

HB 1849 - H AMD 663

By Representative Lovick

WITHDRAWN 02/14/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 18.170.010 and 2004 c 50 s 1 are each amended to read
4 as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "Armed private security guard" means a private security guard
8 who has a current firearms certificate issued by the commission and is
9 licensed as an armed private security guard under this chapter.

10 (2) "Armored vehicle guard" means a person who transports in an
11 armored vehicle under armed guard, from one place to another place,
12 valuables, jewelry, currency, documents, or any other item that
13 requires secure delivery.

14 (3) "Burglar alarm response runner" means a person employed by a
15 private security company to respond to burglar alarm system signals.

16 (4) "Burglar alarm system" means a device or an assembly of
17 equipment and devices used to detect or signal unauthorized intrusion,
18 movement, or exit at a protected premises, other than in a vehicle, to
19 which police or private security guards are expected to respond.

20 (5) "Chief law enforcement officer" means the elected or appointed
21 police administrator of a municipal, county, or state police or
22 sheriff's department that has full law enforcement powers in its
23 jurisdiction.

24 (6) "Classroom instruction" means instruction that takes place in
25 a setting where individuals receiving training are assembled together
26 and learn through lectures, study papers, class discussion, textbook
27 study, or other means of organized formal education techniques, such as
28 video, closed circuit, or other forms of electronic means, and as
29 distinguished from on-the-job education or training.

1 (7) "Commission" means the criminal justice training commission
2 established in chapter 43.101 RCW.

3 (8) "Department" means the department of licensing.

4 (9) "Department-certified trainer" includes any of the following
5 who have been approved by the department to administer, test, or
6 certify training under this chapter: A licensed private security
7 guard; or the faculty or staff of any department-approved educational
8 institution, organization, or program.

9 (10) "Director" means the director of the department of licensing.

10 ((+10+)) (11) "Employer" includes any individual, firm,
11 corporation, partnership, association, company, society, manager,
12 contractor, subcontractor, bureau, agency, service, office, or an agent
13 of any of the foregoing that employs or seeks to enter into an
14 arrangement to employ any person as a private security guard.

15 ((+11+)) (12) "Firearms certificate" means the certificate issued
16 by the commission.

17 ((+12+)) (13) "Licensee" means a person granted a license required
18 by this chapter.

19 ((+13+)) (14) "Person" includes any individual, firm, corporation,
20 partnership, association, company, society, manager, contractor,
21 subcontractor, bureau, agency, service, office, or an agent or employee
22 of any of the foregoing.

23 ((+14+)) (15) "Postassignment or on-the-job training" means
24 training that occurs in either an assisted field environment or in a
25 classroom instruction setting, or both.

26 ((+15+)) (16) "Preassignment training" means the classroom training
27 completed prior to being assigned to work independently.

28 ((+16+)) (17) "Principal corporate officer" means the president,
29 vice-president, treasurer, secretary, comptroller, or any other person
30 who performs the same functions for the corporation as performed by
31 these officers.

32 ((+17+)) (18) "Private security company" means a person or entity
33 licensed under this chapter and engaged in the business of providing
34 the services of private security guards on a contractual basis.

35 ((+18+)) (19) "Private security guard" means an individual who is
36 licensed under this chapter and principally employed as or typically
37 referred to as one of the following:

38 (a) Security officer or guard;

- 1 (b) Patrol or merchant patrol service officer or guard;
- 2 (c) Armed escort or bodyguard;
- 3 (d) Armored vehicle guard;
- 4 (e) Burglar alarm response runner; or
- 5 (f) Crowd control officer or guard.

6 ~~((+19+))~~ (20) "Qualifying agent" means an officer or manager of a
7 corporation who meets the requirements set forth in this chapter for
8 obtaining a license to own or operate a private security company.

9 ~~((+20+))~~ (21) "Sworn peace officer" means a person who is an
10 employee of the federal government, the state, a political subdivision,
11 agency, or department branch of a municipality, or other unit of local
12 government, and has law enforcement powers.

13 **Sec. 2.** RCW 18.170.100 and 2004 c 50 s 2 are each amended to read
14 as follows:

15 (1)(a) To promote and protect the safety of persons and the
16 security of property, the director shall develop and adopt rules
17 establishing a standard course for private security guard preassignment
18 and postassignment or on-the-job training and testing requirements. At
19 least two-thirds of annual postassignment or on-the-job training must
20 consist of public safety or emergency procedure subject matter.

21 (b)~~((+i+))~~ A course of training required under this section may be
22 administered, tested, and certified by any department-certified
23 trainer, but the majority of the classroom instruction must be taught
24 by means of in-person instruction.

25 (2)(a) Except as provided under (b)~~((+ii+))~~ of this subsection,
26 beginning July 1, 2005, all private security guards licensed on or
27 after July 1, 2005, must complete at least eight hours of preassignment
28 training administered or certified by a department-certified trainer.
29 Preassignment training must include a minimum of four hours of
30 classroom instruction, and a minimum of four additional hours that may
31 be of classroom training, on-the-job training, or any combination of
32 the two. A department-certified trainer must report the preassignment
33 training to the department. Upon successful completion of training the
34 department-certified trainer must give trainees a certificate of
35 training, which may be accepted as evidence of completion of
36 preassignment training by any private security company.

1 ~~((i))~~ (b) Any person who was most recently employed full-time as
2 a sworn peace officer not more than five years prior to applying to
3 become licensed as a private security guard may be deemed to satisfy
4 the training required under ~~((b)(i))~~ (a) of this subsection upon
5 passage of the examination typically administered to applicants at the
6 conclusion of the preassignment training required under ~~((b)(i))~~ (a)
7 of this subsection.

8 ~~((iii) The director may establish, by rule, training requirements
9 for private security guards.~~

10 ~~(2))~~ (3)(a) Beginning July 1, 2005, all private security guards
11 must complete at least eight hours of postassignment or on-the-job
12 training~~(())~~ as follows:

13 ~~((a))~~ (i) For private security guards initially licensed on or
14 after July 1, 2005, four hours of postassignment training must be
15 completed within six months of the date an initial private security
16 guard license is issued by the director and the remaining four hours
17 completed within twelve months of the date an initial private security
18 guard license is issued by the department.

19 ~~((b))~~ (ii) For private security guards licensed prior to July 1,
20 2005, at least four hours of postassignment training must be completed
21 by December 31, 2005, and the remaining four hours by July 1, 2006.

22 ~~((e))~~ (b) Postassignment or on-the-job training must be in the
23 ~~((topic areas))~~ standard course established by the director and may
24 occur in a classroom setting, in the field, or a combination of the
25 two. A department-certified trainer need not report postassignment or
26 on-the-job training to the department. However, a department-certified
27 trainer must attest in writing that the training occurred.

28 ~~((d))~~ (c) The number of required postassignment training hours
29 required under (a) of this subsection must be increased by one hour on
30 January 1st of every year until January 1, 2012. The number of
31 postassignment training hours required of a private security guard is
32 the number required on the date the private security guard was
33 initially licensed by the department. These additional hours of
34 postassignment training must be completed within eighteen months after
35 the date a private security guard initial license is issued by the
36 department.

37 (d) In addition to the postassignment training required under (a)
38 of this subsection, in each subsequent year of employment after the

1 first year, a private security company must annually provide each
2 licensed private security guard in its employ with eight hours of
3 specifically dedicated review or practice of private security guard
4 skills taught by department-certified trainers. This annual training
5 must meet the requirements of this section for postassignment training.

6 (e) The director shall require private security companies to
7 maintain records regarding the postassignment training hours completed
8 by each employee, including a record of administering the review or
9 practice training required under (d) of this subsection for each
10 private security guard in its employ. All such records are subject to
11 inspection by the department for at least three years from the date of
12 training. The training requirements and test results must be recorded
13 and attested to as appropriate by a (~~certified~~) department-certified
14 trainer.

15 (~~(3)~~) (4) By renewing a private security guard license with the
16 department, the private security company is declaring that the private
17 security guard has met the postassignment and annual training
18 requirements of this section.

19 (5) The director shall consult with (~~the private security industry~~
20 ~~and law enforcement~~) consumers, labor organizations representing
21 private security guards, private security companies, law enforcement
22 and other public safety agencies, educators, and subject matter experts
23 before adopting or amending rules relating to the training and testing
24 requirements of this section.

25 NEW SECTION. Sec. 3. A new section is added to chapter 18.170 RCW
26 to read as follows:

27 (1) The department may assess civil penalties against a private
28 security company as provided in chapter 18.235 RCW for the failure to:

29 (a) Maintain an accurate and current record of proof of completion
30 of preassignment training by each private security guard employed by
31 the company;

32 (b) Provide each private security guard with certification of
33 completion of preassignment training;

34 (c) Administer to each private security guard the postassignment
35 training and review or practice of security guard skills according to
36 the schedule required under RCW 18.170.100(3); or

1 (d) Maintain an accurate and current record of proof of completion
2 of the postassignment training and review or practice of security guard
3 skills required under RCW 18.170.100(3).

4 (2) The department may revoke, suspend, or refuse to accept or
5 renew certification of any department-certified trainer for any
6 violation of this chapter, including the violations listed in
7 subsection (1)(a) through (d) of this section.

8 (3) All costs associated with compliance with orders issued under
9 this section are the obligation of the license holder or
10 department-certified trainer. All money collected from the assessment
11 of civil penalties under this section may be used only for the
12 administration of this chapter.

13 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2007."

14 Correct the title.

EFFECT: The amendment:

(1) Clarifies that a department-certified trainer is approved to provide any type of training, not just preassignment training.

(2) Deletes Department of Licensing authority to develop curriculum, while retaining authority to develop a standard course, and deletes a requirement for the Department to approve all training.

(3) Requires the Department to consult with law enforcement and other public safety agencies, in addition to other specified entities, in developing training rules.

(4) Requires at least two-thirds of the annual postassignment training to consist of public safety or emergency procedures.

(5) Allows preassignment training to be administered or certified by department-certified trainers, not just administered.

(6) Provides that a certificate of training may be accepted by a private security company as evidence of completion of training instead of requiring the company to accept it as conclusive evidence.

(7) Clarifies that refresher training must be given in each year after the first year of employment.

(8) States that a private security company's renewal of private security guard licenses is a declaration that the licensees have met the postassignment training requirements.

(9) Eliminates specific monetary penalties for certain recordkeeping violations and, instead, provides monetary penalties as specified in the Uniform Regulation of Business and Professions Act.

(10) Delays the effective date of the act to July 1, 2007.

(11) Corrects various terms to provide for consistent usage throughout the bill.

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