

- (b) one individual who is an officer or owner of a licensed armored car company;
 - (c) one individual from among nominees of the Utah Sheriffs' Association;
 - (d) one individual from among nominees of the Utah Chiefs of Police Association; and
 - (e) two individuals representing the general public.
- (2) (a) The executive director shall appoint board members in accordance with Section 58-1-201.
 - (b) A board members serves in accordance with Section 58-1-201.
- (3) (a) The board shall carry out its duties and responsibilities in accordance with Sections 58-1-201 and 58-1-203.
 - (b) The board shall designate one of its members on a permanent or rotating basis to:
 - (i) assist the division in reviewing a complaint concerning the unlawful or unprofessional conduct of a person licensed under this chapter; and
 - (ii) advise the division in its investigation of the complaint.
- (4) A board member who, under Subsection (3), has reviewed a complaint or advised in its investigation is disqualified from participating with the board when the board serves as a presiding officer in an adjudicative proceeding concerning the complaint.

Part 3 - Licensing

58-63-301. Licensure required - License classifications.

- (1) A license is required to engage in the practice of a contract security company, an armored car company, an armored car security officer, armed private security officer, or unarmed private security officer, except as otherwise provided in Section 58-63-304, 58-63-310, or 58-1-307.
- (2) The division shall issue a person who qualifies under this chapter a license in the following classifications:
 - (a) contract security company;
 - (b) armored car company;
 - (c) armored car security officer;
 - (d) armed private security officer; or
 - (e) unarmed private security officer.

58-63-302. Qualifications for licensure.

- (1) Each applicant for licensure as an armored car company or a contract security company shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) have a qualifying agent who:
 - (i) is a resident of the state and an officer, director, partner, proprietor, or manager of the applicant;
 - (ii) passes an examination component established by rule by the division in collaboration with the board; and
 - (iii) (A) demonstrates 6,000 hours of compensated experience as a manager, supervisor, or administrator of an armored car company or a contract security company; or
(B) demonstrates 6,000 hours of supervisory experience acceptable to the division in collaboration with the board with a federal, United States military, state, county, or municipal law enforcement agency;
 - (d) if a corporation provide:
 - (i) the names, addresses, dates of birth, and social security numbers of all corporate officers, directors, and those responsible management personnel employed within the state or having direct responsibility for managing operations of the applicant within the state; and
 - (ii) the names, addresses, dates of birth, and social security number, of all shareholders owning 5% or more of the outstanding shares of the corporation, unless waived by the division if the stock is publicly listed and traded;
 - (e) if a limited liability company provide:
 - (i) the names, addresses, dates of birth, and social security numbers of all company officers, and those responsible management personnel employed within the state or having direct responsibility for managing operations of the applicant within the state; and
 - (ii) the names, addresses, dates of birth, and social security number of all individuals owning 5% or more of the equity of the company;

R156. Commerce, Occupational and Professional Licensing.

R156-63a. Security Personnel Licensing Act Contract Security Rule.

R156-63a-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 63, as used in Title 58, Chapters 1 and 63 or this rule:

(1) "Approved basic education and training programs" means basic education and training that meets the standards set forth in Sections R156-63a-602 and R156-63a-603 that is approved by the Division.

(2) "Approved basic firearms education and training program" means basic firearms education and training that meets the standards set forth in Section R156-63a-604 that is approved by the Division.

(3) "Authorized emergency vehicle" is as defined in Subsection 41-6a-102(3).

(4) "Contract security company" includes a peace officer who engages in providing security or guard services when acting in a capacity other than as an employee of the law enforcement agency by whom he is employed.

(5) "Contract security company" does not include a company which hires as employees, individuals to provide security or guard services for the purpose of protecting tangible personal property, real property, or the life and well being of personnel employed by, or animals owned by or under the responsibility of that company, as long as the security or guard services provided by the company do not benefit any person other than the employing company.

(6) "Compensated", as used in Subsection 58-63-302(c)(iii)(A), means remuneration in the form of W-2 wages unless the qualifying agent is an owner of a contract security or armored car company, in which case "compensated" means the owner's profit distributions or dividends.

([6]7) "Conviction" means criminal conduct where the filing of a criminal charge has resulted in:

(a) a finding of guilt based on evidence presented to a judge or jury;

(b) a guilty plea;

(c) a plea of nolo contendere;

(d) a plea of guilty or nolo contendere which is held in abeyance pending the successful completion of probation;

(e) a pending diversion agreement; or

(f) a conviction which has been reduced pursuant to Section 76-3-402.

([7]8) "Employee" means an individual providing services in the security guard industry for compensation when the amount of compensation is based directly upon the security guard services provided and upon which the employer is required under law to withhold federal and state taxes, and for whom the employer is required under law to provide worker's compensation insurance coverage and pay unemployment insurance.

([8]9) "Officer" as used in Subsections 58-63-201(1)(a) and R156-63a-302a(1)(b) means a manager, director, or administrator of a contract security company.

([9]10) "Qualified continuing education" means continuing education

that meets the standards set forth in Subsection R156-63a-304.

(~~10~~11) "Qualifying agent" means an individual who is an officer, director, partner, proprietor or manager of a contract security company who exercises material authority in the conduct of the contract security company's business by making substantive technical and administrative decisions relating to the work performed for which a license is required under this chapter and who is not involved in any other employment or activity which conflicts with his duties and responsibilities to ensure the licensee's performance of work regulated under this chapter does not jeopardize the public health, safety, and welfare.

(~~11~~12) "Soft uniform" means a business suit or a polo-type shirt with appropriate slacks. The coat or shirt has an embroidered badge or contract security company logo that clips on to or is placed over the front pocket.

(~~12~~13) "Supervised on-the-job training" means training of an armed or unarmed private security officer under the supervision of a licensed private security officer who has been assigned to train and develop the on-the-job trainee.

(~~13~~14) "Supervision" means general supervision as defined in Section R156-1-102a(4)(c).

(~~13~~15) "Unprofessional conduct," as defined in Title 58, Chapters 1 and 63, is further defined, in accordance with Subsection 58-1-203(1)(c), in Section R156-63a-502.

KEY: licensing, security guards, private security officers

Date of Enactment or Last Substantive Amendment: [~~March 24, 2011~~]2013

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-63-101

R156. Commerce, Occupational and Professional Licensing.

R156-63b. Security Personnel Licensing Act Armored Car Rule.

R156-63b-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 63, as used in Title 58, Chapters 1 and 63 or this rule:

(1) "Approved basic education and training program" means basic education and training that meets the standards set forth in Sections R156-63b-602 and R156-63b-603 that is approved by the Division.

(2) "Approved basic firearms education and training program" means basic firearms education and training that meets the standards set forth in Section R156-63b-604 that is approved by the Division.

(3) "Armored car company" includes a peace officer who engages in providing security or guard services when acting in a capacity other than as an employee of the law enforcement agency by whom he is employed.

(4) "Armored car company" does not include a company which hires as employees, individuals to provide security or guard services for the purpose of protecting tangible property, currency, valuables, jewelry, SNAP benefits as defined in Section 35A-1-102, or other high value items that require secured delivery from one place to another and are owned by or under the responsibility of that company, as long as the security or guard services provided by the company do not benefit any person other than the employing company.

(5) "Authorized emergency vehicle" is as defined in Subsection 41-6a-102(3).

(6) "Compensated", as used in Subsection 58-63-302(c)(iii)(A), means remuneration in the form of W-2 wages unless the qualifying agent is an owner of a contract security or armored car company, in which case "compensated" experience means the owner's profit distributions or dividends.

([6]7) "Conviction" means criminal conduct where the filing of a criminal charge has resulted in:

(a) a finding of guilt based on evidence presented to a judge or jury;

(b) a guilty plea;

(c) a plea of nolo contendere;

(d) a plea of guilty or nolo contendere which is held in abeyance pending the successful completion of probation;

(e) a pending diversion agreement; or

(f) a conviction which has been reduced pursuant to Section 76-3-402.

([7]8) "Employee" means an individual providing services in the armored car industry for compensation when the amount of compensation is based directly upon the armored car services provided and upon which the employer is required under law to withhold federal and state taxes, and for whom the employer is required under law to provide worker's compensation insurance coverage and pay unemployment insurance.

([#]9) "Officer" as used in Subsection 58-63-201(1)(a) means a manager, director, or administrator of an armored car company.

([9]10) "Qualified continuing education" means continuing education that meets the standards set forth in Subsection R156-63b-304.

([10]11) "Qualifying agent" means an individual who is an officer, director, partner, proprietor or manager of an armored car company who exercises material authority in the conduct of the armored car company's business by making substantive technical and administrative decisions relating to the work performed for which a license is required under this chapter and who is not involved in any other employment or activity which conflicts with his duties and responsibilities to ensure the licensee's performance of work regulated under this chapter does not jeopardize the public health, safety, and welfare.

([11]12) "Soft uniform" means a business suit or a polo-type shirt with appropriate slacks. The coat or shirt has an embroidered badge or armored car company logo that clips onto or is placed over the front pocket.

([12]13) "Supervised on-the-job training" means training of an armored car security officer under the supervision of a licensed armored car security officer who has been assigned to train and develop the on-the-job trainee.

([13]14) "Supervision" means general supervision as defined in Section R156-1-102a(4)(c).

([13]15) "Unprofessional conduct," as defined in Title 58, Chapters 1 and 63, is further defined, in accordance with Subsection 58-1-203(1)(c), in Section R156-63b-502.

KEY: licensing, security guards, armored car security officers, armored car company

Date of Enactment or Last Substantive Amendment: [~~May 26, 2011~~]2013

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-63-101

Guest Sign In Sheet

Board Meeting: Security Board Meeting

Date: October 10, 2013

Please Print

Name	Phone#	Company/Person Representing
1 <u>RUSS SANDROCK</u>	<u>801-267-5678</u>	<u>SECURITAS SECURITY</u>
2 _____	_____	_____
3 _____	_____	_____
4 _____	_____	_____
5 _____	_____	_____
6 _____	_____	_____
7 _____	_____	_____
8 _____	_____	_____
9 _____	_____	_____
10 _____	_____	_____
11 _____	_____	_____
12 _____	_____	_____
13 _____	_____	_____
14 _____	_____	_____
15 _____	_____	_____
16 _____	_____	_____
17 _____	_____	_____

REVISED CHECKLIST FOR PUBLIC MEETINGS

(Fill in the blanks to correspond to each respective board, commission, or committee.)

✓ I am, Sheriff Jeff Merrill Acting, chairperson of the Security Services Licensing Board.

✓ I would like to call this meeting of the Board to order.

✓ It is now (time) 09:03 on October 10, 2013.

✓ This meeting is being held in room 210 of the Heber Wells Building

 in Salt Lake City, Utah.

✓ Notice of this meeting was provided as required under Utah's Open Meeting laws.

✓ In compliance with Utah's Open Meetings laws, this meeting is being recorded in its entirety. The recording will be posted to the Utah Public Notice Website no later than three business days following the meeting.

✓ In compliance with Utah's Open Meeting laws, minutes will also be prepared of this meeting and will be posted to the Utah Public Notice Website. Appropriately marked "pending approval" minutes will be posted no later than 30 days after the close of the meeting and "approved" minutes no later than three business days after approval.

✓ The following Board members are in attendance:

	YES	NO
<u>John Tinsley</u> , Chairperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Sheriff Jeff Merrill</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Perry Rose</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Scott Folsom</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Jack Gardner</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

✓ The following (Board / Committee / Commission) members are absent: (Refer to the above list.)

✓ The following individuals representing DOPL and the Department of Commerce are in attendance:

	YES	NO
<u>Mark B. Steinagel</u> , Division Director	<input type="checkbox"/>	<input type="checkbox"/>
<u>April Ellis</u> , Bureau Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Yvonne King</u> , Board Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Tracy Naff</u> , Compliance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

✓ We welcome any visitors and interested persons at this time. Please be sure to sign the attendance report for the meeting and identify yourself before speaking.

✓ As a courtesy to everyone participating in this meeting, at this time we ask for all cell phones, pagers, and other electronic devices to be turned off or changed to silent mode.

✓ Board motions and votes will be recorded in the minutes.

✓ Let us now proceed with the agenda.

_____ (End of the Meeting) It is now (time) 10:13 (am / pm), and this meeting is adjourned.

MINUTES

UTAH Security Services Licensing Board MEETING

August 22, 2013

Room 474 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:01 A.M.

ADJOURNED: 10:06 A.M.

Bureau Manager:

April Ellis

Board Secretary:

Yvonne King

Board Members Present:

John Tinsley, Chair
Sheriff Jeff Merrell
Perry Rose
Jack Gardner
Scott Folsom

Guests:

Lynette Phillips, USA
Joe Chapman, CSI
Paul Nelson, Bedrock
Russ Shinrock, Securitas
Nicolas Cook, CBI

DOPL Staff Present:

Mark Steinagel, Division Director
Tracy Naff, Compliance

ADMINISTRATIVE BUSINESS:

Approval of the June 13, 2013; Board Meeting Minutes:

Mr. Folsom seconded by Mr. Rose made a motion to approve the June 13, 2013 Board Meeting Minutes as written. The motion carried unanimously.

DISCUSSION ITEMS:

Pending Default Orders:

Ms. Ellis presented Notices of Agency Action for Robert Mciff and Anthony Rios for failure to comply with probation.

Mr. Rose seconded by Sheriff Merrill made a motion to revoke the residual rights of licensure as an Unarmed Security Officer for Robert Mciff and

Interim Permits

Anthony Rios. The motion carried unanimously.

Ms Ellis presented a Notice of Agency Action for Venture Security Group, LLC for failure to replace the qualifying agent.

Mr. Folsom seconded by Mr. Gardner made a motion to revoke Venture Security Group, LLC as a Contract Security Company for failure to replace their Qualifying Agent. The motion carried unanimously.

Ms. Ellis explained to the Board that they will no longer be issuing walk-in interim permits but will issue them within the next business day. The interim permit will be issued and sent out in an e-mail to each licensee.

Ms. Ellis presented a letter that was sent out to all contract security companies explaining the new procedure.

Ms. Ellis also presented a letter from PACSCO indicating opposition to the change.

Mr. Rose seconded by Sheriff Merrill made a motion to support the new change in allowing the Division to issue the interim permit within the next business day. The motion carried unanimously.

Appointments:

Compliance, Tracy Naff

Ms. Naff gave a brief report on the probationers. Ramazani Ado technically doesn't start probation until September 1, 2013 but has not responded to letters that were sent out by the Division. David Paxman was excused from his appointment. Nicolas Cook was considered compliant with his memorandum.

Closed Meeting, 9:44 a.m.

Mr. Gardner seconded by Mr. Rose made a motion to close the meeting at 9:44 a.m. The motion carried unanimously.

Re-open Meeting, 9:49 a.m.

Mr. Rose seconded by Mr. Folsom made a motion to re-open the meeting at 9:49 a.m.. The motion carried unanimously.

Nicholas Cook

Mr. Folsom seconded by Sheriff Merrill made a motion to not require Mr. Cook to come before the

Board as long as he remains compliant. The motion carried unanimously.

Ramazani Ado

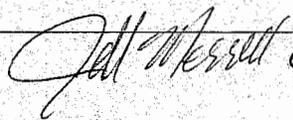
Mr. Ado did not show up for his appointment but his reports were not due until September 1, 2013. The Board requested that a letter be sent to Mr. Ado notifying him to appear before the October Board meeting.

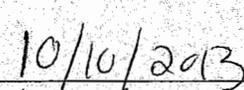
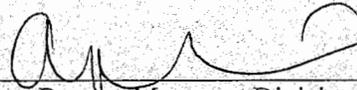
David Paxman

Mr. Paxman was excused from his appointment.

Next Scheduled Meeting

October 10, 2013

Date Approved  Oct 10th 2013 Chairperson, Security Services Licensing Board

 10/10/2013
Date Approved  Bureau Manager, Division of Occupational & Professional Licensing