

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 47

An Act to amend and reenact § 9-183.3 of the Code of Virginia, relating to licensure of private security personnel.

[H 302]

Approved March 7, 1994

Be it enacted by the General Assembly of Virginia:

1. That § 9-183.3 of the Code of Virginia is amended and reenacted as follows:

§ 9-183.3. Licensing and registration.

A. No person shall engage in the private security services business in this Commonwealth without having obtained a license from the Department. No person shall be issued a private security services business license until a compliance agent is designated in writing on forms provided by the Department. The compliance agent shall assure the compliance of the private security services business with this article and shall meet the qualifications and perform the duties required by the regulations promulgated by the Department.

B. No person shall be employed by a licensed private security services business in this Commonwealth as armored car personnel, courier, armed guard, guard dog handler, private investigator or private detective without possessing a valid registration issued by the Department. No person shall be issued a registration until he has (i) complied with, or been exempted from the compulsory minimum training standards established by the Board, pursuant to subsection A of § 9-182, for armored car personnel, couriers, armed guards, guard dog handlers, private investigators or private detectives and (ii) submitted his fingerprints to be used for the conduct of a National Criminal Records search and a Virginia Criminal History Records search, and the results of such searches have been submitted to the Department; however, a temporary registration may be issued as provided in the regulation for the purpose of awaiting the results of the state and national fingerprint search.

C. A licensed private security services business in this Commonwealth shall not employ as an unarmed guard any person who has not complied with, or been exempted from, the compulsory minimum training standards established by the Board, pursuant to subsection A of § 9-182 for unarmed guards, except that such person may be so employed for not more than ~~120~~ 90 days while completing compulsory minimum training standards.

D. The compliance agent of each licensed private security services business shall maintain documentary evidence that each unarmed guard employee has complied with, or been exempted from, the compulsory minimum training standards required by the Board for unarmed guards and that an investigation to determine suitability of each unarmed guard employee has been conducted, except that any such unarmed guard, upon initiating a request for such investigation under the provisions of subdivision 11 of subsection A of § 19.2-388, may be employed for up to thirty days pending completion of such investigation. No person with a criminal record of a misdemeanor involving moral turpitude or any felony shall be employed as an unarmed guard, except that, upon written request, the Director of the Department of Criminal Justice Services may waive such prohibition.

E. The Department may grant a temporary exemption from the requirement of a license or application for a registration for a period of not more than thirty days in a situation deemed an emergency by the Department.