

Chapter 308-18 WAC

PRIVATE SECURITY GUARD COMPANIES AND PRIVATE SECURITY GUARDS

WAC

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PART A GENERAL

WAC 308-18-010 Promulgation—Authority. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by RCW 18.170.180, does hereby promulgate the following rules and regulations relating to the licensing of private security guard

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companies, private security guards, and armed private security guards.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-010, filed 11/6/91, effective 12/7/91.]

WAC 308-18-020 Organization. The principal location of the private security guard licensing program is at 405 Black Lake Boulevard S.W., Olympia, Washington 98504. The department of licensing administers the Washington private security guard license law, chapter 18.170 RCW. Submissions and requests for information regarding private security guard company licenses, private security guard licenses, and armed private security guard licenses may be sent in writing to the Private Security Guard Program, Department of Licensing, P.O. Box 9649, Olympia, Washington 98507-9649.

[Statutory Authority: Chapter 18.170 RCW. 05-09-036, § 308-18-020, filed 4/14/05, effective 7/1/05. Statutory Authority: RCW 18.170.180(1), 43.24.-086 and 34.05.482. 97-17-050, § 308-18-020, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-020, filed 11/6/91, effective 12/7/91.]

WAC 308-18-030 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 18.170 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 security guard company.

(3) "Principal partner" means the partner who exercises operational control over a private security guard company.

(4) "Certified trainer" means a principal or a licensed private security guard or armed private security guard who has fulfilled the requirements of WAC 308-18-320.

(5) "Other item of equipment" in RCW 18.170.170(7), shall include the license card issued by the director to a private security guard or armed private security guard.

(6) "Qualifying agent" means the person who officially represents a private security guard company in obtaining a license to operate and who meets the qualifications of RCW 18.170.060. The qualifying agent of a corporation or a partnership must be authorized to operate and represent the corporation or partnership as a legal agent, such as a managing officer, agent, employee or partner.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-030, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-030, filed 11/6/91, effective 12/7/91.]

PART B
LICENSING APPLICATION AND FEES

WAC 308-18-100 Company applications—Conditions. Any person desiring to be licensed as a private security guard company must substantiate the experience requirements in RCW 18.170.060, or pass an examination as provided in this chapter.

(1) Pay a nonrefundable fee or fees as prescribed by WAC 308-18-150.

(2) If the applicant is the qualifying agent of a corporation, he or she shall furnish a certified copy of its articles of incorporation, and a list of its officers and directors and their addresses.

(3) When a license is issued to a principal owner he or she shall act as the principal of the company without the payment of additional license fees.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-100, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-100, filed 11/6/91, effective 12/7/91.]

WAC 308-18-105 Branch office notification—Conditions. A principal of a private security guard company shall notify the director of the addresses of all branch offices under the same name as the main office as a part of the company application.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-105, filed 11/6/91, effective 12/7/91.]

WAC 308-18-110 Private security guard applications—Conditions. Any person desiring to be a private security guard shall make application for a license on a form prescribed by the director and pay a nonrefundable fee as prescribed by WAC 308-18-150.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-110, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-110, filed 11/6/91, effective 12/7/91.]

WAC 308-18-120 Armed private security guard applications—Conditions. (1) Any person desiring to be an armed private security guard shall obtain a firearms certificate from the criminal justice training commission, make application on a form prescribed by the director, and pay a nonrefundable fee as prescribed by WAC 308-18-150.

(2) If the applicant is an alien resident, the applicant must provide proof of their alien firearm license when they submit an application for original or renewal of their armed security guard license.

[Statutory Authority: Chapter 18.170 RCW. 02-24-026, § 308-18-120, filed 11/27/02, effective 1/1/03. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-120, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-120, filed 11/6/91, effective 12/7/91.]

WAC 308-18-130 Application for private security guard and armed private security guard license, licensed in another state—Conditions. Any person applying for a private security guard or armed private security guard license who holds a valid license, registration, identification, or similar card issued by another state that the director has determined has selection, training, and other requirements at least equal to those required by chapter 18.170 RCW shall make application on a form prescribed by the director, pay the fee as prescribed by WAC 308-18-150 for a private security guard or armed private security guard, and submit evidence of licensure in another state by a license verification form completed by an administrative officer of the licensure authority of such state.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-130, filed 11/6/91, effective 12/7/91.]

WAC 308-18-140 Private security guard temporary registration card—Conditions. Only those temporary registration cards provided by the department and preprinted with an assigned number and the company's name and address may be used.

- (1) Private security guard name.
(2) Date of issue.
(3) Date of expiration.
(4) Name and signature of the certified trainer.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-140, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-140, filed 11/6/91, effective 12/7/91.]

WAC 308-18-150 Private security guard company, private security guard, and armed private security guard fees. Licenses issued to private security guard companies and private security guards expire one year from the date of issuance and must be renewed each year. The fees are as follows:

Table with 2 columns: Title of Fee, Fee. Rows include Private security guard company/principal: Application/includes first examination (\$ 350.00), Reexamination (25.00)

| Title of Fee | Fee |
|---|--------|
| License renewal | 300.00 |
| Late renewal with penalty | 400.00 |
| Change of principal/includes first examination | 100.00 |
| Principal armed endorsement | 10.00 |
| Private security guard: | |
| Original license | 111.00 |
| Armed endorsement | 10.00 |
| Transfer fee | 25.00 |
| Licensees with inactive licenses are not required to pay late renewal penalty fees. | |
| License renewal | 85.00 |
| License late renewal with penalty. | 90.00 |
| Late fee is not due if submitting a renewal with a transfer or rehire application. | |
| Certified trainer endorsement examination/reexamination | 25.00 |
| Certified trainer endorsement renewal | 15.00 |
| Duplicate license | 10.00 |

[Statutory Authority: Chapter 18.170 RCW. 08-19-056, § 308-18-150, filed 9/12/08, effective 11/1/08. Statutory Authority: Chapter 18.170 RCW and Federal Anti Terrorism and Prevention Act 2004. 07-01-032, § 308-18-150, filed 12/12/06, effective 2/15/07; 05-24-121, § 308-18-150, filed 12/7/05, effective 1/9/06. Statutory Authority: Chapter 18.170 RCW. 04-12-023, § 308-18-150, filed 5/26/04, effective 7/1/04. Statutory Authority: RCW 43.24.086 and chapter 18.170 RCW. 02-07-068, § 308-18-150, filed 3/18/02, effective 7/1/02. Statutory Authority: Chapter 18.170 RCW. 98-24-045, § 308-18-150, filed 11/25/98, effective 1/1/99. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-150, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170 [18.170.-180](1). 93-11-025, § 308-18-150, filed 5/7/93, effective 7/1/93. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-150, filed 11/6/91, effective 12/7/91.]

WAC 308-18-160 Expiration and renewal of licenses.

Licenses issued to private security guards and armed private security guards expire one year from the date of issuance which date will be the renewal date. Licenses issued to private security guard companies expire one year from the date of issuance which date will be the renewal date, except that if the corporation registration or certificate of authority filed with the secretary of state expires, the company license issued to the corporation shall expire on that date. Licenses must be renewed each year on or before the date established herein and a renewal license fee as prescribed by the director in WAC 308-18-150 must be paid.

If the application for a renewal license is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-18-150 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

The license of any person whose license renewal fee is not received within one year from the date of expiration shall be cancelled. This person may obtain a new license by satisfying the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-160, filed 11/6/91, effective 12/7/91.]

WAC 308-18-165 Private security guard and armed private security guard—Termination of services.

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son licensed as a private security guard or armed private security guard may perform duties and activities as licensed only under the direction and supervision of a licensed company principal and as a representative of such principal. This relationship may be terminated unilaterally by either the company principal or private security guard or armed private security guard. Notice of such termination shall be by the company principal to the director without delay and such notice shall be accompanied by, and include the surrender of, the private security guard's or armed private security guard's license held by the company. Notice of termination shall be provided by signature of the company principal, or a person authorized by the principal to sign for such principal, on the surrendered license. The termination date shall be the postmark date or date the license is hand delivered to the department. If the license held by the company cannot be surrendered to the department because the license has been lost, the company principal or authorized representative shall complete and submit an affidavit of lost license on a form provided by the department.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-165, filed 11/6/91, effective 12/7/91.]

WAC 308-18-170 Inactive license. (1) Any license issued under chapter 18.170 RCW and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with the rules adopted pursuant to chapter 18.170 RCW.

(3) An inactive license may not be renewed. The inactive license will be cancelled if not activated and renewed within one year of the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

(4) The provisions of chapter 18.170 RCW relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-170, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-170, filed 11/6/91, effective 12/7/91.]

WAC 308-18-180 Application of brief adjudicative proceedings. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request for the categories of matters set forth below or at the discretion of the director pursuant to RCW 34.05.482. If an adjudicative proceeding is requested, a brief adjudicative proceeding will be conducted where the matter is limited solely to one or more of the following issues:

(1) A determination whether an applicant for a license meets the minimum criteria for a license to practice as a secu-

rity guard in this state and the department proposes to deny the application;

(2) A determination whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department;

(3) A determination whether an education course or curriculum meets the criteria for approval when approval by the department is required or authorized by statute or rule;

(4) A determination whether a license holder requesting renewal has submitted all required information and meets minimum criteria for renewal; and

(5) A determination whether a license holder has been certified by a lending agency and reported for nonpayment or default on a federally or state-guaranteed student loan or service-conditional scholarship.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-180, filed 8/15/97, effective 9/15/97.]

WAC 308-18-185 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license or for approval of an education course or curriculum shall consist of:

(a) The application for the license, renewal, or approval and all associated documents;

(b) All documents relied upon by the program in proposing to deny the application, renewal, or approval; and

(c) All correspondence between the applicant for license, renewal, or approval and the program regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed student loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed student loan or service-conditional scholarship; or

(b) A written release, if any issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-185, filed 8/15/97, effective 9/15/97.]

WAC 308-18-190 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceed-

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ings designated by the director. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-190, filed 8/15/97, effective 9/15/97.]

PART C OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

WAC 308-18-200 Office identification. Every private security guard company office shall be identified by displaying the name, visible to the public, of the company name as licensed at the address appearing on the license.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-200, filed 11/6/91, effective 12/7/91.]

WAC 308-18-205 Filing of licenses. Licenses of all private security guards and armed private security guards shall be on file in the office located at the address appearing on the individual license.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-205, filed 11/6/91, effective 12/7/91.]

WAC 308-18-210 Change of office location. The principal of a private security guard company shall notify the department of the change of location and mailing address of the company office within ten working days by filing a completed change of address application with the department.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-210, filed 11/6/91, effective 12/7/91.]

WAC 308-18-220 Licensee's responsibilities. It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 18.170 RCW.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-220, filed 11/6/91, effective 12/7/91.]

WAC 308-18-230 Complaint notification. Every licensee shall, within twenty days after service or knowledge thereof, notify the private security guard program manager of any criminal complaint, information, indictment, or convic-

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tion (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-230, filed 11/6/91, effective 12/7/91.]

WAC 308-18-240 Required records. The minimum records the principal of a private security guard company shall be required to keep are:

(1) Preassignment, postassignment, and annual refresher training and testing records for each private security guard.

(2) Private security guard temporary registration card ledger showing the department-supplied registration number, applicant's name, date of issue, date of expiration and date card was forwarded to the director.

(3) The company principal shall maintain proof of annual shooting requirements for each armed security guard employed by the security guard company in the armed security guard's training files or employee's files.

These records shall be retained and available for inspection by the director or the director's authorized representative for a minimum of three years.

[Statutory Authority: Chapter 18.170 RCW. 07-20-075, § 308-18-240, filed 10/1/07, effective 11/1/07; 05-09-036, § 308-18-240, filed 4/14/05, effective 7/1/05; 02-24-026, § 308-18-240, filed 11/27/02, effective 1/1/03. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-240, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-240, filed 11/6/91, effective 12/7/91.]

PART D

PREASSIGNMENT AND POSTASSIGNMENT TRAINING AND EXAMINATION REQUIREMENTS

WAC 308-18-300 Minimum preassignment training and testing requirements. Preassignment training must consist of eight hours of training.

(1) At least four hours of the training must take place in an organized and formal setting. The remaining four hours of training can be continued in the organized and formal setting or it can be individual instruction.

(2) The preassignment organized and formal training must be from the following listed subjects. These training topics are the source of the questions in the preassignment examination issued by the department.

(a) **Basic principles.**

- (i) Basic role of the security guard;
- (ii) Washington state licensing laws;
- (iii) Observation;
- (iv) Proper actions, reactions;
- (v) Homeland security - terrorism and surveillance.

(b) **Legal powers and limitations.**

- (i) Citizens arrest;
- (ii) Authority to detain, question, or search a private citizen;
- (iii) Authority to search or seize private property;
- (iv) Use of force;
- (v) Avoiding liability.

(c) **Emergency response.**

- (i) How to define what is or is not an emergency situation;
- (ii) Response to fires;
- (iii) Response to medical emergencies;

(iv) Response to criminal acts;

(v) Bomb threats.

(d) **Safety and accident prevention.**

(i) Hazardous materials including MSDS;

(ii) Accident reporting.

(e) **Report writing.**

Elements and characteristics of a report.

(3) All private security guard applicants, after receiving preassignment training and prior to receiving their license or temporary registration card, must successfully complete an exam designed and provided by the department to demonstrate understanding and retention of the information learned in the training course on the subjects listed in WAC 308-18-300. The exam shall consist of multiple choice questions. All applicants must answer all questions correctly on the preassignment training exam or questions incorrectly answered must be reviewed to ensure the applicant's understanding and then initialed by both the applicant and the trainer verifying knowledge of the correct answer(s).

[Statutory Authority: Chapter 18.170 RCW. 07-20-075, § 308-18-300, filed 10/1/07, effective 11/1/07; 05-09-036, § 308-18-300, filed 4/14/05, effective 7/1/05. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-300, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-300, filed 11/6/91, effective 12/7/91.]

WAC 308-18-305 Minimum postassignment training requirements and training topics. Postassignment training must consist of eight hours of training in any topics contained in this section. These topics may also be used in the annual refresher training. Training requirements are described in chapter 18.170 RCW.

(1) The topic areas that must be used for postassignment training are as follows and may also include the subject topics listed under WAC 308-18-300:

(a) **Basic role of private security guards.**

- (i) Security awareness;
- (ii) Private security guards and the criminal justice system;

(iii) Information sharing;

(iv) Crime and loss prevention.

(b) **Legal aspects of private security.**

- (i) Evidence and evidence handling;
- (ii) Use of force;
- (iii) Court testimony;
- (iv) Incident scene preservation;
- (v) Equal employment opportunity (EEO) and diversity;
- (vi) State and local laws.

(c) **Security officer conduct.**

- (i) Ethics;
- (ii) Honesty;
- (iii) Professional image.

(d) **Observation and incident reporting.**

- (i) Observation techniques;
- (ii) Note taking;
- (iii) Report writing.

(e) **Principles of communications.**

- (i) Interpersonal skills;
- (ii) Verbal communication skills;
- (iii) Building relationships with law enforcement;
- (iv) Customer services and public relations;

- (v) Workplace violence.
- (f) **Principles of access control.**
- (i) Enter and exit control procedures;
- (ii) Electronic security systems.
- (g) **Principles of safeguarding information.** Proprietary and confidential.
- (h) **Emergency response procedures.**

Critical incident response (e.g., natural disasters, accidents, human caused events).

- (i) **Evacuation processes.**
- (j) **Life safety awareness.**
- (i) Safety hazards in the workplace/surroundings;
- (ii) Emergency equipment placement;
- (iii) Fire prevention skills;
- (iv) Hazardous materials;
- (v) Occupational safety and health requirements (e.g., OSHA related training, bloodborne pathogens, etc.).

(k) **Job assignment and postorders.**

- (i) Assignments and tasks;
- (ii) Patrol.

(2) The required postassignment training records must be attested to by a licensed certified trainer and retained by the company. The postassignment training records must include the following information:

- (a) Security guard name and signature;
- (b) Training topics covered;
- (c) Number of training hours received;
- (d) Date training was completed;
- (e) Certified trainer attesting to the training.

(3) Electronic records and signatures are permitted. The postassignment training records are not required to be submitted to the department, but must be available upon request from the company for three years.

(4) Security guard companies are required to maintain complete detailed training records. The training records must include the name and signature of the department certified trainer attesting to the training provided.

Transferring security guards may provide a copy of their training records to another security guard company. Security guard companies may accept the records as proof that the security guards have completed the required postassignment training and not repeat postassignment training.

[Statutory Authority: Chapter 18.170 RCW. 07-20-075, § 308-18-305, filed 10/1/07, effective 11/1/07; 05-09-036, § 308-18-305, filed 4/14/05, effective 7/1/05.]

WAC 308-18-310 Private security guard company principal examination requirements. (1) All principals of a company who do not meet the experience requirements required by RCW 18.170.060, must pass an examination demonstrating their knowledge and proficiency in the following areas:

- (a) All topics contained in the private security guard pre-assignment training course.
- (b) Washington state law as it applies to private security guard licensing and regulation.
- (c) Legal/liability issues related to the private security guard industry.
- (d) General security management.

(2) The examination shall consist of a minimum of fifty questions based on information in the above required areas. A

score of eighty-five percent must be achieved in order to pass the examination. Applicants who fail to achieve an eighty-five percent score will be required to wait a minimum of seven days before reexamination.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-310, filed 11/6/91, effective 12/7/91.]

WAC 308-18-320 Certification of preassignment training trainers. An individual must successfully score at least eighty-five percent on the agency principal examination to become a certified trainer. Individuals who fail to obtain an eighty-five percent score will be required to wait a minimum of seven days before reexamination. There is no limit on the number of certified trainers an individual private security guard company may have certified.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-320, filed 11/6/91, effective 12/7/91.]