



Virginia
Regulatory
Town Hall

Proposed Regulation Agency Background Document

Agency Name:	Department of Criminal Justice Services
VAC Chapter Number:	6-VAC-171
Regulation Title:	Regulation Relating to Private Security
Action Title:	Private Security Services Regulations
Date:	11/25/02

This information is required pursuant to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99), and the *Virginia Register Form, Style and Procedure Manual*. Please refer to these sources for more information and other materials required to be submitted in the regulatory review package.

Summary

Please provide a brief summary of the proposed new regulation, proposed amendments to an existing regulation, or the regulation proposed to be repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The proposed amendments are to update the minimum training standards for said categories based upon the results of the job task analysis. The Private Security Services Advisory Board and volunteer members of our industry served on the Job Task Analysis Committee.

The amendments focus on improving the licensing, registration, certification, training requirements, fees and procedures. It will also identify areas of confusion or weakness that currently exist which may not protect the health, safety, or welfare of the citizens of the Commonwealth.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided. Please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation and that it comports with applicable state and/or federal law.

The legal authority to review, amend, or revise regulations relating to private security services is found in §9.1-141(A)(C) Code of Virginia. Additionally, this review and amendment is in accordance with Executive Order Number 21 (2002). The Office of the Attorney General has certified that the agency has the statutory authority to promulgate the regulations.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the proposed regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

The purpose of the regulations is to amend and revise the rules mandating and prescribing standards, requirements, and procedures that serve to protect the citizens of the Commonwealth from unqualified, unscrupulous, and incompetent persons engaging in the activities of private security services. A public hearing will be held during the promulgation process and participation from the private security services industry will be strongly encouraged. These amendments incorporate changes that continue to protect the public safety and welfare, amend specific fees to regulated individuals and allow the agency to more expeditiously license and certify individuals and businesses who have fulfilled application requirements.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement providing detail of the regulatory action's changes.

Fee changes are proposed that contain increases and decreases to the private security industry.

United States citizenship or legal resident alien of the United States requirement is being added. The private security industry, the Federal Bureau of Investigation, and the State Police pointed out this as a breach of security in our current certification, registration and licensure system.

Fingerprints are required on all unarmed security officers after January 1, 2003. This change is included in the regulations.

The reinstatement period is reduced from 90 days to 30 days.

Administrative & standard of conduct requirements have been added

The remainder of the regulations is not substantive changes; they are for clarification and edification.

Issues

Please provide a statement identifying the issues associated with the proposed regulatory action. The term "issues" means: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

The advantages that these regulations provide to the general public are that they:

- (i) Set forth standards, procedures, and requirements that serve to protect the safety and welfare of the general public from deceptive or misleading private security services business practitioners, and;
- (ii) Secure the public safety and welfare against incompetent, unscrupulous and unqualified persons by establishing methods of licensure, registration and certification that serve to enhance the competency of persons performing or engaged in the activities of private security services.

A possible disadvantage of these regulations is that the program it prescribes receives no moneys from the General Fund, therefore, the cost to administer the program must be absorbed by the affected entities.

Fiscal Impact

Please identify the anticipated fiscal impacts and at a minimum include: (a) the projected cost to the state to implement and enforce the proposed regulation, including (i) fund source / fund detail, (ii) budget activity with a cross-reference to program and subprogram, and (iii) a delineation of one-time versus on-going expenditures; (b) the projected cost of the regulation on localities; (c) a description of the individuals, businesses or other entities that are likely to be affected by the regulation; (d) the agency's

best estimate of the number of such entities that will be affected; and e) the projected cost of the regulation for affected individuals, businesses, or other entities.

The costs of the private security services program are not being covered by the current fee structure. The Code of Virginia requires this program to be self-sufficient; therefore the fees must be increased to adequately cover the cost of the program.

Application/Fee Types	3 year average of Affected Entities	Current Fees Initial	Current Fees Renewal	Current Two Year Total	Proposed Fee	Difference
Initial Business License	195	\$600.00	\$ 250.00	\$ 850.00	\$ 800.00	\$50.00 Decrease (-9750)
Business License Renewal	**781	n/a	\$ 250.00	\$ 400.00	\$ 500.00	\$100.00 Increase (78,100)
License Category Fee	*335	n/a	n/a	n/a	\$ 50.00	\$50.00 Increase (16,750)
Initial Compliance Agent Certification	311	\$100.00	n/a	\$100.00	\$ 100.00	No Change
Compliance Agent Certification Renewal	**539	n/a	\$ 50.00	\$ 50.00	\$ 50.00	No Change
Initial Registrations	5283	\$25.00	\$ 20.00	\$ 45.00	\$ 25.00	\$20.00 Decrease (-105,660)
Registration Renewals	7726	n/a	\$ 20.00	\$ 40.00	\$ 20.00	\$20.00 Decrease (-154,520)
Firearms Endorsement (Annual)	5959	n/a	n/a	n/a	\$ 10.00	\$10.00 Increase (59,590)
Initial Certifications	6633	\$20.00	n/a	\$ 20.00	\$ 25.00	\$5.00 Increase (\$33,165)
Certification Renewals	2905	n/a	\$ 20.00	\$ 20.00	\$ 20.00	No Change
Initial Training School Certification	11	\$600.00	\$ 250.00	\$ 850.00	\$ 800.00	\$50.00 Decrease (-550)
Training School Certification Renewal	69	n/a	\$ 250.00	\$ 500.00	\$ 500.00	No Change
Electronic Roster Submission	25	\$250.00	n/a	\$ 500.00	\$ 500.00	No Change
Training Completion Roster Form	**1327	\$20.00	n/a	n/a	\$ 30.00	\$10.00 Increase (13,270)
Initial Instructor (2yr.)	73	\$100.00	n/a	\$100.00	\$ 100.00	No Change
Instructor Renewal (2yr.)	**29	n/a	\$ 75.00	\$ 75.00	\$ 50.00	\$25.00 Fee decrea (-725)
Training Exemption/Waiver Form	272	\$25.00	n/a	n/a	\$ 25.00	No Change
Fingerprint Application	7568 plus -6633	\$ 41.00	n/a	n/a	\$ 50.00	\$9.00 Increase - (68,112) plus unarmed- (59,697)
Additional Registration Category Form	232	\$ 25.00	n/a	n/a	\$ 20.00	\$5.00 Decrease (-1160)
Duplicate/ Replacement ID Form	208	\$ 15.00	n/a	n/a	\$15.00	No Change
Firearms Instructor Training Session	**21	\$ 300.00	n/a	n/a	\$ 300.00	No Change

General Instructor Training	**95	\$ 300.00	n/a	n/a	\$ 300.00	No Change
Technical Assistant Training Session	**5	\$ 50.00	n/a	n/a	\$ 50.00	No Change

Increased Revenue - \$328,684
 Decreased Revenue- \$272,365
Revenue Net result \$ 56,319

*little or no statistical data avail. **Used a modified average considering the 3 year average was >than the amount received last year

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or cross-walk - of changes implemented by the proposed regulatory action. Where applicable, include citations to the specific sections of an existing regulation being amended and explain the consequences of the proposed changes.

Fee changes are proposed that contain increases and decreases to the private security industry. The net effect will be increased revenue. During the last regulatory promulgation, many licensure fees were decreased and some categories were allowed a discounted rate if paid for two years of renewal instead of annual payment. The fee changes proposed in these regulations will restore the actual fees first set when the program was established in 1993. These fees will allow proper licensure, training and enforcement of regulatory requirements.

The proposed regulations place registration, certification and licenses on a two-year cycle. This simplifies the process, helps reduce industry confusion, and reduces staff processing time now spent on annual renewals.

The regulations are divided into Part I through Part VI along with each accompanying article(s) for clarity.

United States citizenship or legal resident alien of the United States requirement is being added. The private security industry, the Federal Bureau of Investigation, and the State Police pointed out this as a breach of security in our current certification, registration and licensure system. There is currently no requirement that the applicant submits documentation that they are here legally in the United States. Once an individual applies and becomes certified or registered with Private Security Services, they are given a certification letter that they take to the Department of Motor Vehicles to receive a photo identification card. The certification and official photo identification allows individuals to protect our airports, our nuclear plants, our military bases, etc. This requirement is necessary to protect our citizens in the Commonwealth of Virginia. We have verified with the Attorney General’s office that “legal resident alien” is the proper term to utilize.

Effective January 1, 2003 (§9.1-145) , fingerprints are required on all unarmed security officers. This change is included in the regulations. The requirement for the Virginia State Police Form 167 criminal history records search is eliminated. The VSP167 was only a Virginia records check and was not a fingerprint-based check. The change will also shift the responsibility from the business owner to the department to review all fingerprint cards for approval or denial.

The reinstatement period is reduced from 90 days to 30 days. The regulations state that if a certification, registration or license is not renewed on time is shall become null and void. Any person that continues to provide these service without valid credentials is breaking the law pursuant to Section 9.1-149 (class one misdemeanor). The reinstatement period is designed for situations where someone may have forgotten to renew on time. All other emergency type situations are adequately covered in the regulations. Therefore, 30 days is an adequate reinstatement time period.

Administrative & standard of conduct requirements have been added to address some inadequacies in our current regulations. This is a result of several disciplinary cases reported to our department that were serious in nature, but the regulations did not contain any specific language that could be applied to the alleged violations.

The remainder of the regulations is not substantive changes; they are for clarification.

Alternatives

Please describe the specific alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

A job task analysis was conducted on armed and unarmed security officers and private investigators. These recommendations are based on the results of the job task analysis and have been incorporated into the proposed regulatory package. No less burdensome and intrusive alternatives to consider to achieve the essential regulatory purpose are available.

Public Comment

Please summarize all public comment received during the NOIRA comment period and provide the agency response.

A summary of the comments is attached in matrix form.

Clarity of the Regulation

Please provide a statement indicating that the agency, through examination of the regulation and relevant public comments, has determined that the regulation is clearly written and easily understandable by the individuals and entities affected.

Through examination of the regulations and relevant public comments, the agency has determined that the regulation is clearly written and easily understandable by the individuals and entities affected.

Periodic Review

Please supply a schedule setting forth when the agency will initiate a review and re-evaluation to determine if the regulation should be continued, amended, or terminated. The specific and measurable regulatory goals should be outlined with this schedule. The review shall take place no later than three years after the proposed regulation is expected to be effective.

The Department of Criminal Justice Services Public Participation Guidelines states that the agency shall at least once every three years review its existing regulations and as appropriate adopt new standards or modify, or delete existing ones. A periodic review will be initiated in the winter of 2006.

Family Impact Statement

Please provide an analysis of the proposed regulatory action that assesses the potential impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The regulations will directly impact any family who uses private security services (such as residential alarm monitoring) in terms of the assurance of competent registrants as well as providing a venue to register complaints about any private security registrant, training school, or business in the Commonwealth of Virginia. The regulations indirectly impact the family by providing a regulatory program that protects the public from unscrupulous, incompetent or unqualified persons engaging in the activities of private security services, and by setting standards and procedures that enhance professionalism and the quality of services by the private security profession.

**SUMMARY MATRIX OF COMMENTS AND RECOMMENDATIONS REGARDING
“NOIRA”
REGULATIONS RELATING TO PRIVATE SECURITY SERVICES**

PART 1	DEFINITIONS		
<i>Regulation Cite</i>	<i>Comments/Issues/Recommendations</i>	<i>Respondent(s)</i>	<i>Agency Response</i>
6 VAC 20-171- 50	Separate Class of License for Private Investigation Business & increased applicant qualification for business license	Private Investigators Association of Va, Inc.	This would require a legislative change.
6 VAC 20-171- 10	Definition of Private Investigator includes increased duties and responsibilities.	PIAVA	This would require a legislative change.
6 VAC 20-171-320	Separate Classes of Registration for Private Investigators	PIAVA	This would require a legislative change.
6 VAC 20-171-220	Allow investigative services businesses to report qualified investigators’ compensation on IRS Form 1099	PIAVA	This would require a legislative change.
6 VAC 20-171-80	Higher standards for training school licensure and renewal with increased monitoring of Classes to insure quality and no business conducted during instruction, minimum number of students for training sessions.	PIAVA	<i>We will incorporate training school surveys for quality assurance. (In-house policy not regulations) We don’t support a minimum number of students for training sessions or other suggestions. That should be up to individual Training Schools.</i>
6 VAC 20-171-	Increased entry-level and in-service	PIAVA	<i>JTA results did</i>

350,	training standards		<i>not recommend an increase number of hours but did change curriculum.</i>
6 VAC 20-171-480	Require additional grounds for disciplinary actions	PIAVA	Incorporated into Proposed Regulations.
6 VAC 20-171-490	Conduct investigations in to unlicensed activities by individuals or businesses	PIAVA	<i>Not regulation suggestion, this is a procedural suggestion, which we already do.</i>
6 VAC 20-171-500	Criminal penalties for unlicensed activity by individuals or businesses	PIAVA	<i>The Code already establishes criminal penalties for unlicensed/unregistered activity.</i>
6 VAC 20-171-240-9	Make Compliance agent a contract position that can serve multiple licensed businesses	PIAVA	<i>CA should be an employee of the company. We don't support CA working for multiple firms. (public safety issue)</i>
6 VAC 20-171-20	Establish fair fees for administration of recommended changes, if adopted	PIAVA	<i>To be determined once new legislation is enacted.</i>
<i>None</i>	Determine cost for processing each type of application, base fees on that cost;	Fees Committee	<i>Not feasible.</i>
None	“tiered” process for PSS business licenses based on number of employees;	Fees Committee	<i>Incorporated into Proposed regulations.</i>
6 VAC 20-171-50	Possibility of Branch Office licensing for businesses, each with a Compliance Agent;	Fees Committee	<i>Incorporated into Proposed regulations.</i>

6 VAC 20-171-20	Fee structure for business license with a base fee, additional fee for each industry segment of instruction, i.e., PI, Electronic Security, Armored Car, etc.	Fees Committee	<i>Incorporated into Proposed regulations.</i>
6 VAC 20-171-120+350	Require entry-level training, application for Registration submitted to DCJS and training through Armored Service Tech classes before applicant can be onboard as Armored Car	Rick Dalton	<i>Is the current requirement.</i>
6 VAC 20-171-10	Remove requirement – DCJS license number on letterhead and business cards or better explanation in regulations for this requirement	Joseph Fasceski	<i>This would require a legislative change.</i>
6 VAC 20-171-250	Remove requirement for companies to maintain copies of training records	Joseph Fasceski	<i>Companies should maintain a copy of the form for each of their employees for liability purposes. The training completion form does have more information on it than what is submitted to DCJS.</i>
6 VAC 20-171-100-A	Add “or three years of experience in Private Security or a related field.” Higher standards for instructors	Bill Scouten	<i>The regulations already allow individuals with 5 years of experience to qualify as an instructor.</i>
6 VAC 20-171-120. D	Does “employed for a period not to exceed 90 days” mean in PSS industry or particular employer	Bill Scouten	<i>Clarified in Proposed regulations.</i>
6 VAC 20-171-130 & 140, 230, 320, 340	Clarify expiration dates on certification/registration, when individual must cease work if not renewed, 90 day clauses if not renewed, 90 day clauses	Bill Scouten	<i>This is not a recommendation. However, the clarification is that all licenses, registrations and certifications</i>

			<i>become null and void on the expiration date. DCJS requests that renewal applications be submitted 30 days prior to the expiration in order to issue a new authorization prior to the expiration date. The 90-day reinstatement period allows an individual to still renew an expired authorization by paying a penalty.</i>
6 VAC 20-171-180	Is this still the policy?	Bill Scouten	<i>Yes, our policy is to request applications 30 days in advance.</i>
6 VAC 20-171-300	Delete requirement to maintain score, no longer required on Training Completion Form	Bill Scouten	<i>Regs state that the TS shall maintain pass/fail for records and Range qualification scores. Range scores are still recorded on the TCF.</i>
6 VAC 20-171-300	Notify DCJS within 1 hour if class is cancelled for lack of students		<i>This was incorporated into the Proposed Regulations.</i>
6 VAC 20-171-320	Add "Must procure photo identification	Bill Scouten	<i>Will</i>

& 340	card within ten days of receipt of letter		<i>incorporate into the proposed regulations that one must have the letter or the ID card (without a time limit).</i>
6 VAC 20-171-360-B-5	Lower PI in-service training from 8 to 4 hours	Bill Scouten	<i>Other individuals are suggesting that the amount be increased. The JTA did not indicate that the hours should be reduced.</i>
6 VAC 20-171-40 B. 2.	Should misdemeanor involving moral turpitude within previous five-year period, should the complete phrase be used every time the term moral turpitude is used.	Bill Scouten	<i>No (this was to assist the compliance agent with VSP-167 decisions) Will be deleted.</i>
6 VAC 20-171-70	Compliance Agents, must list one, do all have to be in good standing?	Bill Scouten	<i>Yes, <u>If</u> you list more than one CA, each must be in Good Standing.</i>
6 VAC 20-171-350	If an individual takes training but does not get certified or registered (holding a hard card) Within 12 month, will the training be null and void?	Bill Scouten	<i>Yes, after 12 months.</i>
6 VAC 20-171-10	Armed Security Officer and Unarmed Security Officer – differentiate functions as well as Armed status, change definitions accordingly.	Professional Investigators & Security Association	<i>This would require a legislative change.</i>
Part III. Article 1	Revise this article based upon 2002 changes to the Code of Virginia	Professional Investigators & Security Association	<i>This was incorporated into the Proposed Regulations.</i>
6 VAC 20-171-120 &	Require all PSS business personnel who are Armed in the performance of their duties	Professional Investigators & Security Association	<i>This was incorporated into the</i>

	to be registered, requiring annual firearms retraining and qualification.		<i>Proposed Regulations.</i>
6 VAC 20-171-140 & 150	Certification for all PSS business personnel who are Unarmed in the performance of their duties , valid for not more than 24 months, renewed every two years in accord with the In-service training requirement.	Professional Investigators & Security Association	<i>This was incorporated into the Proposed Regulations.</i>
6 VAC 20-171-120, 130, 140 and 150	Precise definition of “registration” and “certification” and spell our difference in DMV authorization letter (registration or certification approval letter) and a photo ID card	Professional Investigators & Security Association	<i>A legislative change is required to change the definitions of registration and certification. However we could add definitions or make distinction of the Photo ID and DMV Authorization Letter and the Temp. letter if necessary.</i>
6 VAC 20-171-210	Add section granting reciprocity to PSS businesses and their employees to provide services in the Commonwealth per agreements entered into with jurisdiction and with approval of the board.	Professional Investigators & Security Association	<i>Not necessary, this area already addressed by Code and regs</i>
None	Add a section governing juveniles working as laborers in the Electronic Security Business	Professional Investigators & Security Association	<i>This would require a legislative change. Can't fingerprint juveniles and they would have access to sensitive information (ESE's).</i>
6 VAC 20-171-350	Unarmed Security Officer Entry Level Training – 16 hrs. addressing arrest policies and	Professional Investigators & Security Association	<i>This was incorporated into the</i>

	Procedures should not be required, Unarmed Security Officers have no arrest authority.		<i>Proposed Regulations.</i>
6 VAC 20-171-350	8 hour Arrest Policies and Procedures, addressing in detail legal authority, handcuffing, searching for categories with arrest powers	Professional Investigators & Security Association	<i>This was incorporated into the Proposed Regulations.</i>
6 VAC 20-171-350	Remove 8 hour Arrest Policies and Procedures, addressing in detail legal authority, handcuffing, searching for categories with arrest powers from 07E/R and 08E/R for categories where there are no arrest powers, making the training only range qualification	Professional Investigators & Security Association	<i>This was incorporated into the Proposed Regulations.</i>
6 VAC 20-171-350	Apply same changes to requirements for Canine Handlers and Alarm Respondents.	Professional Investigators & Security Association	<i>This was incorporated into the Proposed Regulations</i>
6 VAC 20-171-350	Develop training curriculum for Alarm Respondent addressing duties & responsibilities Of responding to alarms	Professional Investigators & Security Association	<i>Addressed in JTA, incorporated into regs and increased core hour requirement.</i>
6 VAC 20-171-360	Delete requirement for in-service training within 12 months of expiration date of Registration or certification.	Professional Investigators & Security Association	<i>This was incorporated into the Proposed Regulations</i>
6 VAC 20-171-360-C-11	General Instructor In-Service Training, extend hours to adequately cover subjects.	Professional Investigators & Security Association	Not recommended at this time. DCJS does not have a difficult time covering these subjects in the time allocated.
6 VAC 20-171-390	Amend Entry Level PPS Handgun Training to Advanced Handgun Training, require for	Professional Investigators & Security Association	<i>This was incorporated into Proposed</i>

	Armed PPS and option for other armed registrants.		<i>Regulations.</i>
6 VAC 20-171-360	Suggest photo ID cards renew every two years in conjunction with In-Service Training	Milton V. Richards	<i>This was addressed in the Proposed Regulations.</i>
6 VAC 20-171-120 D.	Require training be completed prior to starting the job for liability purposes	Sherry(SP?) Blackwell	<i>This would require a legislative change for those areas authorized by Code to take 90 days.</i>
None	Mr. Waldron feels it is a waste of his time to submit suggestions or comments because they will end on deaf ears.	Merlin O. Waldron	<i>No Comment.</i>
6VAC20-171-350	Most current classroom information required is unnecessary; would like arrest training dropped from unarmed security officer training Require more on-site training and make it the major portion of the training. Standardized testing; let persons who have passed training work before receiving photo ID	B. E. McCrory, Jr.	<i>We did pull arrest training from core requirements. We are looking into standardized testing but not at this time</i>
6 VAC 20-171-30 D	When there is a hit on a Fingerprint, notify company as well as individual	B. E. McCrory, Jr.	<i>This was incorporated into the Proposed Regulations.</i>
Deleted by Code was 6VAC20-171-40	Would like to see guidelines for VSP regarding fingerprint processing as of 2003. Does not believe VSP will be able to keep up with a “smooth flow”	B. E. McCrory, Jr.	<i>This is not a regulation issue.</i>
6 VAC 20-171-20	Increasing fees will hurt small companies. Code change to allow fees to go into the general fund. Presently our fees are paying For the Private Security Section of DCJS salaries and operating costs, but when a DCJS Employee investigates one of the PSS	B. E. McCrory, Jr.	<i>DCJS develops its fee structure as fairly as possible. We have given several budget presentations to the Board. They voted in favor of</i>

	<p>industry businesses and finds infractions, the Money from the fines goes into the general fund, why? How can DCJS Private Security Section work without a budget? The regulations should require DCJS's operating budget made available to the industry.</p>		<p><i>our proposed fee increases. The fees have not increased since we have taken over the program in 1993. They are less than adequate to support the program. We cannot keep our investigative fees because it is mandated by Code that all fees recovered from administrative penalties shall be paid to the Literary fund. It would not be prudent to ask for a change in the Code on this issue.</i></p>
6 VAC 20-171-40	<p>Change requirement that there be a period of 14 days before VSP-167 has to be submitted. Many employees do not make it past the first week but we still have to pay the \$15.00 fee</p>	Anthony Ranicki	<p><i>This would require a legislative change and will no longer be effective on 1/1/03.</i></p>
None	<p>Hiring help for a few hours, unable to pay an investigator on a 10-99, amend regulation to allow hiring of investigators, keep proper records of their hours as well as a copy of their registration all within the tax guidelines for casual labor and not have to deal with a mountain of tax forms required of employees.</p>	Betty H. Lee	<p><i>This would require a legislative change.</i></p>
6 VAC 20-171-50	Classes of Business License, i.e. "A"	John L. Rennich	<p><i>This would</i></p>

<p>& 120</p>	<p>Electronic Security; “B” Security Officers, armed of unarmed, Protection Specialist, Canine Officer, Armored Car, etc. Need to change the registration and the way we obtain competent personnel through requirements of “experience” as well as training for Private Investigators. Implement testing to make sure the person is qualified. Implement intern program for Private Investigators, like many other states. Requirements or education for a “training license,” then work amount of hours with a Licensed PI firm and be paid on a 1099 for specific investigative tasks. If do not achieve 500 to 600 hours in 3 to 5 years, licensee cannot advance to next level.</p>		<p><i>require a legislative change.</i></p>
<p>6VAC20-171-100 & 120</p>	<p><i>SUGGESTED US CITIZENSHIP AND LEGAL ALIEN.</i></p>	<p><i>John L. Rennich</i></p>	<p><i>Incorporated into Regulations</i></p>
<p>6VAC20-171-50</p>	<p>All investigations conducted or originating in the state of Virginia must be conducted by a Private Investigative Business licensed by DCJS</p>	<p><i>John L. Rennich</i></p>	<p><i>Restraint of Trade issue</i></p>
<p>6VAC20-171-230</p>	<p>Private Investigative Business in the State of Virginia must maintain employment records for 7 years. Each year Private Investigative business in the state of Virginia must submit and certify, to DCJS, the number of hours worked for each employee and each sub contractor</p>	<p><i>John L. Rennich</i></p>	<p><i>Incorporated into Regulations but limited to three years.</i></p>