

Chapter 139-35 WAC
FIREARMS CERTIFICATION—PRIVATE INVESTIGATORS

Last Update: 2/2/10

WAC

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WAC 139-35-005 Firearms certification—Definitions. (1) Words and terms used in WAC 139-35-005 through 139-35-025 shall have the same meaning as under chapter 18.165 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.

(2) "Principal owner" means the sole owner of a private investigator agency.

(3) "Principal partner" means a partner who exercises operational control over a private investigator agency.

(4) "Corporate officer" means a designee who exercises operational and administrative control over a private investigator agency.

(5) "Department" means Washington state department of licensing.

(6) "Commission" means Washington state criminal justice training commission.

[Statutory Authority: RCW 43.101.080. WSR 10-04-090, § 139-35-005, filed 2/2/10, effective 3/5/10; WSR 03-02-008, § 139-35-005, filed 12/20/02, effective 1/20/03. Statutory Authority: RCW 43.101.080(2). WSR 92-02-041, § 139-35-005, filed 12/24/91, effective 1/24/92.]

WAC 139-35-010 Firearms certification—Licensing requirement.

(1) Any licensed private investigator desiring to be licensed as an armed private investigator by the department shall, as a precondition of being licensed as an armed private investigator, obtain a firearms certification from the commission.

(2) An application for armed 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 an armed license.

[Statutory Authority: RCW 43.101.080. WSR 10-04-090, § 139-35-010, filed 2/2/10, effective 3/5/10; WSR 03-02-007, § 139-35-010, filed 12/20/02, effective 1/20/03. Statutory Authority: RCW 43.101.080(2). WSR 92-02-041, § 139-35-010, filed 12/24/91, effective 1/24/92.]

WAC 139-35-015 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 private investigator 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 private investigator 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 eligibility to obtain and possess a firearms certification.

(3) An armed private investigator 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 insure that the armed private investigator 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.

[Statutory Authority: RCW 43.101.080. WSR 10-04-090, § 139-35-015, filed 2/2/10, effective 3/5/10; WSR 08-08-018, § 139-35-015, filed 3/19/08, effective 4/19/08; WSR 03-07-098, § 139-35-015, filed 3/19/03, effective 4/19/03. Statutory Authority: RCW 43.101.080(2). WSR 92-02-041, § 139-35-015, filed 12/24/91, effective 1/24/92.]

WAC 139-35-020 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 10-04-090, § 139-35-020, filed 2/2/10, effective 3/5/10. Statutory Authority: RCW 43.101.080(2). WSR 92-02-041, § 139-35-020, filed 12/24/91, effective 1/24/92.]

WAC 139-35-025 Firearms certification—Expiration and renewal.

(1) Any firearms certification issued by the commission shall expire on the expiration date of any armed private investigator license issued by the department.

(2) By renewing the armed private investigator license with the department, the corporate officer, the principal partner, or principal owner for the private investigator company is making declaration that the armed private investigator has met the requirements for annual proficiency with the firearms for which he/she is certified.

(3) Proof of annual proficiency must be kept in the employee's file within the private investigator company.

[Statutory Authority: RCW 43.101.080. WSR 10-04-090, § 139-35-025, filed 2/2/10, effective 3/5/10; WSR 03-02-007, § 139-35-025, filed 12/20/02, effective 1/20/03. Statutory Authority: RCW 43.101.080(2). WSR 92-02-041, § 139-35-025, filed 12/24/91, effective 1/24/92.]