hand used in firing the firearm. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:

1. Phase 1: 3 yards, utilizing weaver, modified weaver, or isosceles stance, 18 rounds:
 - a. Load 6 rounds and holster loaded firearm.
 - b. On command, draw and fire 2 rounds (3 seconds), repeat 2 times.
 - c. Load 6 rounds and holster loaded firearm.
 - d. On command, draw and fire 6 rounds with strong hand.
 - e. Unload, reload 6 rounds and fire 6 rounds with weak hand (25 seconds).
2. Phase 2: 7 yards, utilizing weaver, modified weaver or isosceles stance, 24 rounds:
 - a. Load 6 rounds and holster loaded firearm.
 - b. On command, draw and fire 1 round (2 seconds), repeat 5 times.

- c. Load 6 rounds and holster loaded firearm.
- d. On command, draw and fire 2 rounds (3 seconds), repeat 2 times.
- e. Load 6 rounds and holster loaded firearm.
- f. On command, draw and fire 6 rounds, reload 6 rounds, fire 6 rounds (30 seconds).

3. Phase 3: 15 yards, 70 seconds, 18 rounds:

- a. Load 6 rounds and holster loaded firearm.
- b. On command, assume kneeling position, draw and fire 6 rounds with strong hand.
- c. Assume standing position, unload, reload and fire 6 rounds from weak-hand barricade position.
- d. Unload, reload and fire 6 rounds from strong-hand barricade position (kneeling position may be fired using barricade position) (70 seconds).

C. Low light course: Virginia private security low light familiarization course of fire for handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in this subsection. Equipment needed: belt with directional draw holster, handgun, two speed loaders or three magazines, range ammunition (18 rounds). Equipment provided by instructor: A range that can simulate low light or a pair of welders goggles for each student that simulates low light. Strong/weak hand refers to the primary hand used in firing the firearm. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:

1. Phase 1: 3 yards, utilizing weaver or isosceles stance, 6 rounds:

- a. Load 6 rounds and come to ready.
- b. On command, fire 2 rounds (3 seconds) repeat 2 times (30 seconds).

2. Phase 2: 7 yards, utilizing weaver or isosceles stance, 12 rounds:

- a. Load 6 rounds and come to ready.
- b. On command, fire 2 rounds (5 seconds), repeat 2 times.
- c. Load 6 rounds and come to ready.
- d. On command, draw and fire 3 rounds (6 seconds), and repeat.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-380. Entry-level shotgun training.

A. Shotgun classroom training. Individual must first successfully complete entry-level or security officer handgun training. The entry-level shotgun classroom instruction will emphasize but not be limited to:

1. Shotgun handling techniques

- a. Identification of shotgun parts
- b. Slings – traditional sling, single point sling, 3 point sling
- c. Cruiser carry conditions
- d. Cruiser safe
- e. Chambering
- f. Reloading
- g. Transition from handgun to shotgun/shotgun to handgun (if applicable)
- h. Malfunctions
 - (1) Immediate actions procedures
 - (2) Remedial action
- i. Proper care and maintenance
- j. Shotgun retention
- k. Ammunition management and identification
- l. Range safety
- m. Dim light/low light

2. Fundamentals of shotgun marksmanship

- a. Grip
- b. Stance (position)
- c. Sight alignment
- d. Sight picture
- e. Trigger control

f. Breathing

g. Follow through

3. Written examination

Total hours excluding examination (3 hours)

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

1. Familiarization: Prior to the qualification course, all shooters are required to fire a familiarization exercise consisting of 5 rounds using 12 gauge, double aught "00" buckshot or rifle slug ammunition and 6 rounds minimum of handgun rounds. The exercise shall include transition drills from handgun to shotgun and shotgun to handgun. This exercise is not scored and the distance is at the discretion of the instructor.

2. Fire 5 rounds of shotgun rounds (buckshot and/or rifled slugs if issued) on a daylight course using B27 single/multiple targets with 70% accuracy.

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

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

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

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-390. Advanced handgun training - required for the entry-level personal protection specialist who wishes to have firearms endorsement and optional for other armed registrants.

A. The entry level handgun training is a prerequisite for taking the advanced handgun training.

B. Advanced handgun classroom training.

1. The advanced handgun training will include but not be limited to:

- a. Firearms safety;
- b. Civil and criminal liability;
- c. Concealed carry law and authority;
- d. Function of firearms in close protection operations;
- e. Deployment of firearms in close protection operations;
- f. Use of force;
- g. Principles of advanced marksmanship; and
- h. Decision-making for the personal protection specialist.

Total hours (excluding written examination) - 14 hours

2. Written examination required.

C. Range qualification (no minimum hours). The purpose of this course of fire is to assess and improve the tactical, protection-related shooting skills for personal protection specialist candidates seeking certification to be armed. This course entails five increasingly challenging stages of advanced firearms exercises with a 92% score required for qualification.

1. The advanced handgun course of fire is comprised of the following exercises:

- a. Shoot/don't shoot judgment;
- b. Turn and fire drills;
- c. Failure to stop drills;
- d. Multiple target drills; and
- e. Judgmental shooting.

2. For all range practicals (stage two through stage four):

a. The student will fire at a man-size silhouette target with the following requirements:

- (1) 4-inch diameter circle in head;
- (2) 8-inch diameter circle in chest/body area; and

(3) Center points of circles - 13-1/2 inches apart.

b. All rounds fired must hit within these circles.

c. Minimum 92% qualification score = 25 rounds total requiring 23 hits. With regard to scoring:

(1) 25 points (1 round is good for 1 point).

(2) 92% of shots must be "in circle" hits for a passing grade (2 misses allowed on total course).

(3) Shots not taken during stage five when a "no-shoot" situation is presented scores a point, just as an accurate shot in a hostile situation.

(4) 92% is 23 of 25 possible points.

3. A certified advanced handgun firearms instructor must be on the range during all phases of advanced handgun training. There shall be no less than one certified firearms instructor per four students.

D. Course: Virginia Private Security Advanced Handgun Course of Fire.

1. Stage One: Shoot/don't shoot drill. Stage one of the advanced handgun course of fire is conducted in a classroom using a 16 mm film or video cassette tape of firearms combat scenarios or in practical exercises on the range to assess the student's decision-making capability given job-related shoot/don't shoot incidents.

After the interaction of the scenario, the students must explain all their commands and actions.

Dry-fire response from a weapon rendered safe should be incorporated into the scenario interaction.

2. Stage Two: Turn-and-fire drill. Stage two of the advanced handgun course of fire is held at a firing range and consists of turn-and-fire drills from varying distances (straight draw hip holsters only).

All handguns are loaded with 6 rounds of ammunition and safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command "fire," the students must quickly turn while acquiring a firm grip on the weapon. Once facing the target and in a stable position, they must safely draw and fire 2 rounds at the designated target circle. After shooting, while facing the target, the student must reholster safely, then turn around to face up range, ready to continue the exercise. The "fire" commands will be called at 3-5 yards, 5-7

yards, and then 8-10 yards.

3. Stage Three: Failure to stop drill. Stage three of the advanced handgun course of fire is held at a firing range and consists of failure to stop drills fired from the 7-yard line (straight draw hip holsters only).

All handguns are loaded with 6 rounds of ammunition and are safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command "fire," given at approximately the 7-yard line, each shooter must safely turn around while acquiring a firm grip on their weapon as performed in the previous drill. Once facing the target, the students will draw and fire 2 rounds at the 8-inch body circle, and then one immediate round to the 4-inch head circle. The student will then safely reholster. The drill will be repeated three times.

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

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

Each handgun is loaded with six rounds of ammunition and safely holstered. The shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the targets. Upon the command "left," "right," or "center," the student must again turn around safely while establishing a firm grip on the weapon. Then, once stable, the student must quickly draw and fire 2 rounds at the designated circle on the "called" target ("L," "R," "C"). Then, the shooter, while still facing the targets, must safely reholster, turn around to face up range, and continue the exercise. Each two-round pair must be fired within 4 seconds of the called command. Direction commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

5. Stage Five: Judgmental shooting. This drill combines the skills developed in the prior four stages. The shooter will be required to safely turn and fire at a "photograph" type target which may be either friendly or hostile. It requires hostile targets to be stopped using deadly force. Necessity

(immediate jeopardy) is presumed for this exercise. This stage allows the instructor to evaluate the decision-making capability of the student as well as his shooting accuracy and safety.

Shooter is placed on the 10-yard line facing the instructor with the target to his rear. The target will be placed at any location along the range target line and should not be seen by the student until he is given the "turn" command during the drill. Each shooter has the opportunity to complete this drill four times. Each decision is worth one point. If he shoots at a hostile target, a hit anywhere on that target will score the point. If a friendly target is presented, it is clearly a no-shoot situation and the student should merely holster safely to score the point. There is a 4-second time limit at this stage for any "shoot" situation.

The instructor will allow each shooter two opportunities to complete this drill and place two targets downrange for each. Four points or hits are still necessary at this stage for the total score. If two targets are used, then the time limit is raised to 6 seconds, regardless of whether two hostile targets are used or one hostile with one friendly.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-395. Entry-level patrol rifle training.

A. Patrol rifle classroom training. Individual must first successfully complete security officer handgun training. The entry-level patrol rifle classroom instruction will emphasize but not be limited to:

1. Rifle handling techniques
 - a. Nomenclature/identification of rifle parts
 - b. Field striping and reassembling
 - c. Loading and unloading
 - d. Chambering
 - e. Reloading
 - f. Slings

(1) Traditional sling

(2) Single point sling

(3) 3 Point sling

g. Transition from handgun to rifle/rifle to handgun

h. Malfunctions

i. Immediate actions procedures

j. Remedial action

k. Proper care and maintenance

l. Rifle retention

m. Ammunition management and identification

n. Range safety

o. Dim light/low light

2. Fundamentals of rifle marksmanship

a. Grip

b. Stance (position)

c. Sight alignment

d. Sight picture

e. Trigger control

f. Breathing

g. Follow through

3. Zeroing iron sights

a. Establishing mechanical zero

b. Zeroing process

4. Dim light shooting

a. Hours of darkness/dim light

b. Identification requirements

c. Unaided reduced light shooting techniques

d. Aided reduced light shooting techniques

5. Shooting positions

a. Fundamentals of shooting positions

b. Basic patrol positions

6. Use of force

7. Criminal and civil liability

8. Written comprehensive examination

Total hours (excluding examination) 16 hours

B. Range qualification (no minimum hours). The purpose of the range firing course is to provide practical patrol rifle training and qualification to those individuals who carry or have immediate access to a patrol rifle in the performance of their duties with the sighting system that will be carried on duty.

C. Patrol rifle qualification course.

1. All rifle qualification will be done with a law-enforcement type and caliber rifle. A total of 60 rounds of ammunition will be fired for rifle qualification.

2. All rifle qualification firing will be done with iron sights. In addition, if an officer is using an optic while on duty, they must qualify with that optic.

3. All indoor rifle qualification firing will be done at a range that accommodates a distance of 25 yards between the shooter and the target. No variances of this distance are allowed. The indoor target system will contain two targets per shooter mounted side by side. The targets will be FBI Q-R, half-sized silhouette targets. Use of this target type will simulate shooting at 50 yards.

4. All outdoor rifle qualification firing will be done at 50 yards using the FBI Q silhouette full-sized targets. Two of these targets will be mounted side by side for each shooter.

5. FBI Q silhouette targets are used for rifle qualification, scoring will be all hits inside the bottle – value 5 points; outside the bottle – value 0 points. With these targets a maximum score of 300 points is possible. Minimum qualification is 85% or 255 points.

D. Patrol rifle course of fire.

1. Prior to qualification, all shooters are required to fire a minimum of 30 familiarization rounds which will include transition drills from handgun to rifle and rifle to handgun. Shooters will fire a

minimum of 10 rounds with a handgun. This exercise is not scored and the distance is at the discretion of the instructor.

2. Stage 1; 50 yards/25 yards (indoors) – Shooters will load their rifle with a magazine of 20 rounds and place the selector on safe. From the standing position with the rifle in the sling carry position, on command the shooters will fire 5 rounds from the standing position, place the selector on safe, assume a kneeling position and fire 5 rounds, place the selector on safe shooter will assume the prone position, the shooter will fire 10 rounds. All 20 rounds of this stage will be fired at the left hand target. (1 minute) When firing is complete shooters will place the selector on safe and await further command.
3. Stage 2; 25 yards – Shooters will load their rifle with a magazine of 15 rounds and place the selector on safe. From the standing position with the rifle in the sling carry position, on command the shooters will fire 5 rounds from the standing position, place the selector on safe, assume a kneeling position and fire 5 rounds, place the selector on safe shooter will assume the prone position, the shooter will fire 5 rounds. All 15 rounds of this stage will be fired at the right hand target. (45 seconds) When firing is complete shooters will place the selector on safe and await further command.
4. Stage 3; 15 yards - On command shooters will assume the standing position and load rifle with a magazine of 10 rounds. On command shooters will fire 5 rounds at the right-hand target, place the selector on safe, assume the kneeling position and fire 5 rounds at the left-hand target in 15 seconds.
5. Stage 4; 7 yards - On command shooters will load rifle with a magazine of 20 rounds, selector in the safe position, and then place the rifle in the sling carry position. On command shooters will fire 2 rounds into the right target with a 2 second time limit. Upon completion of firing shooters will place the selector on safe and the rifle in the sling carry position. This exercise will be fired 5 times with a total of 10 rounds expended.
6. Stage 5; 5 yards - On command shooters will load rifle with a magazine of 5 rounds, selector in the safe position, and then place the rifle in the sling carry position. On command shooters will fire 1 round into the left target head with a 2 second time limit. Upon completion of firing shooters will place the selector on safe and the rifle in the sling carry position. This exercise will be fired 5 times with a total of 5 rounds expended.

E. Low light/dim light qualification course of fire.

7 yards - Under low-light conditions, on command shooters will fire 5 rounds at the left target, place the selector in the safe position, assume the kneeling position and fire 5 rounds at the right target.

A time limit of 1 minute is allowed for this stage.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-400. Firearms retraining.

A. All armed private security services business personnel with the exception of personal protection specialists must satisfactorily complete 4 hours of firearms classroom training or practical exercises and range training, and requalify as prescribed in 6VAC20-171-376 B and C for handgun.

B. Requalification training with the shotgun shall be comprised of 3 hours of classroom training or practical exercises and range training and requalification firing as specified in 6VAC20-171-380 B.

C. Requalification training with the patrol rifle shall be comprised of 4 hours of firearms classroom training or practical exercises and range training and requalification firing as specified in 6VAC20-171-395 for patrol rifle.

D. All applicable firearms retraining must be completed and documented with the department on an annual basis prior to the issuance of a firearms endorsement.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-410. [Reserved]

6VAC20-171-420. Advanced handgun retraining.

All armed private security services business personnel registered in the category of personal protection specialist or other armed category seeking advanced handgun designation must satisfactorily

complete advanced handgun retraining, which includes eight hours of firearms classroom training and range training, and requalify as prescribed in 6VAC20-171-390 C for handgun as follows:

1. Legal authority and decision making
2. Handgun safety, marksmanship and skill development
3. Completion of advanced handgun course of fire

Total Hours (excluding range qualification) – 8 hours

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; Errata, 16:14 VA.R. 1911 March 27, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-430. (Repealed.)

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; repealed, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-440. (Repealed.)

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; repealed, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

Article 3

Training Exemptions

6VAC20-171-445. Training exemptions.

Persons who meet the statutory requirements as set forth in § 9.1-141 of the Code of Virginia may apply for a partial exemption from the compulsory training standards. Individuals requesting such partial exemption shall file an application furnished by the department and include the applicable, nonrefundable

application fee. The department may issue such partial exemption on the basis of individual qualifications as supported by required documentation. Those applying for and receiving exemptions must comply with all regulations promulgated by the board. Each person receiving a partial exemption for entry-level training must apply to the department for registration within 12 months from the date of issuance, otherwise the partial exemption shall become null and void.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-450. Entry level training exemption.

A. Persons previously employed as law-enforcement officers who have not terminated or been terminated from said employment more than five years prior to the application date must submit official documentation of the following with the application for partial exemption:

1. Completion of law-enforcement entry level training; and
2. Five continuous years of law-enforcement employment provided such employment as a law-enforcement officer was not terminated due to misconduct or incompetence.

B. Persons having previous training or employment in any of the classifications defined in § 9.1-138 of the Code of Virginia must submit official documentation of the following with the application for partial exemption:

1. Completion of previous private security training, which has been approved by the department and which meets or exceeds the compulsory minimum training standards promulgated by the board; or
2. Five years continuous employment in the category for which partial exemption is sought, provided such employment was not terminated due to misconduct or incompetence and such employment ended within five years of the date of application.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002.

6VAC20-171-460. In-service training exemption.

Persons who have completed training which meets or exceeds the compulsory minimum training standards promulgated by the board for the in-service training required for the individual's particular category may be authorized credit for such training, provided the training has been completed within 24 months of the expiration date of the registration period during which in-service training is required. Such training must be provided by a third party organization category. Official documentation of the following must accompany the application for in-service training credit:

1. Information regarding the sponsoring organization, including documentation regarding the instructor for each session;
2. An outline of the training session material, including the dates, times and specific subject matter; and
3. Proof of attendance and successful completion.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-470. Prior firearms training exemption.

Persons having previous department-approved firearms training may be authorized credit for such training which meets or exceeds the compulsory minimum training standards for private security services business personnel, provided such training has been completed within the 12 months preceding the date of application. Official documentation of the following must accompany the application for partial training credit:

1. Completion of department-approved firearms training; and
2. Qualification at a Virginia criminal justice agency, academy or correctional department.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Volume 29, Issue 23, eff. September 1, 2013.

Part VI

Complaints, Department Action/Sanctions, Adjudication

Article 1

Complaints

6VAC20-171-480. Submittal requirements.

A. In accordance with § 9.1-141 of the Code of Virginia, this chapter establishes standards designed to secure the public safety and welfare against incompetent or unqualified persons engaging in private security services. It shall be the responsibility of the licensee, its compliance agents and employees, to provide private security services in a professional and ethical manner utilizing sound business practices.

B. Any aggrieved or interested person may file a complaint against any individual, person, firm or licensed firm, school or certified school whose conduct and activities are regulated or required to be regulated by the board. The complaint must allege a violation of the law governing private security services or this chapter.

C. Complaints may be submitted:

1. In writing, or on a form provided by the department, by a signed complainant;
2. In writing, submitted anonymously, that provide sufficient detailed information for the department to conduct an investigation; or
3. Telephonically, providing the complaint alleges activities which constitute a life-threatening situation, or have resulted in personal injury or loss to the public or to a consumer, or which may result in imminent harm or personal injury, and that provide sufficient detailed information for the department to conduct an investigation.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003.

6VAC20-171-490. Department investigation.

A. The department may initiate or conduct an investigation based on any information received or action taken by the department to determine compliance with the Code of Virginia and this chapter.

B. Documentation.

1. Persons regulated or required to be regulated by this chapter pursuant to the Code of Virginia are required to provide department investigators with any and all records required to be maintained by this chapter.

a. This shall not be construed to authorize the department to demand records protected under applicable federal and state laws. If such records are necessary to complete an investigation, the department may seek a subpoena to satisfy the request.

b. The department shall endeavor to review, and request as necessary, only those records required to verify alleged violations of compliance with the Code of Virginia and this chapter.

2. The department shall endeavor to keep any documentation, evidence or information on an investigation confidential until such time as adjudication has been completed, at which time information may be released upon request pursuant to applicable federal and state laws, rules or regulations.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000.

Article 2

Department Action/Sanctions

6VAC20-171-500. Disciplinary action; sanctions; publication of records.

A. Each person subject to jurisdiction of this chapter who violates any statute or regulation pertaining to private security services shall be subject to sanctions imposed by the department regardless of criminal prosecution.

B. The department may impose any of the following sanctions, singly or in combination, when it finds the respondent in violation or in noncompliance of the Code of Virginia or of this chapter:

1. Letter of reprimand or censure;
2. Probation for any period of time;
3. Suspension of license, registration, certification, or approval granted, for any period of time;
4. Revocation;
5. Refusal to issue, renew or reinstate a license, registration, certification or approval;
6. Fine not to exceed \$2,500 per violation as long as the respondent was not criminally prosecuted;
7. Remedial training; or
8. Conditional agreements.

C. The department may conduct hearings and issue cease and desist orders to persons who engage in activities prohibited by this chapter but do not hold a valid license, certification or registration. Any person in violation of a cease and desist order entered by the department shall be subject to all of the remedies provided by law and, in addition, shall be subject to a civil penalty payable to the party injured by the violation.

D. The director may summarily suspend a license, certification or registration under this chapter without a hearing, simultaneously with the filing of a formal complaint and notice for a hearing, if the director finds that the continued operations of the licensee or registrant would constitute a life-threatening situation, or has resulted in personal injury or loss to the public or to a consumer, or which may result in imminent harm, personal injury or loss.

E. All proceedings pursuant to this section are matters of public record and shall be preserved. The department may publish a list of the names and addresses of all persons, licensees, firms, registrants, training schools, school directors, compliance agents and licensed firms whose conduct and activities are subject to this chapter and have been sanctioned or denied licensure, registration, certification or approval.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-510. Fines, administrative and investigative costs.

A. The department may recover costs of any investigation and adjudication of any violations of the Code of Virginia or regulations which result in a sanction, including fine, probation, suspension, revocation or denial of any license, certification or registration. Such costs shall be in addition to any monetary penalty that may be imposed.

B. All monetary penalties imposed as a sanction shall be deposited into the state treasury to the credit of the State Literary Fund.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003.

Article 3

Adjudication

6VAC20-171-520. Hearing process.

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

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register

Volume 18, Issue 15, eff. May 10, 2002.

6VAC20-171-530. Informal fact-finding conference.

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

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002.

6VAC20-171-540. Formal hearing.

A. Formal hearing proceedings may be initiated in any case in which the basic laws provide expressly for a case decision, or in any case to the extent the informal fact-finding conference has not been conducted or an appeal thereto has been timely received. Formal hearings shall be conducted in accordance with § 2.2-4020 of the Code of Virginia. The findings and decision of the director resulting from a formal hearing may be appealed to the board.

B. After a formal hearing pursuant to § 2.2-4020 of the Code of Virginia wherein a sanction is imposed to fine, or to suspend, revoke or deny issuance or renewal of any license, registration, certification or approval, the department may assess the holder thereof the cost of conducting such hearing when the department has final authority to grant such license, registration, certification or approval, unless the department determines that the offense was inadvertent or done in good faith belief that such act did not violate a statute or regulation. The cost shall be limited to (i) the reasonable hourly rate for the hearing officer and (ii) the actual cost of recording the proceedings. This assessment shall be in addition to any fine imposed by sanctions.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 18, Issue 15, eff. May 10, 2002; Volume 20, Issue 3, eff. November 19, 2003.

6VAC20-171-550. Appeals.

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

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 29, Issue 23, eff. September 1, 2013.

6VAC20-171-560. Court review; appeal of final agency order.

A. The agency's final administrative decision (final agency orders) may be appealed. Any person affected by, and claiming the unlawfulness of the agency's final case decision, shall have the right to direct review thereof by an appropriate and timely court action. Such appeal actions shall be initiated in the circuit court of jurisdiction in which the party applying for review resides; save, if such party is not a resident of Virginia, the venue shall be in the city of Richmond, Virginia.

B. Notification shall be given to the attention of the Director, Department of Criminal Justice Services, in writing within 30 days of the date notification of the board decision was served, or the date it was mailed to the respondent, whichever occurred first. In the event the board decision was served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)

C. During all judicial proceedings incidental to such disciplinary action, the sanctions imposed by the board shall remain in effect, unless the court issues a stay of the order.

Statutory Authority

§ 9.1-141 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 16, Issue 8, eff. February 2, 2000; amended, Virginia Register Volume 20, Issue 3, eff. November 19, 2003; Volume 29, Issue 23, eff. September 1, 2013.
