

1 14B NCAC 16 .0101 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0101 PURPOSE**

4 The Private Protective Services Board is established within the North Carolina Department of Public Safety for the
5 purpose of administering the licensing of and setting the education and training requirements for persons, firms,
6 **associations associations.** and corporations engaged in the private protective services businesses within this State.

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8 *History Note: Authority G.S. 74C-4;*

9 *Eff. June 1, 1984;*

10 *Transferred and Recodified from 12 NCAC 07D .0101 Eff. July 1, 2015;*

11 *Amended Eff. October 1, ~~2015~~ 2015;*

12 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0103 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0103 DEFINITIONS**

4 In addition to the definitions set forth in G.S. 74C, the following definitions shall apply throughout this Subchapter:

- 5 (1) "Agency Head" means the Chairman of the Board.
- 6 (2) "Applicant" means any person, **firm firm**, or corporation applying to the Board for a license, trainee
7 permit, **registration registration**, or firearms trainer certificate.
- 8 (3) "Armed Private Security Officer" means an individual employed, full time or part time, by a contract
9 security company or a proprietary security organization:
- 10 (a) who at any time wears, carries, or possesses a firearm in the performance of his **or her**
11 duties; and
- 12 (b) whose principal duty is that of:
- 13 (i) an armed security guard, officer, patrol, or watchman;
- 14 (ii) an armed armored car service guard;
- 15 (iii) a private detective; or
- 16 (iv) an armed courier service guard.
- 17 (4) "Board" means the Private Protective Services Board established by G.S. 74C.
- 18 (5) "Branch Manager or Operator" means the individual endowed with the responsibility and liability
19 for a branch office.
- 20 (6) "Branch Office" means a separate but dependent part of a central organization engaged in the
21 business of providing private protective services established for the purpose of extending the
22 activities of the central organization. The establishment of a telephone number or mailing address
23 in the company name constitutes prima facie evidence of a branch office. If an out-of-state person,
24 firm, association, or corporation opens an office in North Carolina, the North Carolina office shall
25 be deemed the principal place of business and shall have a resident licensed qualifying agent.
- 26 (7) "Chairman" means the Chairman of the Private Protective Services Board.
- 27 (8) "Contract Security Company" means any person, firm, association, or corporation engaging in a
28 private protective services business as defined in G.S. 74C-3 that provides **said the** services on a
29 contractual basis for a fee or other valuable consideration to any other person, firm, association, or
30 corporation.
- 31 (9) "Direct Supervision" means personal, face-to-face contact and direction of the trainee's activities on
32 a frequent and reasonable basis.
- 33 (10) "Investigative Capacity" means any law enforcement agency position for which the duties include
34 conducting investigations and interviews, completing reports, and testifying in courts,
35 administrative **hearings hearings**, or military tribunals.
- 36 (11) "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is
37 an employee of the United States, any state, or any political subdivision of a state.

1 (12) "Licensee" means any person licensed to perform private protective services in North Carolina in
2 accordance with G.S. 74C.

3 (13) "Proprietary Security Organization" means any person, firm, association, ~~corporation~~ corporation,
4 or department thereof:

5 (a) that employs any of the following:

6 (i) watchmen;

7 (ii) security guards or officers;

8 (iii) patrol personnel;

9 (iv) armored car personnel; or

10 (v) couriers; and

11 (b) that employs these persons regularly and exclusively as an employee in connection with
12 the business affairs of such employer.

13 (14) "Qualifying Agent" means the individual licensee who is responsible for the private protective
14 services business.

15 (15) "Restored" means that an individual is no longer in need of psychiatric care as determined by a
16 physician.

17 (16) "Temporary unarmed security guard" means an individual who is hired for a period of 30 days or
18 less within a calendar year and who is designated by his or her employer as a temporary security
19 guard at the start of employment.

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21 *History Note: Authority G.S. 74C-3; 74C-5;*

22 *Eff. June 1, 1984;*

23 *Amended Eff. October 1, 2013; August 1, 1998; May 1, 1988; July 1, 1987;*

24 *Transferred and Recodified from 12 NCAC 07D .0104 Eff. July 1, ~~2015~~; 2015;*

25 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0104 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0104 UNIFORMS AND EQUIPMENT**

4 (a) **No holder This Rule applies to holders** of a license, trainee permit, unarmed security guard registration, armed
5 security guard registration, unarmed armored car service guard, armed armored car service guard, or firearms trainer
6 **certificate certificates. No holder,** while engaged in private protective services, shall wear or display any badge,
7 insignia, device, shield, patch, or pattern that indicates or tends to indicate that the individual is a sworn law
8 enforcement officer or that contains or includes the word "police" or the equivalent thereof, or is similar in wording
9 to any law enforcement agency in the local area of the licensee's operations.

10 (b) No holder, while performing any private security service, shall have or utilize any vehicle or equipment displaying
11 the words "law enforcement officer," "police," or the equivalent thereof, or have any sign, shield, marking, accessory,
12 or insignia that indicates that the vehicle is a vehicle of a law enforcement agency.

13 (c) A holder who is required to wear a military style uniform while in the performance of private security services
14 shall have:

15 (1) affixed over the left breast pocket of the uniform and on all caps or hats worn by the individual,
16 badges or patches, distinct in design from those used by law enforcement agencies within the local
17 area of the licensee's operations;

18 (2) affixed over the right breast pocket of the uniform a metal, plastic, or cloth tag not less than three
19 inches nor more than five inches in length and not less than three-fourths inch nor more than one
20 inch in height containing the words "Security Guard," "Security Officer," "Armored Car Guard," or
21 "Armored Car Officer" in capital letters approximately one-half inch in height; and

22 (3) affixed over the "Security Guard," "Security Officer," "Armored Car Guard," or "Armored Car
23 Officer" tag, a metal, plastic, or cloth tag bearing the name of the wearer. The name tag may be
24 smaller than "Security Guard," "Security Officer," "Armored Car Guard," or "Armored Car Officer"
25 tag if it is displayed in capital letters five-sixteenth inch to one-half inch in height.

26 (d) The wearing of the armed or unarmed private protective services card visible on the outermost garment (except
27 foul weather clothing) satisfies the requirements of Subparagraphs (c)(1), (2) and (3) of this Rule.

28 (e) All holders who perform the duties of a security guard or security officer and who are not required to wear a
29 military style uniform shall have affixed over the right or left breast pocket of the outermost garment (except for
30 rainwear or other foul weather clothing) a tag as described in (c)(2) of this Rule.

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32 *History Note: Authority G.S. 74C-5; 74C-12; 74C-15;*
33 *Eff. June 1, 1984;*
34 *Amended Eff. January 1, 2015; January 1, 2013; July 1, 1995; July 1, 1987;*
35 *Transferred and Recodified from 12 NCAC 07D .0105 Eff. July 1, ~~2015~~. 2015;*
36 *Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0105 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0105 PROHIBITED ACTS**

4 (a) In addition to the prohibited acts set forth elsewhere in these Rules and in Chapter 74C of the General Statutes,
5 any licensee, trainee, registrant, or firearms trainer who does any of the following may have his or her license, trainee
6 permit, registration, or firearms trainer certificate revoked or suspended:

- 7 (1) Displays or causes or allows to be displayed, or has in his or her possession any cancelled, revoked,
8 suspended, fictitious, **or** fraudulently altered license, trainee permit, registration identification card,
9 or firearms trainer certificate, or any document simulating, purporting to be, or purporting to have
10 been issued as a license, trainee permit, registration identification card, or firearms trainer
11 certificate;
- 12 (2) Lends his or her license, trainee permit, registration identification card, or firearms trainer certificate
13 to any person or allows the use thereof by another;
- 14 (3) Displays or represents any license, trainee permit, registration identification card, or firearms trainer
15 certificate not issued to him **or her** as being his or her license, trainee permit, registration
16 identification card, or firearms trainer certificate; or
- 17 (4) Includes in any advertisement a statement **which that** implies official state authorized certification
18 or approval other than this statement: "Licensed by the Private Protective Services Board of the
19 State of North Carolina." Licensees must include their license number.

20 (b) In addition to the prohibited acts set forth elsewhere in these Rules and in Chapter 74C of the General Statutes, it
21 shall be grounds for application denial or license registration suspension or revocation for an applicant, licensee,
22 trainee, **registrant registrant,** or trainer to make any false statement or give any false information to a third party in
23 connection with any criminal history record check provided to the Board.

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25 *History Note: Authority G.S. 74C-5; 74C-8.1; 74C-12; 74C-16;*
26 *Eff. June 1, 1984;*
27 *Amended Eff. May 1, 2014; July 1, 1987;*
28 *Transferred and Recodified from 12 NCAC 07D .0106 Eff. July 1, ~~2015~~ 2015;*
29 *Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0106 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0106 DISCIPLINARY ACTIONS**

4 (a) The Board may deny a license, trainee permit, **registration registration**, or firearms trainer certificate for any
5 violation of G.S. Chapter 74C or this Chapter. The Board may suspend or revoke a license, trainee permit, **registration**
6 **registration**, or firearms trainer certificate for any violation of G.S. Chapter 74C or this Chapter, provided that the
7 violation occurred within three years of the initiation of the Board investigation of **such the** violation.

8 (b) The Board may issue a written reprimand to a holder of a license, trainee permit, registration identification **card**
9 **card**, or firearms trainee certificate when the Board determines:

- 10 (1) the holder has violated any of the provision of this Chapter or G.S. Chapter 74C that were applicable
- 11 to the holder;
- 12 (2) the violation did not result in the physical injury of or property loss to any person; and
- 13 (3) the holder expresses an intention to correct or already has corrected the improper activity.

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15 *History Note: Authority G.S. 74C-5; 74C-8;*
16 *Eff. June 1, 1984;*
17 *Amended Eff. July 1, 2012;*
18 *Transferred and Recodified from 12 NCAC 07D .0107 Eff. July 1, ~~2015~~; 2015;*
19 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0107 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0107 LAW ENFORCEMENT OFFICERS SPECIAL PROVISIONS**

4 (a) Law enforcement officers may provide security guard and patrol services on an individual employer-employee
5 basis to any person, firm, **association association**, or corporation **which that** is not engaged in a contract security guard
6 and patrol business.

7 (b) Law enforcement officers, while off-duty, may be employed by a licensed security guard and patrol business
8 provided **such the** officer is registered with the Board.

9 (c) A law enforcement officer employed by a proprietary security organization at times when the officer is not
10 scheduled for work with the employing law enforcement agency shall not be considered as being employed regularly
11 and exclusively as an employee in connection with the business affairs of **such the** employer.

12 ~~(d) The provisions of this Rule are in addition to those requirements of G.S. Chapter 74C 16(d).~~

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14 *History Note: Authority G.S. **74C-3**; 74C-5; **74C-16**; **74C-21**;*

15 *Eff. June 1, 1984;*

16 *Amended Eff. December 1, 1985;*

17 *Transferred and Recodified from 12 NCAC 07D .0108 Eff. July 1, ~~2015~~; 2015;*

18 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0108 is readopted with changes as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0108 RECORDS**

4 (a) All records pertinent to for an audit or an investigation required to be maintained by G.S. 74C or this Chapter shall
5 be subject to inspection by the administrator or his staff upon demand Director or the Director's designee between
6 8:00 a.m. - 5:00 p.m. Monday through Friday.

7 (b) All licensees Upon written request from the Director or the Director's designee, any licensee having registered
8 employees shall submit a copy of their its quarterly Division of Employment Security Commission form NCUI 101-
9 625 to the administrator's office at the same time the form is submitted to the Employment Security Commission. The
10 Board may request, and the licensee shall provide reports within 10 days of the request, the businesses' Employment
11 Security Commission account number along with the personal identification number (PIN) so that the Board may
12 access the data electronically. request.

13 (c) All records required to be kept by this Chapter shall be retained for at least three years.

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15 *History Note: Authority G.S. 74C-5;*

16 *Eff. June 1, 1984;*

17 *Amended Eff. February 1, 2010; July 1, 1987;*

18 *Transferred and Recodified from 12 NCAC 07D .0109 Eff. July 1, 2015; 2015;*

19 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0111 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0111 CHANGE OF ADDRESS OR TELEPHONE NUMBER**

4 All ~~licensees and registrants~~ **licensees, registrants, permittees, and trainers** must inform the Board of their home
5 address, business street address, home telephone ~~number~~ **number**, and business telephone number and must inform
6 the Board within 15 days of any changes.

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8 *History Note: Authority G.S. 74C-5;*

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Eff. April 1, 1995;

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Transferred and Recodified from 12 NCAC 07D .0113 Eff. July 1, ~~2015~~; 2015;

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Readopted Eff. August 1, 2020.

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1 14B NCAC 16 .0113 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0113 INVOLVEMENT IN ADMINISTRATIVE HEARING**

4 All licensees, **registrants registrants**, and trainers shall report to the Board any administrative proceeding commenced
5 against him or her that involves any potential revocation or suspension of, or other disciplinary action against, any
6 private protective service license, permit, **certification certification**, or registration that he or she holds in another state.
7 The Board must receive written notice of any such administrative proceeding within 30 days of the date the licensee,
8 **registrant registrant**, or trainer is notified of the administrative proceeding.

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10 *History Note: Authority G.S. 74C-5; 74C-12;*
11 *Eff. October 1, 2013;*
12 *Transferred and Recodified from 12 NCAC 07D .0115 Eff. July 1, ~~2015~~; 2015;*
13 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0204 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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14B NCAC 16 .0204 DETERMINATION OF EXPERIENCE

(a) Experience requirements shall be determined **in the following manner: as follows:**

- (1) one year experience = 1,000 hours;
- (2) two years experience = 2,000 hours;
- (3) three years experience = 3,000 hours.

(b) Applicants ~~must be prepared to make available upon request written documentation to verify experience.~~ **shall make available upon Board request written documentation to verify experience.**

(c) When applying for a license, ~~registration~~ **registration**, or trainee permit, the Board shall not consider any experience claimed by the applicant if:

- (1) gained by contracting private protective services to another person, firm, ~~association.~~ **association,** or corporation while not in possession of a valid private protective services license; or
- (2) gained when employed by a company contracting private protective services to another person, firm, association, or corporation while the company is not in possession of a valid private protective services license.

(d) The Board may consider formal classroom training ~~which that~~ is directly related to the private protective services industry. The Board may grant one half hour of credit for each hour of formal **classroom** training, but shall grant no more than 200 hours. Paragraph (c) of this Rule is to be considered in addition to any other formal training credits. No credit shall be given for formal training required pursuant to these Rules.

*History Note: Authority G.S. 74C-5; 74C-8;
Eff. June 1, 1984;
ARRC Objection October 19, 1988;
Amended Eff. April 1, 1999; February 1, 1996; March 1, 1989; December 1, 1985;
Transferred and Recodified from 12 NCAC 07D .0204 Eff. July 1, 2015- 2015;
Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0301 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0301 EXPERIENCE REQUIREMENTS/SECURITY GUARD AND PATROL LICENSE**

4 (a) In addition to the requirements of Section .0200 of this Chapter, applicants for a security guard and patrol license
5 shall:

- 6 (1) establish to the Board's satisfaction three years of **verifiable** experience as a manager, supervisor, or
7 administrator with a contract security company or a proprietary security organization performing
8 guard and patrol functions;
- 9 (2) establish to the Board's satisfaction three years of experience as a manager, supervisor, or
10 administrator in security with any federal, state, county, or municipal law enforcement agency
11 performing guard and patrol functions; or
- 12 (3) establish to the Board's satisfaction a military occupational specialty and two years of experience
13 within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator
14 performing guard and patrol functions.

15 (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a security guard and patrol license
16 that is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- 17 (1) the spouse holds a current license, **certification certification**, or registration from another jurisdiction
18 and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's
19 requirements; and
- 20 (2) the spouse has two years verifiable experience within the past five years as a manager, supervisor,
21 or administrator performing guard and patrol functions.

22 (c) The Board shall give credit toward the experience requirements set forth in Subparagraphs (a)(1) and (2) and
23 Subparagraph (b)(2) of this Rule as follows:

- 24 (1) An applicant shall receive a minimum of 400 hours of experience credit for an associate's degree.
25 The **Director or the** Board shall grant up to 100 additional hours if the applicant can demonstrate
26 that further training or course-work related to the private protective services industry was received
27 while obtaining the associate's degree.
- 28 (2) An applicant shall receive 800 hours of experience credit for a bachelor's degree. The **Director or**
29 **the** Board shall grant up to 200 additional hours if the applicant can demonstrate that further training
30 or course-work related to the private protective services industry was received while obtaining the
31 bachelor's degree.
- 32 (3) An applicant shall receive 1,200 hours of experience credit for a graduate degree. The **Director or**
33 **the** Board shall grant an additional 300 additional hours if the applicant can demonstrate that further
34 training or course-work related to the private protective services industry was received while
35 obtaining the graduate degree.

36 (d) Persons licensed under Chapter 74D of the General Statutes of North Carolina may be issued a limited guard and
37 patrol license exclusively for providing armed alarm responders.

1 *History Note: Authority G.S. 74C-5; 74C-8; 74C-13; 93B-15.1;*
2 *Eff. June 1, 1984;*
3 *Amended Eff. October 1, 2013; February 1, 2009; December 1, 1995; January 4, 1994; January 1,*
4 *1990; August 1, 1988;*
5 *Transferred and Recodified from 12 NCAC 07D .0301 Eff. July 1, ~~2015~~; 2015;*
6 *Readopted Eff. August 1, 2020.*
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1 14B NCAC 16 .0302 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0302 EXPERIENCE REQUIREMENTS FOR GUARD DOG SERVICE LICENSE**

4 (a) In addition to the requirements of Section .0200 of this Chapter, applicants for a guard dog service license shall:

- 5 (1) establish to the Board's satisfaction two years of **verifiable** experience as a manager, supervisor,
6 administrator, or dog handler with a contract security company or proprietary security organization
7 performing guard dog functions;
- 8 (2) establish to the Board's satisfaction two years of experience as a manager, supervisor, administrator,
9 or dog handler with any federal, state, county, or municipal agency performing guard dog functions;
10 or
- 11 (3) establish to the Board's satisfaction a military occupational specialty and two years of experience
12 within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator or
13 dog handler performing guard dog functions.

14 (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a guard dog service license that
15 is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- 16 (1) the spouse holds a current license, **certification certification**, or registration from another jurisdiction
17 and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's
18 requirements; and
- 19 (2) the spouse has two years of verifiable **of** experience within the past five years as a manager,
20 supervisor, or administrator or dog handler performing guard dog functions.

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22 *History Note: Authority G.S. 74C-5; 74C-8; 93B-15.1;*
23 *Eff. June 1, 1984;*
24 *Amended Eff. October 1, 2013; February 1, 2009; January 4, 1994;*
25 *Transferred and Recodified from 12 NCAC 07D .0302 Eff. July 1, ~~2015~~. 2015;*
26 *Readopted Eff. August 1, 2020.*
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1 14B NCAC 16 .0401 is readopted with changes as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0401 EXPERIENCE REQUIREMENTS FOR A PRIVATE INVESTIGATOR LICENSE**

4 (a) In addition to the requirements of G.S. 74C-8 and Section .0200 of this Chapter, applicants for a private
5 investigator license shall:

- 6 (1) establish to the Board's satisfaction three years of verifiable experience while conducting
7 investigations as defined set forth in G.S. 74C-3(a)(8) with a contract security company or with a
8 private person, firm, association association, or corporation;
- 9 (2) establish to the Board's satisfaction three years of verifiable experience while conducting
10 investigations as set forth in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined
11 in Rule .0103(9) .0103(10) of this Chapter with any Federal, federal, state, county, municipal law
12 enforcement agency agency, or other governmental agency; or
- 13 (3) establish to the Board's satisfaction a military occupational specialty and two years of verifiable
14 experience within the past five years in the U.S. Armed Forces while conducting investigations as
15 set forth in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in Rule .0103(9)
16 .0103(10) of this Chapter.

17 (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a private investigator license that
18 is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- 19 (1) the spouse holds a current license, certification certification, or registration from another jurisdiction
20 and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's
21 requirements; and
- 22 (2) the spouse has two years verifiable experience within the past five years while conducting
23 investigations as set forth in in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined
24 in Rule .0103(9) .0103(10) of this Chapter.

25 (c) The Board shall give credit toward the experience requirements set forth in Subparagraphs Paragraphs (a) and (b)
26 of this Rule as follows:

- 27 (1) An applicant shall receive of 400 hours of experience credit for an associate's degree. The Director
28 or the Board shall grant up to 100 additional hours if the applicant can demonstrate that further
29 training or course-work related to the private protective services industry was received while
30 obtaining the associate's degree.
- 31 (2) An applicant shall receive 800 hours of experience credit for a bachelor's degree. The Director or
32 the Board shall grant up to 200 additional hours if the applicant can demonstrate that further training
33 or course-work related to the private protective services industry was received while obtaining the
34 bachelor's degree.
- 35 (3) An applicant shall receive 1,200 hours of experience credit for a graduate degree. The Director or
36 the Board shall grant an additional 300 additional hours if the applicant can demonstrate that further

1 training or course-work related to the private protective services industry was received while
2 obtaining the graduate degree.

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4 *History Note:* Authority G.S. 74C-5(2); ~~93D-15.1~~; ~~93B-15.1~~;
5 Eff. June 1, 1984;
6 Amended Eff. December 1, 1987;
7 Temporary Amendment Eff. October 1, 1989 For a Period of 180 Days to Expire on March 31,
8 1990;
9 Amended Eff. October 1, 2013; February 1, 2009; December 1, 1995; January 4, 1994; February
10 1, 1990;
11 Transferred and Recodified from 12 NCAC 07D .0401 Eff. July 1, ~~2015~~; 2015;
12 Readopted Eff. August 1, 2020.
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1 14B NCAC 16 .0402 is readopted with changes as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0402 EXPERIENCE REQUIREMENTS FOR ~~A COUNTERINTELLIGENCE AN~~**
4 **ELECTRONIC COUNTERMEASURES LICENSE**

5 In addition to the requirements of Section .0200 of this Chapter, applicants for ~~a counterintelligence an electronic~~
6 countermeasures license shall:

7 (1) establish to the Board's satisfaction three years of experience in ~~counterintelligence; electronic~~
8 countermeasures; or

9 (2) have successfully completed a course in ~~counterintelligence electronic countermeasures~~ given by a
10 school specializing in ~~counterintelligence which electronic countermeasures that~~ consists of ~~not less~~
11 than a minimum of 40 hours of actual classroom instruction.

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13 *History Note: Authority G.S. 74C-5;*

14 *Eff. June 1, 1984;*

15 *Amended Eff. July 1, 2009; January 4, 1994; July 1, 1987;*

16 *Transferred and Recodified from 12 NCAC 07D .0402 Eff. July 1, ~~2015~~; 2015;*

17 *Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0403 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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14B NCAC 16 .0403 TRAINEE PERMIT REQUIREMENTS

(a) In addition to the requirements of Section .0200 of this Chapter, applicants for a trainee permit in private investigation or **counterintelligence countermeasures** shall be directly supervised by a licensee approved by the Board and that supervisor shall be **directly** responsible for the training and investigations of the trainee.

(b) Trainees who wish to apply for a license must submit an application to the Board in accordance with Rule .0201 of this Chapter.

(c) Private investigator trainees shall maintain a log on a form provided by the Board **on its website** as evidence of experience. This log must be available for inspection when applying for a private investigator license.

(d) Any request for renewal of a trainee permit or for issuance of a license shall be accompanied by an evaluation report of the trainee's performance on a form provided by the Board **on its website** and submitted by the trainee's supervisor.

*History Note: Authority G.S. 74C-2; 74C-5;
 Eff. June 1, 1984;
 Amended Eff. December 1, 1985;
 Transferred and Recodified from 12 NCAC 07D .0403 Eff. July 1, ~~2015~~; 2015;
 Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0404 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0404 REPORTS**

4 (a) Private investigators shall make and offer to each client a written report containing the findings and details of the
5 investigation within 30 days after the completion of the investigation for which the client has paid the investigator for
6 the services. ~~A copy of the written report shall be retained by the licensee. The licensee shall retain a copy of the~~
7 written report.

8 (b) Descriptive reports, chronological reports, cover letters, and itemized invoices to the client shall be personally
9 signed by a licensee. The file copy shall reflect the names of all participating employees and a description of the work
10 performed by each one. These documents shall be retained by the licensee who signed the report.

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12 *History Note: Authority G.S. 74C-5;*
13 *Eff. June 1, 1984;*
14 *Amended Eff. October 1, 2010; July 1, 1987;*
15 *Transferred and Recodified from 12 NCAC 07D .0404 Eff. July 1, 2015; 2015;*
16 *Readopted Eff. August 1, 2020.*

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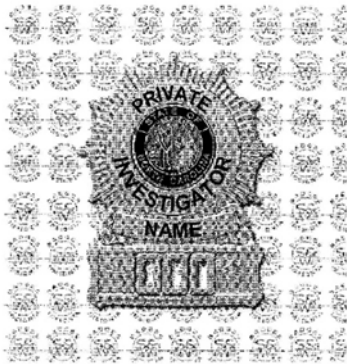
1 14B NCAC 16 .0405 is readopted with changes as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0405 PRIVATE INVESTIGATOR'S USE OF A BADGE**

4 While engaged in their his or her official duties, a private investigator shall be allowed to carry, possess, and display
5 a the badge that has been approved by the Board, the North Carolina Sheriffs' Association, and the North Carolina
6 Association of Chiefs of Police. set forth in this Rule. The badge shall be a duplicate as of the badge shown below
7 except for the licensee's name and license number. The badge shall be gold with dark blue lettering. Any deviation
8 from the below this design shall be deemed an unauthorized badge and shall may constitute a violation of the statute
9 G.S. 74C-12(a) and rules. this Rule. The badge shall be displayed in a folding pocket case with the badge displayed
10 on one side of the case and the Private Investigator's private investigator's pocket credential, that is credential issued
11 by the Board, Board displayed on the opposite side of the case.

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15 *History Note: Authority G.S. 74C-5(12);*
16 *Eff. May 1, 2010;*
17 *Transferred and Recodified from 12 NCAC 07D .0405 Eff. July 1, ~~2015.~~ 2015;*
18 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0501 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0501 EXPERIENCE REQUIREMENTS FOR A POLYGRAPH LICENSE**

4 (a) In addition to the requirements of Section .0200 of this Chapter, applicants for a polygraph license shall:

- 5 (1) pass an examination and a performance test administered by a panel of polygraph examiners
6 designated by the Board;
- 7 (2) successfully complete a course of instruction at any polygraph school approved by the American
8 Polygraph Association, the American Association of Police ~~Polygraphist~~ **Polygraphists**, or the
9 Board; and
- 10 (3) have either:
- 11 (A) one year of **verifiable** polygraph experience; or
- 12 (B) complete at least six months of training as a holder of a polygraph trainee permit, and have
13 administered no fewer than 50 polygraph examinations; or
- 14 (4) establish to the Board's satisfaction a military occupational specialty and two years of verifiable
15 experience within the past five years in the U.S. Armed Forces performing polygraph examinations.

16 (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a polygraph license who is the
17 spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- 18 (1) the spouse holds a current license, ~~certification~~ **certification**, or registration from another jurisdiction
19 and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's
20 requirements; and
- 21 (2) the spouse has two years of verifiable experience within the past five years performing polygraph
22 examinations.

23 (c) Applicants for a polygraph license may take the examination required in Subparagraph (a)(1) of this Rule no more
24 than twice in any calendar year. Any applicant who fails the polygraph examination four times shall retake the
25 polygraph course of instruction required in Subparagraph (a)(2) of this Rule before taking the polygraph examination
26 again.

27 (d) Polygraph operators who are duly licensed in another state may perform up to three examinations in this **state**
28 **State** without being licensed, provided that those examinations are for the purpose of an evaluation of that examiner
29 and the Director has given authorization for this evaluation in advance.

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31 *History Note: Authority G.S. 74C-5; 93B-15.1;*
32 *Eff. June 1, 1984;*
33 *Amended Eff. May 1, 2014; October 1, 2013; July 1, 2009; December 1, 1985;*
34 *Transferred and Recodified from 12 NCAC 07D .0501 Eff. July 1, 2015; 2015;*
35 *Readopted Eff. August 1, 2020.*
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1 14B NCAC 16 .0503 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0503 POLYGRAPH EXAMINATION REQUIREMENTS**

4 Polygraph licensees and trainees ~~shall:~~ **shall adhere to the following:**

- 5 (1) Obtain written consent from the individual to be examined. The consent form shall be signed in the
6 presence of the examiner and shall include a statement advising the examinee that he or she may
7 terminate the examination at any time.
- 8 (2) A printed or reproducible electronic copy of each chart collected, as well as documents associated
9 with the examination such as reports, question sets, and signed consent forms, shall be retained by
10 the examiner for a minimum of three years. The examiner shall record the following information:
- 11 (a) **the** name of the examinee;
12 (b) **the** date of the examination;
13 (c) **the** type of examination;
14 (d) **the** time the examination started;
15 (e) **the** location of the examination; and
16 (f) **the** name and license number of the examiner.

17 This requirement may be completed by labeling the beginning of the first printed chart by hand, or
18 by entering the information into the electronic polygraph file.

- 19 (3) The examiner shall give the examinee **an** opportunity prior to concluding the examination to explain
20 reactions on the charts.
- 21 (4) The examiner shall not issue or permit an employee to issue an examination report **which that** is
22 misleading, biased, or falsified.
- 23 (5) Each examination report shall be a factual, impartial, and objective account of the pertinent
24 information developed during the examination and the examiner's professional conclusion, based
25 upon the analysis of the charts.
- 26 (6) All questions considered for chart analysis shall be documented in writing or an electronic question
27 set and shall be reviewed with the examinee prior to any testing.
- 28 (7) An examiner shall not make a conclusive verbal or written examination report without having
29 administered two or more charts consisting of the same questions.
- 30 (8) An examiner shall not inquire into the sexual conduct or preferences of a person to whom a
31 polygraph examination is being given unless pertinent to an alleged sex-related crime, nor shall an
32 examiner inquire into the activities, **affiliations affiliations,** or beliefs on religion, **polities politics,**
33 or race, except where there is **specific** relevancy to an investigation.
- 34 (9) Each chart shall be signed at the end of the chart by the examinee and the examiner before the end
35 of the recording if using an analog **instrument instrument. or retaining If an analog instrument is**
36 **used, the examiner shall retain** printed and not electronic copies of the charts for **the period required**
37 **by Item (2) of this Rule: a minimum of three years.** Retaining reproducible electronic copies of all

1 charts noting the names of the examiner and examinee as well as the date and time of testing will
2 also meet the requirements of this Item.

3 (10) An examiner shall conduct no more than five examinations in a 24 hour period.

4 (11) ~~For adequate auditing of polygraph examiners, each~~ Each examiner shall keep a daily log of
5 examinations. The daily log of examinations shall be maintained by the licensee for a minimum of
6 three years and shall be subject to inspections by the Director or the Director's designee between
7 8:00 a.m. – 5:00 p.m. Monday through Friday.

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9 *History Note: Authority G.S. 74C-5;*

10 *Eff. June 1, 1984;*

11 *Amended Eff. May 1, 2014; December 1, 1987; July 1, 1987; December 1, 1985;*

12 *Transferred and Recodified from 12 NCAC 07D .0503 Eff. July 1, ~~2015~~ 2015;*

13 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0601 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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14B NCAC 16 .0601 EXPERIENCE REQUIREMENTS FOR A PSYCHOLOGICAL STRESS EVALUATOR LICENSE

(a) In addition to the requirements of Section .0200 of this Chapter, applicants for a Psychological Stress Evaluator (P.S.E.) license shall:

- (1) successfully complete a course of instruction at any P.S.E. school approved by the Board; or
- (2) establish to the Board's satisfaction a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces conducting psychological stress evaluations.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a P.S.E. license that is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- (1) the spouse holds a current license, **certification certification**, or registration from another jurisdiction and the other **jurisdictions jurisdiction's** requirements are substantially equivalent to or exceed the Board's requirements; and
- (2) the spouse has two years of verifiable experience within the past five years conducting psychological stress evaluations.

(c) A P.S.E. school shall consist of not less than 40 hours of live classroom instruction in psychological stress evaluation.

*History Note: Authority G.S. 74C-5; 93B-15.1;
Eff. June 1, 1984;
Amended Eff. October 1, 2013; March 1, 2008;
Transferred and Recodified from 12 NCAC 07D .0601 Eff. July 1, ~~2015~~; 2015;
Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0602 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0602 P.S.E. EXAMINATION REQUIREMENTS**

4 P.S.E. licensees shall comply with the requirements of Rule .0503 of this Chapter. In addition, P.S.E. examinations
5 shall be conducted by the examiner in the presence of the examinee and with the examinee's knowledge that he **or she**
6 is being examined. Examination by telephone is prohibited.

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8 *History Note: Authority G.S. 74C-5;*

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Eff. June 1, 1984;

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Transferred and Recodified from 12 NCAC 07D .0602 Eff. July 1, ~~2015~~ 2015;

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Readopted Eff. August 1, 2020.

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1 14B NCAC 16 .0703 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0703 MINIMUM STANDARDS FOR UNARMED SECURITY GUARD**
4 **REGISTRATION**

5 An applicant for registration shall:

- 6 (1) be at least 18 years of age;
- 7 (2) be a citizen of the United States or a resident alien;
- 8 (3) be of good moral character and temperate habits. Any of the following within the last five years
9 shall be prima facie evidence that the applicant does not have good moral character or temperate
10 habits: conviction by any local, state, federal, or military court of any crime involving the illegal
11 use, carrying, or possession of a firearm; conviction of any crime involving the illegal use,
12 possession, sale, manufacture, distribution, or transportation of a controlled substance, drug,
13 narcotic, or alcoholic beverage, conviction of a crime involving felonious assault or an act of
14 violence; conviction of a crime involving unlawful breaking and/or entering, burglary, larceny, any
15 offense involving moral turpitude; or a history of addiction to alcohol or a narcotic **drug; provided**
16 **that, for drug. For the** purposes of **(3)** of this Rule, "conviction" means and includes the entry of a
17 **pleas plea** of guilty, plea of no contest, or a verdict **of guilty; rendered in open court by a judge or**
18 **jury;**
- 19 (4) not have been **judicially** declared **by any court of competent jurisdiction** incompetent **by reason of**
20 **mental disease or defect;** or not have been involuntarily committed to an institution for treatment of
21 mental **disease or defect by a district court judge. illness.** When an individual has been treated and
22 found to have been **restored by a psychiatrist, restored,** the Board will consider this evidence and
23 determine whether the applicant meets the requirements of this **Paragraph; Rule;** and
- 24 (5) not have had a revocation of a registration.

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26 *History Note: Authority G.S. 74C-5; 74C-12(a)(19);*
27 *Eff. June 1, 1984;*
28 *Amended Eff. August 1, 1988; December 1, 1985;*
29 *Transferred and Recodified from 12 NCAC 07D .0703 Eff. July 1, ~~2015~~; 2015;*
30 *Readopted Eff. August 1, 2020.*
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1 14B NCAC 16 .0704 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0704 INVESTIGATION FOR UNARMED SECURITY GUARD REGISTRATION**

4 (a) **After the administrator receives a complete** Upon receipt of an application for registration, the **administrator**
5 **Director** may cause to be made such further investigation of the applicant as deemed necessary.

6 (b) Any **recommendation of** denial of an applicant for registration by the **administrator Director** shall be subject to
7 review by the Board.

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9 *History Note: Authority G.S. **74C-2; 74C-3(a)(6); 74C-5; 74C-6; 74C-7; 74C-11; 74C-12;***

10 *Eff. June 1, 1984;*

11 *Transferred and Recodified from 12 NCAC 07D .0704 Eff. July 1, ~~2015~~ 2015;*

12 *Readopted Eff. August 1, 2020.*

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1 14B NCAC 16 .0707 is readopted with changes as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0707 TRAINING REQUIREMENTS FOR UNARMED SECURITY GUARDS**

4 (a) Applicants for an unarmed security guard registration shall complete a the basic unarmed security guard training
5 course for unarmed security guards within 30 days from the date of permanent hire. The course shall consist of a
6 minimum of 16 hours of classroom instruction including:

- 7 (1) The Security Officer in North Carolina -- (minimum of one hour);
- 8 (2) Legal Issues for Security Officers -- (minimum of three hours);
- 9 (3) Emergency Response -- (minimum of three hours);
- 10 (4) Communications -- (minimum of two hours);
- 11 (5) Patrol Procedures -- (minimum of three hours);
- 12 (6) Note Taking and Report Writing -- (minimum of three hours); and
- 13 (7) Deportment -- (minimum of one hour).

14 A minimum of four hours of classroom instruction shall be completed within 20 calendar days of a probationary or
15 regular any security guard guard, including probationary, being placed on a duty station. These four hours shall
16 include the instruction on The Security Officer in North Carolina and Legal Issues for Security Officers.

17 (b) Licensees shall submit to the Director the name and resume for a proposed of the certified unarmed security guard
18 trainer who will be conducting the unarmed security guard training, to the Director for Board Approval.

19 (c) Training shall be conducted by a Board certified unarmed security guard trainer. A Board approved created lesson
20 plan covering the training requirements in Paragraph (a) of this Rule shall be made available by the Board to each
21 trainer. The Board shall may approve other media training materials that deliver the training requirements of
22 Paragraph (a) of this Rule.

23 (d) The 16 hours of training may be delivered interactively remotely under the following conditions:

- 24 (1) The training is presented by a Private Protective Services Board certified unarmed security officer
25 trainer.
- 26 (2) Each student is given a copy of the PPS unarmed security officer guard training manual to use for
27 the duration of the 16 hour training course.
- 28 (3) The technology used allows the trainer to see the students and the students to see the trainer in real
29 time during the training.
- 30 (4) All students in each classroom are able to see and read the screen or monitor, and they must be able
31 to clearly hear and understand the audio presentation. All monitors used in each classroom must be
32 at least 32 inches wide.
- 33 (5) The technology used is of sufficient quality so that the training audio and video is done delivered
34 smoothly and without interruption.
- 35 (6) Each student is taught to use the audio and video equipment in their the classroom prior to the start
36 of the 16 hour unarmed security officer training course.

- 1 (7) The total number of students receiving the interactive remote training at one time does not exceed
- 2 35 students.
- 3 (8) All training not included in the NC Private Protective Services Any additional training beyond the
- 4 Board mandated training in the unarmed security officer guard training manual is done taught either
- 5 before or after the 16 hour unarmed security officer training.
- 6 (9) The Director of Private Protective Services is notified five days prior to training of the location of
- 7 each classroom, name name, and location of the certified trainer, and the number of students who
- 8 will be present.
- 9 (10) The sponsoring agency allows the Director or the Director's designee access via computer of the
- 10 training during the time that it is taking place.

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*History Note: Authority G.S. 74C-5; 74C-11; 74C-13; 74C-13(m);
Eff. January 1, 1990;
Amended Eff. June 1, 2009; November 1, 2006; June 1, 2004;
Transferred and Recodified from 12 NCAC 07D .0707 Eff. July 1, ~~2015~~; 2015;
Readopted Eff. August 1, 2020.*

1 14B NCAC 16 .0803 is readopted **with changes** as published in 33:15 NCR 1544 as follows:

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3 **14B NCAC 16 .0803 MINIMUM ~~STDS/ARMED~~ **STANDARDS FOR ARMED** SECURITY GUARD**
4 **FIREARM REGISTRATION PERMIT**

5 Applicants for an armed security guard registration shall meet all **of** the requirements of Rule .0703 of this Chapter.

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7 *History Note: Authority G.S. 74C-5; 74C-13;*

8 *Eff. June 1, 1984;*

9 *Amended Eff. February 1, 1990; July 1, 1987;*

10 *Transferred and Recodified from 12 NCAC 07D .0803 Eff. July 1, ~~2015~~; 2015;*

11 *Readopted Eff. August 1, 2020.*

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