

Chapter 139-33 WAC
FIREARMS CERTIFICATION—BAIL BOND RECOVERY AGENTS

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WAC

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WAC 139-33-005 Firearms certification—Definitions. Words and terms used in WAC 139-33-005 through 139-33-025 shall have the same meaning as under chapter 18.185 RCW, unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

"Commission" means Washington state criminal justice training commission.

"Corporate officer" means a designee who exercises operational and administrative control over a bail bond recovery agency.

"Department" means Washington state department of licensing.

"Principal owner" means the sole owner of a bail bond recovery agency.

"Principal partner" means a partner who exercises operational control over a bail bond recovery agency.

[Statutory Authority: RCW 43.101.080. WSR 14-01-047, § 139-33-005, filed 12/11/13, effective 1/11/14.]

WAC 139-33-010 Firearms certification—Licensing requirement.

(1) Any licensed bail bond recovery agent desiring to use a firearm while working as a bail bond recovery agent by the department shall, as a precondition of being licensed, obtain a firearms certification from the commission.

(2) An application for bail bond recovery agent license must be submitted to the department within ninety days following issuance of a firearms certification by the commission. If application is not submitted within that time period, the firearms certification will be deemed lapsed by the commission and shall not serve as the basis for a license.

[Statutory Authority: RCW 43.101.080. WSR 14-01-047, § 139-33-010, filed 12/11/13, effective 1/11/14.]

WAC 139-33-015 Firearms certification—Application. (1) Any application for firearms certification shall:

(a) Be filed with the commission on a form provided by the commission;

(b) Be signed by the principal owner, principal partner, or corporate officer of the licensed bail bond recovery agency employing the applicant;

(c) Establish through required documentation or otherwise that applicant:

(i) Is at least twenty-one years of age; and

(ii) Possesses a valid and current bail bond recovery agent license, if applicable.

(d) Be accompanied by payment of a processing fee as set by the commission.

(2) After receipt and review of an application, the commission will provide written notification within ten business days to the requesting agency regarding applicant's ability to obtain and possess a firearms certification.

(3) An "armed" bail bond recovery agent must be qualified by a firearms instructor certified by the commission and provide the commission with proof of the initial qualification for each firearm that he/she is authorized to use in the performance of his/her duties.

(4) It shall be the responsibility of the employer to ensure that the armed bail bond recovery agent demonstrates proficiency standards on an annual basis with each firearm that he/she is certified to use. Proficiency standards shall be set by the commission.

(5) Per RCW 18.185.250(6), a bail bond recovery agent shall not have had certification as a peace officer revoked or denied under chapter 43.101 RCW, unless certification has subsequently been reinstated under RCW 43.101.115.

(a) If peace officer certification is revoked or denied, the bail bond recovery agent is ineligible for firearms certification.

(b) If peace officer certification status has been reinstated, the commission will review each request for bail bond recovery agent firearms certification to ensure the individual is eligible for firearms certification and meets all firearms certification requirements as stated in this chapter.

[Statutory Authority: RCW 43.101.080. WSR 14-01-047, § 139-33-015, filed 12/11/13, effective 1/11/14.]

WAC 139-33-020 Firearms certification—Requirements. (1) A firearms certification will be issued to any eligible applicant who has satisfactorily completed an approved program of at least eight hours of instruction and testing prescribed by the commission for this purpose and conducted by a certified firearms instructor. Such program shall include:

(a) Classroom instruction which, through established learning objectives, addresses:

(i) Legal issues regarding the use of deadly force;

(ii) Decision making regarding the use of deadly force;

(iii) Safe firearms handling; and

(iv) Basic tactics in the use of deadly force.

(b) A written examination based upon the aforementioned learning objectives;

(c) A skills test wherein the applicant is required to demonstrate satisfactory proficiency in safe firearms handling; and

(d) A range qualification course wherein an applicant is required to demonstrate requisite proficiency with the specific firearm provided by the applicant or by the applicant's employing agency.

(2) A firearms certification shall be issued in the name of each successful applicant and forwarded to the respective employing agency, principal owner, principal partner, or corporate officer.

[Statutory Authority: RCW 43.101.080. WSR 14-01-047, § 139-33-020, filed 12/11/13, effective 1/11/14.]

WAC 139-33-025 Firearms certification—Expiration and renewal.

(1) Any firearms certification issued by the commission shall expire on the expiration date of any bail bond recovery agent license issued by the department.

(2) By renewing the bail bond recovery agent license with the department, the corporate officer, principal partner, or principal owner for the bail bond recovery agency is making declaration that the bail bond recovery agent has met the requirements for annual proficiency with the firearms for which he/she is certified to use while working.

(3) Proof of annual proficiency must be kept in the employee's file within the bail bond recovery agency.

[Statutory Authority: RCW 43.101.080. WSR 14-01-047, § 139-33-025, filed 12/11/13, effective 1/11/14.]