

## CHAPTER 16 - PRIVATE PROTECTIVE SERVICES BOARD

### SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

#### 14B NCAC 16 .0101 PURPOSE

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

*History Note: Authority G.S. 74C-4;  
Eff. June 1, 1984;  
Transferred and Recodified from 12 NCAC 07D .0101 Eff. July 1, 2015;  
Amended Eff. October 1, 2015;  
Readopted Eff. August 1, 2020.*

#### 14B NCAC 16 .0102 LOCATION

The administrative offices of the Private Protective Services Board are located at 3101 Industrial Drive, Suite 104, Raleigh, North Carolina 27609, telephone (919) 788-5320.

*History Note: Authority G.S. 74C-4; 74C-5;  
Eff. June 1, 1984;  
Amended Eff. July 1, 2012; March 1, 2001; December 1, 1993; December 1, 1987;  
Transferred and Recodified from 12 NCAC 07D .0102 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. August 1, 2020.*

#### 14B NCAC 16 .0103 DEFINITIONS

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

- (1) "Agency Head" means the Chairman of the Board.
- (2) "Applicant" means any person, firm, or corporation applying to the Board for a license, trainee permit, registration, or firearms trainer certificate.
- (3) "Armed Security Guard" means an individual employed, full time or part time, by a contract security company or a proprietary security organization:
  - (a) who at any time wears, carries, or possesses a firearm in the performance of his or her duties; and
  - (b) whose principal duty is that of:
    - (i) an armed security guard, officer, patrol, or watchman;
    - (ii) an armed armored car service guard; or
    - (iii) an armed courier service guard.
- (4) "Board" means the Private Protective Services Board established by G.S. 74C.
- (5) "Branch Manager or Operator" means the individual endowed with the responsibility and liability for a branch office.
- (6) "Branch Office" means a separate but dependent part of a central organization engaged in the business of providing private protective services established for the purpose of extending the activities of the central organization. The establishment of a telephone number or mailing address in the company name constitutes prima facie evidence of a branch office. If an out-of-state person, firm, association, or corporation opens an office in North Carolina, the North Carolina office shall be deemed the principal place of business and shall have a resident licensed qualifying agent.
- (7) "Chairman" means the Chairman of the Private Protective Services Board.
- (8) "Contract Security Company" means any person, firm, association, or corporation engaging in a private protective services business as defined in G.S. 74C-3 that provides the services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
- (9) "Direct Supervision" means personal, face-to-face contact and direction of the trainee's activities on a frequent and reasonable basis based upon the trainee's level of experience.

- (10) "Investigative Capacity" means any law enforcement agency position for which the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings, or military tribunals.
- (11) "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is an employee of the United States, any state, or any political subdivision of a state.
- (12) "Licensee" means any person licensed to perform private protective services in North Carolina in accordance with G.S. 74C.
- (13) "Proprietary Security Organization" means any person, firm, association, corporation, or department that employs watchmen, security guards or "officers," patrol personnel, or couriers in connection with the business affairs of the employer.
- (14) "Qualifying Agent" means the individual licensee who is responsible for the private protective services business. If the licensee maintains an office in North Carolina, the Qualifying Agent must be a resident of North Carolina.
- (15) "Registered agent" means the individual resident of North Carolina designated by the business entity in lieu of the Qualifying Agent as allowed by G.S. 74C-8(c)(1) who may be, but is not required to be, the registered agent required by G.S. 55D-30.
- (16) "Restored" means that an individual is no longer in need of psychiatric care as determined by a physician.
- (17) "Temporary unarmed security guard" means an individual who is hired for a period of 30 days or less within a calendar year and who is designated by his or her employer as a temporary security guard at the start of employment.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-8;  
 Eff. June 1, 1984;  
 Amended Eff. October 1, 2013; August 1, 1998; May 1, 1988; July 1, 1987;  
 Transferred and Recodified from 12 NCAC 07D .0104 Eff. July 1, 2015;  
 Readopted Eff. August 1, 2020;  
 Amended Eff. January 1, 2023; March 1, 2022.*

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

- (a) This Rule applies to holders of a license, trainee permit, unarmed security guard registration, armed security guard registration, unarmed armored car service guard, armed armored car service guard, or firearms trainer certificates. No holder, while engaged in private protective services, shall wear or display any badge, insignia, device, shield, patch, or pattern that indicates or tends to indicate that the individual is a sworn law enforcement officer or that contains or includes the word "police" or the equivalent thereof, or is similar in wording to any law enforcement agency in the local area of the licensee's operations.
- (b) No holder, while performing any private security service, shall have or utilize any vehicle or equipment displaying the words "law enforcement officer," "police," or the equivalent thereof, or have any sign, shield, marking, accessory, or insignia that indicates that the vehicle is a vehicle of a law enforcement agency.
- (c) A holder who is required to wear a military style uniform while in the performance of private security services shall have:
  - (1) affixed over the left breast pocket of the uniform and on all caps or hats worn by the individual, badges or patches, distinct in design from those used by law enforcement agencies within the local area of the licensee's operations;
  - (2) affixed over the right breast pocket of the uniform a metal, plastic, or cloth tag not less than three inches nor more than five inches in length and not less than three-fourths inch nor more than one inch in height containing the words "Security Guard," "Security Officer," "Armored Car Guard," or "Armored Car Officer" in capital letters approximately one-half inch in height; and
  - (3) affixed over the "Security Guard," "Security Officer," "Armored Car Guard," or "Armored Car Officer" tag, a metal, plastic, or cloth tag bearing the name of the wearer. The name tag may be smaller than "Security Guard," "Security Officer," "Armored Car Guard," or "Armored Car Officer" tag if it is displayed in capital letters five-sixteenth inch to one-half inch in height.
- (d) The wearing of the armed or unarmed private protective services card visible on the outermost garment (except foul weather clothing) satisfies the requirements of Subparagraphs (c)(1), (2) and (3) of this Rule.

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Law enforcement officers may provide security guard and patrol services on an individual employer-employee basis to any person, firm, association, or corporation that is not engaged in a contract security guard and patrol business.
- (b) Law enforcement officers, while off-duty, may be employed by a licensed security guard and patrol business provided the officer is registered with the Board.
- (c) A law enforcement officer employed by a proprietary security organization at times when the officer is not scheduled for work with the employing law enforcement agency shall not be considered as being employed regularly and exclusively as an employee in connection with the business affairs of the employer.

*History Note:      Authority G.S. 74C-5; 74C-21;  
                            Eff. June 1, 1984;  
                            Amended Eff. December 1, 1985;  
                            Transferred and Recodified from 12 NCAC 07D .0108 Eff. July 1, 2015;  
                            Readopted Eff. August 1, 2020.*

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

- (a) All records for an audit or an investigation required to be maintained by G.S. 74C or this Chapter shall be subject to inspection by the Director or the Director's designee between 8:00 a.m. - 5:00 p.m. Monday through Friday.
- (b) Upon written request from the Director or the Director's designee, any licensee having registered employees shall submit a copy of its quarterly Division of Employment Security reports within 10 days of the request.
- (c) All records required to be kept by this Chapter shall be retained for at least three years.

*History Note:      Authority G.S. 74C-5;  
                            Eff. June 1, 1984;  
                            Amended Eff. February 1, 2010; July 1, 1987;  
                            Transferred and Recodified from 12 NCAC 07D .0109 Eff. July 1, 2015;  
                            Readopted Eff. August 1, 2020.*

#### **14B NCAC 16 .0109      RULEMAKING AND ADMINISTRATIVE HEARING PROCEDURES**

*History Note:      Authority G.S. 74C-5; 74C-12;  
                            Eff. May 1, 1988;  
                            Transferred and Recodified from 12 NCAC 07D .0111 Eff. July 1, 2015;  
                            Repealed Eff. August 1, 2020.*

#### **14B NCAC 16 .0110      REPORTING REQUIREMENTS**

- (a) If any registrant, trainee, certificate holder, employee, subcontractor, or any other person providing private protective services on behalf of a licensee is charged with any criminal offense that would constitute grounds to deny, suspend, or revoke a permit, registration or certificate under this Chapter, the licensee shall report the criminal charge to the Board either in person or by telephone no later than the first business day following knowledge of the charge. The licensee shall provide a copy of the charging document and a written explanation to the Board within five business days.
- (b) If any licensee, trainee, registrant, or certificate holder, or any employee, subcontractor, or any other person providing services on behalf of a licensee, trainee, registrant, or certificate holder is charged with any criminal offense that would constitute grounds to deny, suspend, or revoke a license, registration, or certificate under this Chapter, the licensee, trainee, registrant, or certificate holder shall self-report the criminal charge to the Board either in person or by telephone no later than the first business day following the charge. The licensee, trainee, registrant, or certificate holder shall provide a copy of the charging document and a written explanation to the Board within five business days.
- (c) If a licensee, trainee, registrant, or certificate holder, or any employee, subcontractor, or any other person providing services on behalf of a licensee, trainee, registrant, or certificate holder discharges a firearm while engaged in the private protective services business, the licensee shall notify the Board either in person or by telephone no later than the first business day following the incident. The licensee shall also file a written report to the Board within five business days of the incident. In the report, the licensee shall state the name of the individual

who discharged the firearm, the type of weapon discharged, the location of the incident, the law enforcement agency investigating the incident, the events leading to the discharge of the firearm, and any bodily injuries occurring from the incident. This Rule shall not apply to a weapon that is discharged during a training course that has been approved by the Board.

*History Note:* Authority G.S. 74C-5;  
Eff. February 1, 1995;  
Transferred and Recodified from 12 NCAC 07D .0112 Eff. July 1, 2015;  
Readopted Eff. November 1, 2019;  
Amended Eff. July 1, 2021;  
Amended Eff. February 1, 2022.

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

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

*History Note:* Authority G.S. 74C-5;  
Eff. April 1, 1995;  
Transferred and Recodified from 12 NCAC 07D .0113 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.

#### **14B NCAC 16 .0112 SUSPENSION OF AUTHORITY TO EXPEND FUNDS**

In the event that the Board's authority to expend funds is suspended pursuant to G.S. 93B-2(d), the Board shall continue to issue and renew licenses, registrations, and certifications and all fees tendered shall be placed in an escrow account maintained by the Board for this purpose. Once the Board's authority is restored, the funds shall be moved from the escrow account into the general operating account.

*History Note:* Authority G.S. 93B-2(d);  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .0114 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.

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

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

*History Note:* Authority G.S. 74C-5; 74C-12;  
Eff. October 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .0115 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. July 1, 2021.

#### **14B NCAC 16 .0114 APPLICATION COMPLETION DEADLINE**

All photographs, record checks, proof of insurance, explanations of criminal charges, explanations of credit history, or requested documents shall be submitted online through the Board's website by any applicant for a permit, license, registration, or certificate within 60 days of the Board's receipt of the application form or a request from Board staff, whichever is later. Any failure to submit required or requested documents to complete the application process within this 60-day period shall void the application and require re-application.

*History Note:* Authority G.S. 74C-2; 74C-5; 74C-8; 74C-8.1; 74C-12;  
Eff. January 1, 2015;  
Transferred and Recodified from 12 NCAC 07D .0116 Eff. July 1, 2015;

*Readopted Eff. March 1, 2020.*

#### **14B NCAC 16 .0115 COMPLAINTS**

- (a) Any person may file a complaint against any licensee, trainee, registrant or certificate holder, or any unlicensed or unregistered person; acting as or holding himself or herself out as a licensee or registrant, for any violation of G.S. 74C or 14B NCAC 16, or any violation of State or federal criminal law. A complaint form is available on the Board's website at [www.ncdps.gov/dps-services/complaint/private-protective-services-board](http://www.ncdps.gov/dps-services/complaint/private-protective-services-board) or a copy may be requested from the Board's office.
- (b) The complaint shall set forth all relevant facts and the basis for the complainant's belief that the licensee, trainee, registrant, certificate holder, or unlicensed or unregistered person, is in violation. The complainant shall be willing to be interviewed by the Board's investigator, provide any information or documentation to support the allegation, and appear and testify necessary before the Grievance Committee or at any hearing if requested by the attorney prosecuting the case. An anonymous complaint shall be accepted unless the Director determines that it is meritless on its face.
- (c) The complaint shall be filed with the Board online via e-mail, by U.S. Mail, or by hand-delivery to the Board's office.
- (d) The complaint shall be evaluated by the Director or the Director's designee and if it alleges a violation of G.S. 74C or 14B NCAC 16, shall be assigned to an investigator for further substantiation. The results of the investigation shall be reported to the Board's Grievance Committee for review and action.
- (e) The Director shall notify the complainant and the licensee, trainee, registrant, or certificate holder of the initial complaint and its final disposition.

*History Note: Authority G.S. 74C-5; 74C-6; 74C-7; 74C-12;  
Eff. March 1, 2022.*

#### **SECTION .0200 - LICENSES: TRAINEE PERMITS**

##### **14B NCAC 16 .0201 APPLICATION FOR LICENSE AND TRAINEE PERMITS**

- (a) Each applicant for a license or trainee permit shall submit an online application on the website provided by the Board. The online application shall be accompanied by:
  - (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
  - (2) one head and shoulders digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
  - (3) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
  - (4) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
  - (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
  - (6) an Equifax credit check run within 30 days of the license application submission date, which will be submitted to the Board's investigator during the application process; and
  - (7) five letters attesting to the good character and reputation of the applicant using the online character letter submission process.
- (b) Applications for trainee permits shall be accompanied by a notarized statement on a form provided by the Board and signed by the applicant and his or her prospective supervisor, stating that the trainee applicant shall at all times work with and under the direct supervision of that supervisor and the form shall be uploaded as part of the online application process.
- (c) Private investigator trainees applying for a license shall make available for inspection a log of experience on a form provided by the Board.
- (d) Each applicant must upload evidence of high school graduation either by diploma, G.E.D. certificate, or other proof.

(e) Each applicant for a license shall meet personally with a Board investigator, the Screening Committee, the Director, or another Board representative designated by the Director prior to being issued a license. The applicant shall discuss the provisions of G.S. 74C and the administrative rules in this Chapter during the personal meeting. The applicant shall sign a form provided by the Board indicating that he or she has reviewed G.S. 74C and the administrative rules in this Chapter with the Board's representative. During a national or State declared state of emergency that restricts or prohibits travel, the personal meeting requirement may be waived if requested by the applicant in favor of alternative means of communication.

*History Note: Authority G.S. 74C-2; 74C-5; 74C-8; 74C-8.1; 74C-12;*  
*Eff. June 1, 1984;*  
*Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; July 1, 1987;*  
*December 1, 1985;*  
*Transferred and Recodified from 12 NCAC 07D .0201 Eff. July 1, 2015;*  
*Amended Eff. November 1, 2017;*  
*Readopted Eff. March 1, 2020;*  
*Emergency Amendment Eff. May 6, 2020;*  
*Temporary Amendment Eff. July 24, 2020;*  
*Temporary Amendment Expired Eff. May 14, 2021;*  
*Amended Eff. July 1, 2022; January 1, 2022; July 1, 2021.*

#### **14B NCAC 16 .0202 FEES FOR LICENSES AND TRAINEE PERMITS**

(a) Application, license, and trainee permit fees are as follows:

- (1) one hundred and fifty dollars (\$150.00) non-refundable application fee;
- (2) two hundred fifty dollar (\$250.00) annual fee for a new or renewal license, unless the applicant is requesting a new license be issued because of a transfer to a new company, which shall require a one hundred dollar (\$100.00) fee for issuance of the new license with the original expiration date in the new company name;
- (3) two hundred fifty dollar (\$250.00) annual trainee permit fee;
- (4) fifty dollars (\$50.00) new or renewal fee per year of the license term for each license in addition to the basic license;
- (5) twenty five dollars (\$25.00) duplicate license fee per year of the license term;
- (6) one hundred dollars (\$100.00) late renewal fee in addition to the renewal fee;
- (7) one hundred dollars (\$100.00) temporary permit fee;
- (8) fifty dollars (\$50.00) branch office license fee per year of the license term; and
- (9) fifty dollars (\$50.00) special limited guard and patrol licensee fee.

(b) Fees shall be paid online by credit card or other form of electronic funds transfer.

*History Note: Authority G.S. 74C-9;*  
*Eff. June 1, 1984;*  
*Amended Eff. July 1, 1987; December 1, 1985;*  
*Temporary Amendment Eff. January 1, 1990 for a period of 180 days to expire on July 1, 1990;*  
*ARRC Objection Lodged January 18, 1990;*  
*Amended Eff. July 1, 2010; June 1, 2009; January 1, 2004; February 1, 1995; July 1, 1990;*  
*Transferred and Recodified from 12 NCAC 07D .0202 Eff. July 1, 2015;*  
*Amended Eff. January 1, 2018;*  
*Readopted Eff. March 1, 2020.*

#### **14B NCAC 16 .0203 RENEWAL OR RE-ISSUE OF LICENSES AND TRAINEE PERMITS**

(a) Each applicant for renewal of a license or trainee permit shall submit an online renewal application on the website provided by the Board. This online application shall be submitted not less than 30 days prior to expiration of the applicant's current license or trainee permit and shall be accompanied by:

- (1) one head and shoulders digital color photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

- (2) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months;
  - (3) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee; and
  - (4) for license applicants, proof of liability insurance as set out in G.S. 74C-10(e).
- (b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.
- (c) If a licensee has maintained a license at least two years and then allows the license to expire, the license may be re-issued if application is made within three years of the expiration date and the following documentation is submitted to the Board:
- (1) an online Application For Reinstatement of an Expired License;
  - (2) one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
  - (3) one head and shoulders digital color photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
  - (4) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
  - (5) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
  - (6) proof of liability insurance as set out in G.S. 74C-10(e); and
  - (7) payment to the State Bureau of Investigations to cover the cost of criminal record checks performed by the State Bureau of Investigations, with payment to be paid online through the Board's online application process.
- (d) A member of the armed forces whose license is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the license renewal fee and complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-5; 74C-8; 74C-8.1; 74C-9;  
 Eff. June 1, 1984;  
 Amended Eff. October 1, 2013; May 1, 2012; October 1, 2010; November 1, 2007; January 4, 1994; July 1, 1987; December 1, 1985;  
 Transferred and Recodified from 12 NCAC 07D .0203 Eff. July 1, 2015;  
 Amended Eff. November 1, 2017;  
 Readopted Eff. March 1, 2020;  
 Amended Eff. July 1, 2022; July 1, 2021.*

#### **14B NCAC 16 .0204 DETERMINATION OF EXPERIENCE**

- (a) Experience requirements shall be determined 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 shall make available upon Board request written documentation to verify experience.
- (c) When applying for a license, 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, or corporation while not in possession of a valid private protective services license or registration; 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 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;  
Readopted Eff. August 1, 2020;  
Amended Eff. July 1, 2021.

#### **14B NCAC 16 .0205 COMPANY BUSINESS LICENSE**

(a) Any firm, association, or corporation required to be licensed pursuant to G.S. 74C-2(a) shall upload on the Board's website an application for a company business license on a form provided by the Board. Only a sole proprietorship that is owned and operated by an individual licensee shall be exempt from this Rule. This application for license shall require such information as the firm, association, or corporation name; the address of its principal office within the State; any past conviction for criminal offenses of any company director, or officer; information concerning the past revocation, suspension, or denial of a business or professional license to any director or officer; a list of all directors and officers of the firm, association, or corporation; a list of all persons, firms, associations, corporations or other entities owning 10 percent or more of the outstanding shares of any class of stock; and the name and address of the qualifying agent.

(b) In addition to the items required in Paragraph (a) of this Rule, an out-of-state corporation shall file with its application for a license, a copy of its certificate of authority to transact business in this State issued by the North Carolina Secretary of State in accordance with G.S. 55-15-01. The corporation shall also file a consent to service of process and pleadings that shall be authenticated by its corporate seal and accompanied by a duly certified copy of the resolution of the board of directors authorizing the proper officer or officers to execute the consent.

(c) After filing a completed application with the Board, the Board shall conduct a background investigation to determine if the qualifying agent is in a management position. The Board shall also determine if the directors or officers have the requisite good moral character as defined in G.S. 74C-8(d)(2). For purposes of this Rule, "conviction" means and includes the entry of a plea of guilty or no contest or a verdict rendered in open court by a judge or jury.

(d) Upon satisfactory completion of the background investigation, a company business license shall be issued. This license shall be conspicuously displayed at the principle place of business within North Carolina.

(e) The company business license shall be issued only to the business entity and shall not be construed to extend to the licensing of its officers and employees.

(f) The issuance of the company business license is issued to the firm, association, or corporation in addition to the license issued to the qualifying agent. The qualifying agent for the firm, association, or corporation which has been issued the company business license shall be responsible for assuring compliance with G.S. 74C.

*History Note:* Authority G.S. 74C-2(a); 74C-5;  
Eff. April 1, 1993;  
Amended Eff. February 1, 1995;  
Transferred and Recodified from 12 NCAC 07D .0205 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020.

### **SECTION .0300 - SECURITY GUARD AND PATROL: GUARD DOG SERVICE**

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

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

- (1) establish to the Board's satisfaction three years of verifiable experience as a manager, supervisor, or administrator with a contract security company or a proprietary security organization performing guard and patrol functions;
- (2) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions; or

- (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.
- (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a security guard and patrol 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, or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and
  - (2) the spouse has two years verifiable experience within the past five years as a manager, supervisor, or administrator performing guard and patrol functions.
- (c) The Board shall give credit toward the experience requirements set forth in Subparagraphs (a)(1) and (2) and Subparagraph (b)(2) of this Rule as follows:
- (1) An applicant shall receive a minimum of 400 hours of experience credit for an associate's degree. The Board shall grant up to 100 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the associate's degree.
  - (2) An applicant shall receive 800 hours of experience credit for a bachelor's degree. The Board shall grant up to 200 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the bachelor's degree.
  - (3) An applicant shall receive 1,200 hours of experience credit for a graduate degree. The Board shall grant an additional 300 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the graduate degree.
- (d) Persons licensed under Chapter 74D of the General Statutes of North Carolina may be issued a limited guard and patrol license exclusively for providing armed alarm responders.

*History Note: Authority G.S. 74C-5; 74C-8; 93B-15.1; Eff. June 1, 1984; Amended Eff. October 1, 2013; February 1, 2009; December 1, 1995; January 4, 1994; January 1, 1990; August 1, 1988; Transferred and Recodified from 12 NCAC 07D .0301 Eff. July 1, 2015; Readopted Eff. August 1, 2020.*

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

- (a) In addition to the requirements of Section .0200 of this Chapter, applicants for a guard dog service license shall:
- (1) establish to the Board's satisfaction two years of verifiable experience as a manager, supervisor, administrator, or dog handler with a contract security company or proprietary security organization performing guard dog functions;
  - (2) establish to the Board's satisfaction two years of experience as a manager, supervisor, administrator, or dog handler with any federal, state, county, or municipal agency performing guard dog functions; or
  - (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator or dog handler performing guard dog functions.
- (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a guard dog service 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, or registration from another jurisdiction and the other 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 as a manager, supervisor, or administrator or dog handler performing guard dog functions.

*History Note: Authority G.S. 74C-5; 74C-8; 93B-15.1; Eff. June 1, 1984;*

*Amended Eff. October 1, 2013; February 1, 2009; January 4, 1994;  
Transferred and Recodified from 12 NCAC 07D .0302 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

## **SECTION .0400 - PRIVATE INVESTIGATOR: ELECTRONIC COUNTERMEASURES**

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

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

- (1) establish to the Board's satisfaction three years of verifiable experience while conducting investigations as set forth in G.S. 74C-3(a)(8) with a contract security company or with a private person, firm, association, or corporation;
- (2) establish to the Board's satisfaction three years of verifiable experience while conducting investigations as set forth in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in Rule .0103(10) of this Chapter with any federal, state, county, municipal law enforcement agency, or other governmental agency; or
- (3) 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 while conducting investigations as set forth in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in Rule .0103(10) of this Chapter.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a private investigator 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, or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and
- (2) the spouse has two years verifiable experience within the past five years while conducting investigations as set forth in in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in Rule .0103(10) of this Chapter.

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

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

*History Note: Authority G.S. 74C-5(2); 93B-15.1;  
Eff. June 1, 1984;  
Amended Eff. December 1, 1987;  
Temporary Amendment Eff. October 1, 1989 For a Period of 180 Days to Expire on March 31, 1990;  
Amended Eff. October 1, 2013; February 1, 2009; December 1, 1995; January 4, 1994; February 1, 1990;  
Transferred and Recodified from 12 NCAC 07D .0401 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

### **14B NCAC 16 .0402 EXPERIENCE REQUIREMENTS FOR AN ELECTRONIC COUNTERMEASURES LICENSE**

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

- (1) establish to the Board's satisfaction three years of experience in electronic countermeasures; or
- (2) have successfully completed a course in electronic countermeasures given by a school specializing in electronic countermeasures that consists of a minimum of 40 hours of actual classroom instruction.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. July 1, 2009; January 4, 1994; July 1, 1987;  
Transferred and Recodified from 12 NCAC 07D .0402 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

#### **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 countermeasures shall be directly supervised by a licensee approved by the Board and that supervisor shall be 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;  
Readopted Eff. August 1, 2020.*

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

- (a) In addition to the requirements in G.S. 74C-12(a)(20), private investigators shall make and offer to each client a written report containing the findings and details of the investigation within 30 days after the completion of the investigation for which the client has paid the investigator for the services. The licensee shall retain a copy of the written report, and if provided to the client, proof of such delivery.
- (b) Descriptive reports, chronological reports, cover letters, and itemized invoices to the client shall be personally signed by a licensee. The file copy shall reflect the names of all participating employees and a description of the work performed by each one. These documents shall be retained by the licensee who signed the report.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. October 1, 2010; July 1, 1987;  
Transferred and Recodified from 12 NCAC 07D .0404 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. July 1, 2022; July 1, 2021.*

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

While engaged in his or her official duties, a private investigator shall be allowed to carry, possess, and display the badge set forth in this Rule. The badge shall be a duplicate of the badge shown below except for the licensee's name and license number. The badge shall be gold with dark blue lettering. Any deviation from this design shall be deemed an unauthorized badge and may constitute a violation of G.S. 74C-12(a) and this Rule. The badge shall be carried in a folding pocket case with the badge displayed on one side of the case and the private investigator's pocket credential issued by the Board displayed on the opposite side of the case. In no instance may the badge be displayed, even in a case, openly on the breast pocket, the belt, a neck lanyard, or any other open carry or possession.



*History Note:* Authority G.S. 74C-5(12);  
Eff. May 1, 2010;  
Transferred and Recodified from 12 NCAC 07D .0405 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. July 1, 2021.

## **SECTION .0500 - POLYGRAPH**

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

- (a) In addition to the requirements of Section .0200 of this Chapter, applicants for a polygraph license shall:
- (1) pass an examination and a performance test administered by a panel of polygraph examiners appointed by an entity designated by the Board;
  - (2) successfully complete a course of instruction at any polygraph school approved by the American Polygraph Association, the American Association of Police Polygraphists, or the Board; and
  - (3) have either:
    - (A) one year of verifiable polygraph experience; or
    - (B) complete at least six months of training as a holder of a polygraph trainee permit, and have administered no fewer than 50 polygraph examinations; or
  - (4) 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 performing polygraph examinations.
- (b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a polygraph license who 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, or registration from another jurisdiction and the other 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 performing polygraph examinations.
- (c) Applicants for a polygraph license may take the examination required in Subparagraph (a)(1) of this Rule no more than twice within a 12 month period. All portions of the examination must be completed within that 12 month period. Any applicant who fails the polygraph examination four times shall retake the polygraph course of instruction required in Subparagraph (a)(2) of this Rule before taking the polygraph examination again.
- (d) Polygraph operators who are duly licensed in another state may perform up to three examinations in this State without being licensed, provided that those examinations are for the purpose of an evaluation of that examiner and the Director has given authorization for this evaluation in advance.

*History Note:* Authority G.S. 74C-5; 93B-15.1;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; October 1, 2013; July 1, 2009; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0501 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. February 1, 2022.

### **14B NCAC 16 .0502 POLYGRAPH TRAINEE PERMIT REQUIREMENTS**

In addition to the requirements of Section .0200 of this Chapter, the following requirements shall apply to polygraph trainees:

- (1) The applicant shall successfully complete a formal course of instruction at any polygraph school approved by the American Polygraph Association, the American Association of Police Polygraphists, or the Board. A list of approved schools can be found at: <https://www.ncdps.gov/list-polygraph-schools>;
- (2) The applicant shall be directly supervised by a polygraph examiner approved by the Board and that examiner shall supervise no more than three trainees at any given time;
- (3) An individual currently enrolled in a polygraph school may conduct examinations as a part of the course curriculum provided the examinations are on school premises, under the direct one-on-one supervision of a polygraph licensee, and the school provides written notice to the client that such examinations are being conducted by students and not by licensed polygraph examiners. The school shall maintain a copy of the written notification;
- (4) Trainees who wish to apply for a license must submit an application to the Board in accordance with Rule .0201 of this Chapter. Applicants meeting license qualifications within one year of the issuance of a trainee permit shall not be required to pay an additional application fee;
- (5) Any request for renewal of a trainee permit or for issuance of a polygraph license shall be accompanied by an evaluation report of the trainee's performance submitted by the trainee's supervisor; and
- (6) In addition to the final evaluation report, supervisors shall submit five monthly evaluation reports over the duration of the traineeship on a checklist provided by the Board.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0502 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020.*

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

Polygraph licensees and trainees shall adhere to the following:

- (1) Obtain written consent from the individual to be examined. The consent form shall be signed in the presence of the examiner and shall include a statement advising the examinee that he or she may terminate the examination at any time.
- (2) A printed or reproducible electronic copy of each chart collected, as well as documents associated with the examination such as reports, question sets, and signed consent forms, shall be retained by the examiner for a minimum of three years. The examiner shall record the following information:
  - (a) the name of the examinee;
  - (b) the date of the examination;
  - (c) the type of examination;
  - (d) the time the examination started;
  - (e) the location of the examination; and
  - (f) the name and license number of the examiner.This requirement may be completed by labeling the beginning of the first printed chart by hand, or by entering the information into the electronic polygraph file.
- (3) The examiner shall give the examinee an opportunity prior to concluding the examination to explain reactions on the charts.
- (4) The examiner shall not issue or permit an employee to issue an examination report that is misleading, biased, or falsified.
- (5) Each examination report shall be a factual, impartial, and objective account of the pertinent information developed during the examination and the examiner's professional conclusion, based upon the analysis of the charts.
- (6) All questions considered for chart analysis shall be documented in writing or an electronic question set and shall be reviewed with the examinee prior to any testing.
- (7) An examiner shall not make a conclusive verbal or written examination report without having administered two or more charts consisting of the same questions.

- (8) An examiner shall not inquire into the sexual conduct or preferences of a person to whom a polygraph examination is being given unless pertinent to an alleged sex-related crime, nor shall an examiner inquire into the activities, affiliations, or beliefs on religion, politics, or race, except where there is relevancy to an investigation.
- (9) Each chart shall be signed at the end of the chart by the examinee and the examiner before the end of the recording if using an analog instrument. If an analog instrument is used, the examiner shall retain printed and not electronic copies of the charts for a minimum of three years. Retaining reproducible electronic copies of all charts noting the names of the examiner and examinee as well as the date and time of testing will also meet the requirements of this Item.
- (10) An examiner shall conduct no more than five examinations in a 24 hour period.
- (11) Each examiner shall keep a daily log of examinations. The daily log of examinations shall be maintained by the licensee for a minimum of three years and shall be subject to inspections by the Director or the Director's designee between 8:00 a.m. – 5:00 p.m. Monday through Friday.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; December 1, 1987; July 1, 1987; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0503 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

#### **14B NCAC 16 .0504 POLYGRAPH INSTRUMENTS**

- (a) A polygraph examiner shall not conduct an examination unless the instrument used makes a simultaneous recording of at least three physiological tracings including the pneumo cardio and electrodermal changes. This recording must be in a form capable of review by another polygraph examiner and shall be available to the Board or its designated representative. This requirement shall not prohibit recording additional physiological phenomena on the same charts.
- (b) A polygraph examiner shall not conduct an examination on an instrument unless the examiner has ensured the instrument is functioning as designed.
- (c) A polygraph examiner shall:
  - (1) complete a functionality check or calibration of the instrument at time intervals that comply with the manufacturer's recommendations; and
  - (2) maintain a signed and dated record of the charts collected during the functionality check or calibration for a period of three years.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; August 1, 1998; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0504 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

### **SECTION .0600 - PSYCHOLOGICAL STRESS EVALUATOR (P.S.E.)**

#### **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, or registration from another jurisdiction and the other 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;  
Readopted Eff. August 1, 2020.*

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

P.S.E. licensees shall comply with the requirements of Rule .0503 of this Chapter. In addition, P.S.E. examinations shall be conducted by the examiner in the presence of the examinee and with the examinee's knowledge that he or she is being examined. Examination by telephone or any other method that is not in person is prohibited.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Transferred and Recodified from 12 NCAC 07D .0602 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. July 1, 2021.*

#### **14B NCAC 16 .0603 P.S.E. INSTRUMENTS**

An instrument used for P.S.E. examinations shall be capable of measuring and recording voice reactions on a graph. This recording must be in a form suitable for examination by another P.S.E. examiner. Such recordings shall be available to the Board or its designated representative. The instrument must be given maintenance, cleaning, adjustment, and demagnetizing periodically as recommended by the manufacturer and not less than once after each eight hours of continuous mechanical operation. The examiner shall conduct a test pattern of the instrument prior to each examination.

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Transferred and Recodified from 12 NCAC 07D .0603 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

### **SECTION .0700 - SECURITY GUARD REGISTRATION (UNARMED)**

#### **14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION**

- (a) Each employer or his or her designee shall submit an online application for the registration of each employee to the Board. This online submission shall be accompanied by:
- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
  - (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
  - (3) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 48 months;
  - (4) the applicant's non-refundable registration fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
  - (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
  - (6) one original signed SBI release of information form that shall be uploaded online with the original mailed to the Board's administrative office;



- (7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Section if applicable; and
  - (8) a completed affidavit form and public notice statement form.
- (b) The employer of each applicant for registration shall give the applicant a copy of the application and the completed affidavit form and shall retain a copy of the application, including the affidavit, in the guard's personnel file in the employer's office.
- (c) The applicant's copy of the application and completed affidavit form shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.
- (d) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

*History Note: Authority G.S. 74C-5; 74C-8.1; 74C-11;*  
*Eff. June 1, 1984;*  
*Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994;*  
*February 1, 1990; May 1, 1988;*  
*Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;*  
*Amended Eff. November 1, 2017;*  
*Readopted Eff. March 1, 2020;*  
*Amended Eff. July 1, 2021.*

#### **14B NCAC 16 .0702 FEES FOR UNARMED SECURITY GUARD REGISTRATION**

- (a) Fees for unarmed security guards are as follows, along with a four dollar (\$4.00) convenience fee and credit card transaction fee:
- (1) thirty dollar (\$30.00) non-refundable initial registration fee;
  - (2) thirty dollar (\$30.00) annual renewal, or reissue fee;
  - (3) fifteen dollar (\$15.00) transfer fee; and
  - (4) twenty-five dollars (\$25.00) late renewal fee to be paid within 90 days from the date the registration expires and to be paid in addition to the renewal fee.
- (b) Fees shall be paid online by credit card or other form of electronic funds transfer.

*History Note: Authority G.S. 74C-9;*  
*Eff. June 1, 1984;*  
*Amended Eff. December 1, 1985;*  
*Temporary Amendment Eff. January 1, 1990 for a Period of 180 Days to Expire on July 1, 1990;*  
*ARRC Objection Lodged January 18, 1990;*  
*Amended Eff. July 1, 2010; May 1, 2010; December 1, 2003; July 1, 1990;*  
*Transferred and Recodified from 12 NCAC 07D .0702 Eff. July 1, 2015;*  
*Amended Eff. January 1, 2018;*  
*Readopted Eff. March 1, 2020.*

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

An applicant for registration shall:

- (1) be at least 18 years of age;
- (2) be a citizen of the United States or a resident alien;
- (3) be of good moral character and temperate habits. Any of the following within the last five years shall be prima facie evidence that the applicant does not have good moral character or temperate habits: conviction by any local, state, federal, or military court of any crime involving the illegal use, carrying, or possession of a firearm; conviction of any crime involving the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage, conviction of a crime involving felonious assault or an act of violence; conviction of a crime involving unlawful breaking and/or entering, burglary, or larceny, or a history of addiction to alcohol or a narcotic drug. For the purposes of this Rule, "conviction" means and includes the entry of a plea of guilty, plea of no contest, or a verdict rendered in open court by a judge or jury;

- (4) not have been judicially declared incompetent or not have been involuntarily committed to an institution for treatment of mental illness. When an individual has been treated and found to have been restored, the Board will consider this evidence and determine whether the applicant meets the requirements of this Rule; and
- (5) not have had a revocation of a registration.

*History Note:* Authority G.S. 74C-5; 74C-12(a)(19);  
Eff. June 1, 1984;  
Amended Eff. August 1, 1988; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0703 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. July 1, 2021.

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

*History Note:* Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Transferred and Recodified from 12 NCAC 07D .0704 Eff. July 1, 2015;  
Repealed Eff. August 1, 2020.

#### **14B NCAC 16 .0705 UNARMED SECURITY GUARD REGISTRATION IDENTIFICATION CARDS**

- (a) The registration identification card shall be carried by the registrant when performing the duties of a private protective services employee.
- (b) The registration identification card shall be exhibited upon the request of any law enforcement officer or any other authorized representative of the Board.
- (c) Registration identification card holders shall notify the Board upon receipt of any information relating to the holder's eligibility to continue holding such a card.
- (d) The guard transfer online form and fee shall be submitted to the Board by the employer within 10 days of the beginning of employment.
- (e) Upon revocation or suspension by the Board, a holder shall return the registration identification card to the administrator within 10 days of the date of the revocation or suspension.

*History Note:* Authority G.S. 74C-5; 74C-11;  
Eff. June 1, 1984;  
Amended Eff. December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0705 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020.

#### **14B NCAC 16 .0706 RENEWAL OF UNARMED SECURITY GUARD REGISTRATION**

- (a) Each applicant for renewal of a registration identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration and shall be accompanied by:
  - (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
  - (2) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
  - (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee; and
  - (4) upload a completed affidavit form and public notice statement form.
- (b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.
- (c) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-5; 74C-11;*  
*Eff. June 1, 1984;*  
*Amended Eff. May 1, 2012; October 1, 2010; December 1, 1995; February 1, 1990; July 1, 1987;*  
*December 1, 1985;*  
*Transferred and Recodified from 12 NCAC 07D .0706 Eff. July 1, 2015;*  
*Amended Eff. November 1, 2017;*  
*Readopted Eff. March 1, 2020;*  
*Amended Eff. July 1, 2022.*

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

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

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

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

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

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

- (1) The training is presented by a Board certified unarmed security officer trainer.
- (2) Each student is given a copy of the unarmed security guard training manual to use for the duration of the 16 hour training course.
- (3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.
- (4) All students in each classroom are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in each classroom must be at least 32 inches wide.
- (5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.
- (6) Each student is taught to use the audio and video equipment in the classroom prior to the start of the 16 hour unarmed security officer training course.
- (7) The total number of students receiving the remote training at one time does not exceed 35 students.
- (8) Any additional training beyond the Board mandated training in the unarmed security guard training manual is taught either before or after the 16 hour unarmed security officer training.
- (9) The Director is notified five days prior to training of the location of each classroom, name, and location of the certified trainer, and the number of students who will be present.
- (10) The sponsoring agency allows the Director or the Director's designee access via computer of the training during the time that it is taking place.

*History Note: Authority G.S. 74C-5; 74C-11; 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;*  
*Readopted Eff. August 1, 2020;*  
*Amended Eff. July 1, 2021.*

**14B NCAC 16 .0708 TRAINER NAME TO BE SUBMITTED TO DIRECTOR**

Licensees shall submit to the Director the name of the certified unarmed security guard trainer who will be conducting the unarmed security guard training.

*History Note: Authority G.S. 74C-5; 74C-13(m);*  
*Eff. July 1, 2021.*

**SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

**14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

(a) Each armed security guard employer or his or her designee shall submit an online application for the registration of each armed security guard applicant to the Board. This online submission shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;
- (6) a certification by the applicant that he or she is at least 21 years of age;
- (7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; and
- (8) a completed affidavit form and public notice statement form.

(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.

(c) The applicant's copy of the application, affidavit, and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

(d) Applications submitted without proof of completion of a Board approved firearms training course shall not serve as temporary registration cards.

(e) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

*History Note: Authority G.S. 74C-5; 74C-9; 74C-13;*  
*Eff. June 1, 1984;*  
*Amended Eff. May 1, 2012; April 1, 2008; August 1, 1998; December 1, 1995; February 1, 1990;*  
*May 1, 1988; July 1, 1987;*  
*Transferred and Recodified from 12 NCAC 07D .0801 Eff. July 1, 2015;*  
*Amended Eff. November 1, 2017;*

*Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2021.*

**14B NCAC 16 .0802 FEES FOR ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

(a) Fees for armed security guard firearm registration permits are as follows, along with a four dollar (\$4.00) convenience fee and credit card transaction fee:

- (1) thirty dollars (\$30.00) non-refundable initial registration fee;
- (2) thirty dollars (\$30.00) annual renewal, or reissue fee; and
- (3) fifteen dollar (\$15.00) application fee.

(b) Fees shall be paid online by credit card or other form of electronic funds transfer.

*History Note: Authority G.S. 74C-9;  
Eff. June 1, 1984;  
Amended Eff. December 1, 1985;  
Temporary Amendment Eff. January 1, 1990 for a Period of 180 Days to Expire on July 1, 1990;  
ARRC Objection Lodged January 18, 1990;  
Amended Eff. July 1, 2010; December 1, 2003; July 1, 1990;  
Transferred and Recodified from 12 NCAC 07D .0802 Eff. July 1, 2015;  
Amended Eff. January 1, 2018;  
Readopted Eff. March 1, 2020.*

**14B NCAC 16 .0803 MINIMUM STANDARDS FOR ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

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

*History Note: Authority G.S. 74C-5; 74C-13;  
Eff. June 1, 1984;  
Amended Eff. February 1, 1990; July 1, 1987;  
Transferred and Recodified from 12 NCAC 07D .0803 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.*

**14B NCAC 16 .0804 INVESTIGATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

*History Note: Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Transferred and Recodified from 12 NCAC 07D .0804 Eff. July 1, 2015;  
Repealed Eff. December 1, 2019.*

**14B NCAC 16 .0805 ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT IDENTIFICATION CARDS**

(a) The provisions of 14B NCAC 16 .0705 shall apply to armed security guards.

(b) Upon termination of employment of an armed security guard, the employer shall return the employee's registration card to the Director of the Board within 15 business days of the employee's termination.

*History Note: Authority G.S. 74C-5; 74C-13; 74C-15;  
Eff. June 1, 1984;  
Amended Eff. July 1, 1987;  
Transferred and Recodified from 12 NCAC 07D .0805 Eff. July 1, 2015;  
Readopted Eff. November 1, 2019.*

**14B NCAC 16 .0806 RENEWAL OF ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed security guard firearm registration permit identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be

submitted not more than 90 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
  - (2) upload online a statement of the results of a statewide criminal history search obtained by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
  - (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee;
  - (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
  - (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section; and
  - (6) a completed affidavit form and public notice statement form.
- (b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.
- (c) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including the affidavit in the guard's personnel file in the employer's office.
- (d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.
- (e) A registered armed security guard may utilize a dedicated light system or gun-mounted light for requalification.
- (f) During a national or State declared state of emergency that restricts or prohibits a registered armed security guard from requalifying, the Board shall, upon written request to the Director by the licensee, extend the deadline for requalification up to 90 days beyond the effective period of the state of emergency. Any registration renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 90<sup>th</sup> day if requalification requirements have not been met.

*History Note: Authority G.S. 74C-5; G.S. 74C-8.1; G.S. 74C-9; 74C-13;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2012; October 1, 2010; December 1, 1995; February 1, 1990; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0806 Eff. July 1, 2015;  
Amended Eff. January 1, 2018; November 1, 2017;  
Readopted Eff. November 1, 2019;  
Amended Eff. March 1, 2020;  
Emergency Amendment Eff. May 6, 2020;  
Temporary Amendment Eff. July 24, 2020;  
Temporary Amendment Expired Eff. May 14, 2021;  
Amended Eff. July 1, 2022; January 1, 2022;  
Amended Eff. October 1, 2022.*

#### **14B NCAC 16 .0807 TRAINING REQUIREMENTS FOR ARMED SECURITY GUARDS**

- (a) Applicants for an armed security guard firearm registration permit shall first complete the basic unarmed security guard training course set forth in Rule .0707 of this Chapter.
- (b) Private investigator licensees applying for an armed security guard firearm registration permit shall first complete a five-hour training course consisting of the courses set forth in Rule .0707(a)(1) and (2) of this Chapter and all additional training requirements set forth in that Rule.
- (c) Applicants for an armed security guard firearm registration permit shall complete a basic training course for armed security guards which consists of at least 20 hours of classroom instruction including:

- (1) legal limitations on the use of handguns and on the powers and authority of an armed security guard, including familiarity with rules and regulations relating to armed security guards (minimum of four hours);
- (2) handgun safety, including range firing procedures (minimum of one hour);
- (3) handgun operation and maintenance (minimum of three hours);
- (4) handgun fundamentals (minimum of eight hours); and
- (5) night firing (minimum of four hours).

Subparagraph (c)(2), "operation" under Subparagraph (c)(3), and Subparagraph (c)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(d) Applicants for an armed security guard firearm registration permit shall attain a score of at least 80 percent accuracy on a firearms range qualification course established by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office, once in three consecutive attempts. Should a student fail to attain a score of 80 percent accuracy, the student may be given a second opportunity to qualify once in three consecutive attempts on the course of fire the student did not pass. Failure to qualify after the second series of attempts shall require the student to repeat the entire basic training course for armed security guards. All attempts must take place within 20 days of the completion of the initial 20 hour course. For rifle qualification all shots shall be located on the target.

(e) All initial armed security guard training required by this Chapter shall be administered by a certified trainer and shall be completed no more than 90 days prior to the date of issuance of the armed security guard firearm registration permit.

(f) All applicants for an armed security guard firearm registration permit shall obtain training under the provisions of this Section using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to include lead-free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all weapons.

(g) No more than six new or renewal armed security guard applicants per one instructor shall be placed on the firing line at any one time during firearms range training for armed security guards.

(h) Applicants for re-certification of an armed security guard firearm registration permit shall complete a basic recertification training course for armed security guards that consists of at least four hours of classroom instruction and is a review of the requirements set forth in Subparagraphs (c)(1) through (c)(5) of this Rule. The recertification course is valid for 180 days after completion of the course. Applicants for recertification of an armed security guard firearm registration permit shall also complete the requirements of Paragraph (d) of this Rule.

(i) An armed guard registered with one company may be registered with a second company. The registration shall be considered "dual." The registration with the second company shall expire at the same time that the registration expires with the first company. An updated application shall be required to be submitted by the applicant, along with the digital photograph, updated criminal records checks, and a forty dollar (\$40.00) registration fee. If the guard will be carrying a firearm of the same make, model, and caliber, then no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course.

(j) To be authorized to carry a standard 12 gauge shotgun in the performance of his or her duties as an armed security guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, six hours of classroom training that shall include the following:

- (1) legal limitations on the use of shotgun (minimum of one hour);
- (2) shotgun safety, including range firing procedures (minimum of one hour);
- (3) shotgun operation and maintenance (minimum of one hour);
- (4) shotgun fundamentals (minimum of two hours); and
- (5) night firing (minimum of one hour).

Subparagraph (j)(2), "operation" under Subparagraph (j)(3), and Subparagraph (j)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(k) An applicant may take the additional shotgun training at a time after the initial training in this Rule. If the shotgun training is completed at a later time, the shotgun certification shall run concurrent with the armed registration permit. In addition to the requirements set forth in Paragraph (j) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a shotgun range qualification course established by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(l) Applicants for shotgun recertification shall complete one hour of classroom training covering the topics set forth in Paragraph (j) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

(m) To be authorized to carry a rifle in the performance of his or her duties as an armed security guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, 16 hours of classroom training which shall include the following:

- (1) legal limitations on the use of rifles (minimum of one hour);
- (2) rifle safety, including range firing procedures (minimum of one hour);
- (3) rifle operation and maintenance (minimum of two hours);
- (4) rifle fundamentals (minimum of ten hours); and
- (5) night firing (minimum two hours).

Subparagraph (m)(2), "operation" under Subparagraph (m)(3), and Subparagraph (m)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(n) The applicant shall pass a skills course that tests each basic rifle skill and the test of each skill shall be completed within three attempts.

(o) An applicant may take the additional rifle training at a time after the initial training in Paragraph (c) of this Rule. If the rifle training is completed at a later time, the rifle certification shall run concurrent with the armed registration permit. In addition to the requirements set forth in Paragraphs (m) and (n) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a rifle range qualification course established by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(p) Applicants for rifle recertification shall complete an additional one hour of classroom training covering the topics set forth in Paragraph (m) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

(q) Upon written request, an applicant for an armed security guard firearm registration permit who possesses a current firearms trainer certificate shall be given a firearms registration permit that will run concurrent with the trainer certificate upon completion of an annual qualification with the applicant's duty firearms as set forth in Paragraph (d) of this Rule.

(r) An armed security guard is required to qualify annually both for day and night firing with his or her duty handgun, shotgun, and rifle, if applicable. If the security guard fails to qualify on any course of fire, the security guard shall not carry the firearm until such time as he or she meets the qualification requirements. Upon failure to qualify, the firearm instructor shall notify the security guard that he or she is no longer authorized to carry the firearm and the firearm instructor shall notify the employer and the Private Protective Services Board staff on the next business day.

(s) A firearm training certificate of an armed security guard remains valid even if the guard leaves the employment of one company for the employment of another. The range qualifications shall remain valid if the guard will be carrying a firearm of the same make, model, and caliber and no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course. However, nothing herein shall extend the period of time the qualification is valid.

*History Note: Authority G.S. 74C-5; 74C-9; 74C-13;  
Eff. June 1, 1984;  
Amended Eff. November 1, 1991; February 1, 1990; July 1, 1987;  
Temporary Amendment Eff. January 14, 2002;  
Amended Eff. October 1, 2013; October 1, 2010; June 1, 2009; February 1, 2006; August 1, 2002;  
Transferred and Recodified from 12 NCAC 07D .0807 Eff. July 1, 2015;  
Amended Eff. January 1, 2018; February 1, 2016; October 1, 2015;  
Readopted Eff. November 1, 2019;  
Amended Eff. January 1, 2023; February 1, 2022.*

#### **14B NCAC 16 .0808 CONCEALED HANDGUN**

(a) The Board does not have the authority to issue a Concealed Carry Permit. However, a licensee trainee, registrant, or firearms trainer who has complied with all provisions of G.S. 14, Article 54B and applicable rules adopted by the N.C. Criminal Justice Education and Training Standards Commission pursuant thereto and has been issued a current concealed handgun permit by a Sheriff may carry a concealed handgun after complying with the concealed handgun provisions for training and qualifications set forth in Paragraph (b) of this Rule.



(b) A licensee, trainee, registrant, or firearms trainer shall comply with each of the following requirements to carry a concealed handgun while engaged in a private protective services business:

- (1) Hold a current Armed Security Guard Registration Permit by complying with all requirements for armed registration as prescribed in this Section.
- (2) Complete standards set forth by the N.C. Criminal Justice Education and Training Standards Commission to include knowledge of North Carolina firearms laws including the limitation on concealed handgun possession on specified property and within certain buildings.

(c) Upon application to the Board, a licensee, trainee, registrant, or firearms trainer meeting the requirements of this Section shall be issued a concealed handgun endorsement to the current Armed Security Guard Registration Permit for the term of the Armed Security Guard Registration Permit without additional permit fees, but any additional training costs necessary to comply with this Section shall be borne directly by the applicant. The endorsement shall be renewed at the time of the Armed Security Guard Registration Permit renewal pursuant to this Rule on payment of the armed security guard registration renewal fee and proof of possession of a current Concealed Handgun Permit. There shall be no additional fee for the concealed handgun endorsement renewal.

*History Note: Authority G.S. 74C-5; 74C-13;  
Eff. June 1, 1984;  
Temporary Amendment Eff. December 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
Amended Eff. June 1, 1996;  
Transferred and Recodified from 12 NCAC 07D .0808 Eff. July 1, 2015;  
Readopted Eff. November 1, 2019;  
Amended Eff. July 1, 2021.*

#### **14B NCAC 16 .0809 AUTHORIZED FIREARMS**

Armed licensees or registrants are authorized, while in the performance of official duties or traveling directly to and from work, to carry a standard revolver from .32 caliber to .357 caliber, a standard semi-automatic pistol from .354 caliber to .45 caliber, any standard 12 gauge shotgun, or any standard semi-automatic or bolt action .223, .308, 5.56 X 45 mm NATO caliber, or any above handgun caliber rifle as long as the licensee or registrant has been trained pursuant to Rule .0807 of this Section. For purposes of this Section, a "standard" firearm means a firearm that has not been modified or altered from its original manufactured design.

*History Note: Authority G.S. 74C-5; 74C-13;  
Eff. June 1, 1984;  
Amended Eff. January 1, 2015; June 1, 1993; November 1, 1991; July 1, 1987;  
Transferred and Recodified from 12 NCAC 07D .0809 Eff. July 1, 2015;  
Amended Eff. February 1, 2016;  
Readopted Eff. November 1, 2019.*

### **SECTION .0900 – TRAINER CERTIFICATE**

#### **14B NCAC 16 .0901 REQUIREMENTS FOR A FIREARMS TRAINER CERTIFICATE**

(a) Firearms trainer applicants shall:

- (1) meet the minimum standards established by Rule .0703 of this Chapter;
- (2) have a minimum of one year of experience in security with a contract security company or proprietary security organization, or one year of experience with any federal, state, county or municipal law enforcement agency;
- (3) attain a 90 percent score on a firearm's prequalification course approved by the Board and the Secretary of Public Safety, with a copy of the firearm's course certificate to be kept on file in the administrator's office;
- (4) to teach handgun qualification, complete a training course approved by the Board and the Secretary of Public Safety that shall consist of a minimum of 32 hours of classroom and practical range training in safety and maintenance, range operations, night firearm training, control and safety procedures, and methods of handgun firing;
- (5) to teach shotgun qualification, complete a training course approved by the Board and the Secretary of Public Safety that shall consist of a minimum of 12 hours of classroom and practical range

- training in shotgun safety and maintenance, range operations, night firearm training, control and safety procedures, and methods of shotgun firing;
- (6) to teach rifle qualification, complete a training course approved by the Board and the Secretary of Public Safety that shall consist of a minimum of 16 hours of classroom and practical range training in rifle safety and maintenance, range operations, night firearm training, control and safety procedures, and methods of rifle firing;
  - (7) pay the certified trainer application fee established in Rule .0903(a)(1) of this Section; and
  - (8) successfully complete the requirements of the Unarmed Trainer Certificate set forth in Rule .0909 of this Section.
- (b) The applicant's score on the prequalification course set forth in Subparagraph (a)(3) of this Rule is valid for 180 days after completion of the course.
- (c) In lieu of completing the training course set forth in Subparagraph (a)(4) of this Rule, an applicant may submit to the Board a current Criminal Justice Specialized Law Enforcement Firearms Instructor Certificate from the North Carolina Criminal Justice Education and Training Standards Commission.
- (d) In lieu of Subparagraphs (a)(2) and (4) of this Rule, an applicant may establish that the applicant satisfies the conditions set forth in G.S. 93B-15.1(a) for firearm instruction and two years of verifiable experience within the past five years in the U.S. Armed Forces as a firearms instructor.
- (e) All applicants subject to Paragraph (c) of this Rule shall comply with the provisions of Subparagraph (a)(3), pay the application fee amount as set forth in Rule .0903 of this Section, and complete the eight-hour course given by the Board on rules and regulations.
- (f) All applicants subject to Paragraph (d) of this Rule shall comply with the provisions of Subparagraph (a)(3) and complete the eight-hour course given by the Board on rules and regulations. No application fee shall be required.
- (g) In addition to the requirements of Section .0200 of this Chapter, an applicant for a firearms trainer certificate who is the spouse of an active duty member of the U.S. Armed Forces shall establish that the application satisfies the conditions set forth in G.S. 93B-15.1(b). No application fee shall be required.
- (h) A Firearms Trainer Certificate expires two years after the date of issuance.

*History Note: Authority G.S. 74C-5; 74C-9; 74C-13; 93B-15.1; Eff. June 1, 1984; Amended Eff. July 1, 2014; October 1, 2013; December 1, 2008; January 1, 2008; August 1, 2004; November 1, 1991; Transferred and Recodified from 12 NCAC 07D .0901 Eff. July 1, 2015; Amended Eff. February 1, 2016; October 1, 2015; Readopted Eff. November 1, 2019.*

#### **14B NCAC 16 .0902 APPLICATION FOR FIREARMS TRAINER CERTIFICATE**

Each applicant for a firearms trainer certificate shall submit an online application to the Board. The application shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online submission and submitted by uploading online with the application submission;
- (3) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (6) evidence of the liability insurance required by G.S. 74C-10(e) if the applicant is not an employee of a licensee;

- (7) a certificate of successful completion of the training required by Rule .0901(a)(3) and (4) of this Section, stating the training was completed within 60 days of the submission of the application and uploaded online as part of the online application process; and
- (8) the actual cost charged to the Private Protective Services Board by the North Carolina Justice Academy to cover the cost of the firearms training course given by the N.C. Justice Academy and collected as part of the online application process by the Private Protective Services Board.

*History Note:* Authority G.S. 74C-5; 74C-8.1(a); 74C-13;  
Eff. June 1, 1984;  
Amended Eff. August 1, 1998; December 1, 1995; July 1, 1987; December 1, 1985;  
Temporary Amendment Eff. July 17, 2001;  
Amended Eff. January 1, 2013; May 1, 2012; August 1, 2002;  
Transferred and Recodified from 12 NCAC 07D .0902 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2021.

#### **14B NCAC 16 .0903 FEES FOR TRAINER CERTIFICATE**

(a) Trainer certificate fees are as follows:

- (1) fifty-dollar (\$50.00) non-refundable initial application fee for firearms trainer applicants;
- (2) fifty-dollar (\$50.00) non-refundable initial application fee for an unarmed trainer applicant; and
- (3) twenty-five dollar (\$25.00) biennial fee for a renewal or replacement trainer certificate.

(b) Fees shall be paid online by credit card or other form of electronic funds transfer.

*History Note:* Authority G.S. 74C-9;  
Eff. June 1, 1984;  
Amended Eff. January 1, 2005; January 1, 2004;  
Transferred and Recodified from 12 NCAC 07D .0903 Eff. July 1, 2015;  
Amended Eff. January 1, 2018;  
Readopted Eff. March 1, 2020;  
Amended Eff. February 1, 2022.

#### **14B NCAC 16 .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE**

(a) Each applicant for renewal of a firearms trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate and shall be accompanied by:

- (1) uploaded online a certificate of successful completion of a firearms trainer refresher course approved by the Board and the Secretary of Public Safety consisting of a minimum of eight hours of classroom and practical range training in safety and maintenance of the applicable firearm (i.e. handgun, shotgun, or rifle), range operations, control and safety procedures, and methods of firing. This training shall be completed within 180 days of the submission of the renewal application;
- (2) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 48 months; and
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

(d) Any firearms trainer who fails to qualify with the minimum score during the refresher course shall not continue to instruct during the period between the failure to qualify and the expiration of his or her permit.

(e) The holder of a firearms trainer certificate may utilize a dedicated light system or gun mounted light for personal requalification.

(f) During a national or State declared state of emergency that restricts or prohibits a certified firearms trainer from requalifying, the Board shall, upon written request to the Director by the licensee, extend the deadline for requalification up to 90 days beyond the effective period of the state of emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 90th day if requalification requirements have not been met.

*History Note:* Authority G.S. 74C-5; 74C-8.1(a); 74C-9; 74C-13;  
Eff. June 1, 1984;  
Amended Eff. January 1, 2013; October 1, 2010; June 1, 2009; December 1, 1995; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0904 Eff. July 1, 2015;  
Amended Eff. November 1, 2017; February 1, 2016; October 1, 2015;  
Readopted Eff. November 1, 2019;  
Amended Eff. March 1, 2020;  
Emergency Amendment Eff. May 6, 2020;  
Temporary Amendment Eff. July 24, 2020;  
Temporary Amendment Expired Eff. May 14, 2021;  
Amended Eff. July 1, 2022; January 1, 2022;  
Amended Eff. October 1, 2022.

#### **14B NCAC 16 .0905 DETERMINATION OF EXPERIENCE**

In determining the experience required under this Section, the provisions of Rule .0204 of this Chapter shall apply.

*History Note:* Authority G.S. 74C-5; 74C-13;  
Eff. June 1, 1984;  
Transferred and Recodified from 12 NCAC 07D .0905 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.

#### **14B NCAC 16 .0906 RECORDS RETENTION**

(a) A Certified Firearms Trainer shall retain the following in each applicant's armed certification file:

- (1) a copy of the post delivery report listing the name(s) of individual(s) who qualified or attempted to qualify for armed security guard registration, and hour(s) of training, firearms qualification scores and any other information thereon;
- (2) a copy of the individual's Firearm Training Certificate; and
- (3) the individual's B-27 target and the Certified Firearms Trainer's Documentation Record.

(b) The individual's B-27 qualification attempt target shall be retained for a minimum of 18 calendar months from the date of each qualification attempt. Each B-27 target shall contain the full name of the individual that fired the qualification course of fire, the date that qualification attempt took place, and the printed name and signature of the private protective service Certified Firearms Trainer who scored the target and the score. The qualification target shall also show letter "N" or "D" to indicate if the qualification attempt was a day time ("D") or night time ("N") qualification attempt. The information required by this Paragraph shall be placed on the B-27 target in ink or permanent marker.

*History Note:* Authority G.S. 74C-5; 74C-13;  
Eff. May 3, 1993;  
Amended Eff. December 1, 2008;  
Transferred and Recodified from 12 NCAC 07D .0906 Eff. July 1, 2015;  
Readopted Eff. November 1, 2019.

#### **14B NCAC 16 .0907 PRE-DELIVERY REPORT FOR FIREARMS TRAINING COURSES**

Certified Firearms Trainers shall submit to the Board a pre-delivery report for all firearms training courses required by Rule .0807 of this Chapter not less than five days prior to commencing any firearms training course. This report shall be submitted on a Board form and shall contain the following information:

- (1) the Certified Firearms Trainer's name, address, and contact telephone number;

- (2) the date, time, and location of classroom training;
- (3) the date, time, and location of range qualification;
- (4) the classroom and range telephone number(s);
- (5) the number of students anticipated; and
- (6) the Certified Firearms Trainer's signature.

*History Note: Authority G.S. 74C-5; 74C-13;  
 Temporary Adoption Eff. October 2, 2002;  
 Temporary Adoption Expired July 29, 2003;  
 Eff. December 1, 2003;  
 Transferred and Recodified from 12 NCAC 07D .0907 Eff. July 1, 2015;  
 Readopted Eff. July 1, 2020.*

**14B NCAC 16 .0908 POST-DELIVERY REPORT FOR FIREARMS TRAINING COURSES**

Certified Firearms Trainers shall submit to the Board a post-delivery report for all firearms training courses required by Rule .0807 of this Rule within 20 days after completion of the firearms training. The report shall be submitted on a Board form and shall contain the following information:

- (1) the Certified Firearms Trainer's name;
- (2) the date, time, and location of classroom training;
- (3) the date, time, and location of range qualification;
- (4) the full name of the students who completed the firearms training course;
- (5) the certification by the Firearms Trainer that the applicant has successfully completed the firearms classroom training;
- (6) the range score for each student completing the firearms training course; and
- (7) the Certified Firearms Trainer's signature.

*History Note: Authority G.S. 74C-5; 74C-13;  
 Temporary Adoption Eff. October 2, 2002;  
 Temporary Adoption Expired July 29, 2003;  
 Eff. December 1, 2003;  
 Amended Eff. December 1, 2008; January 1, 2008;  
 Transferred and Recodified from 12 NCAC 07D .0908 Eff. July 1, 2015;  
 Readopted Eff. July 1, 2020.*

**14B NCAC 16 .0909 UNARMED TRAINER CERTIFICATE**

(a) To receive an unarmed trainer certificate, an applicant shall meet the following requirements:

- (1) comply with the requirements of Rule .0703 of this Chapter;
- (2) have a minimum of one year of experience in security with a contract security company or proprietary security organization, or one year of experience with any federal, state, county or municipal law enforcement agency;
- (3) complete a training course approved by the Board and the Secretary of Public Safety that shall consist of classroom instruction to include the following topic areas:
  - (A) civil liability for the security trainer -- (minimum of two hours);
  - (B) interpersonal communications in instruction -- (minimum of three hours);
  - (C) teaching adults -- (minimum of four hours);
  - (D) principles of instruction -- (minimum of one hour);
  - (E) methods and strategies of instruction -- (minimum of one hour);
  - (F) principles of instruction: audio-visual aids -- (minimum of three hours); and
  - (G) student performance -- (minimum 45 minute presentation);
- (4) receive a favorable recommendation from the employing or contracting licensee or other individual with knowledge of the applicant's experience and teaching skills; and
- (5) submit the online application required by Rule .0910 of this Section.

(b) In lieu of completing the training course set forth in Subparagraph (a)(3) of this Rule, an applicant may submit to the Board:

- (1) a Criminal Justice General Instructor Certificate from the North Carolina Criminal Justice Education and Training Standards Commission; or

- (2) any training certification that meets or exceeds the requirements of Subparagraph (a)(3) of this Rule and is approved by the Director of PPS.
- (c) In lieu of the experience requirement of Subparagraph (a)(2) of this Rule and completing the training course set forth in Subparagraph (a)(3) of this Rule, an applicant may establish that the applicant satisfies the conditions set forth in G.S. 93B-15.1(a) for an unarmed trainer and two years of verifiable experience within the past five years in the U.S. Armed forces as an unarmed guard trainer. No application fee shall be required.
- (d) In addition to the requirements of Section .0200 of this Chapter, an applicant for an unarmed guard trainer certificate that is the spouse of an active duty member of the U.S. Armed Forces shall establish that the applicant satisfies the conditions set forth in G.S. 93B-15.1(b). No application fee shall be required.
- (e) The holder of an unarmed trainer certificate may teach as:
  - (1) an employee of a licensed security guard and patrol business;
  - (2) as a contractor of a licensed security guard and patrol business; and
  - (3) in a program sponsored by a public high school defined by G.S. 115C-75(a)(2) or a community college defined by G.S. 115D-2(2).
- (f) An Unarmed Trainer Certificate expires two years after the date of issuance.

*History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 93B-15.1; Eff. October 1, 2004; Amended Eff. October 1, 2013; January 1, 2013; January 1, 2008; Transferred and Recodified from 12 NCAC 07D .0909 Eff. July 1, 2015; Amended Eff. October 1, 2015; Readopted Eff. November 1, 2019; Amended Eff. March 1, 2020.*

#### **14B NCAC 16 .0910 APPLICATION FOR AN UNARMED TRAINER**

Each applicant for an unarmed trainer certificate shall submit an online application to the Board. The application shall be accompanied by:

- (1) the certified trainer application fee established in Rule .0903(a)(2) of this Section, along with a four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (2) a certificate of successful completion of the required training. This training shall have been completed within 120 days of the submission of the application or current certificate of other acceptable certification as set forth in Rule .0909(b) of this Section.

*History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13; Eff. October 1, 2004; Amended Eff. January 1, 2013; Transferred and Recodified from 12 NCAC 07D .0910 Eff. July 1, 2015; Readopted Eff. March 1, 2020.*

#### **14B NCAC 16 .0911 RENEWAL OF AN UNARMED TRAINER CERTIFICATE**

(a) Each applicant for renewal of an unarmed trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate. In addition, the applicant shall include the following:

- (1) the renewal fee set forth in Rule .0903(a)(3) of this Section and collected online as part of the application process;
- (2) a certificate of completion of a minimum of 16 hours of Board developed armed or unarmed instruction performed during the current unarmed trainer certification period;
- (3) a statement verifying the classes taught during the current unarmed trainer certification period on a form provided by the Board as part of the online application process; and
- (4) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(d) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

(e) During a national or State declared state of emergency that restricts or prohibits an unarmed trainer from performing the instruction required by Subparagraph (a)(2) of this Rule, the Board shall, upon written request to the Director by the licensee, extend the deadline for renewal up to 90 days beyond the effective period of the state of emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 90th day if instruction requirements have not been met.

*History Note:* Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13;  
Eff. August 1, 2004;  
Amended Eff. January 1, 2013; October 1, 2010; January 1, 2008;  
Transferred and Recodified from 12 NCAC 07D .0911 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022;  
Amended Eff. October 1, 2022.

#### **14B NCAC 16 .0912 ROSTERS OF UNARMED TRAINER CLASSES**

Each unarmed trainer shall upload on the Board's website all rosters of classes taught during the current unarmed trainer certification period by June 30 and by December 31 of each year.

*History Note:* Authority G.S. 74C-5; 74C-13;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .0912 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020.

### **SECTION .1000 - RECOVERY FUND**

#### **14B NCAC 16 .1001 DEFINITIONS** **14B NCAC 16 .1002 PETITION FOR HEARING/APPLICATION FOR RELIEF** **14B NCAC 16 .1003 PROCESSING APPLICATIONS**

*History Note:* Authority G.S. 74C-31;  
Eff. June 1, 1989;  
Transferred and Recodified from 12 NCAC 07D .1001-.1003 Eff. July 1, 2015;  
Repealed Eff. October 1, 2020.

### **SECTION .1100 - TRAINING AND SUPERVISION FOR PRIVATE INVESTIGATOR ASSOCIATES**

#### **14B NCAC 16 .1101 DEFINITIONS**

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

- (1) "Private Investigator Associate" refers to an individual training to become a Private Investigator. A Private Investigator Associate may also be referred to as a "trainee" in these Rules. A Private Investigator Associate must complete three training levels as set out in this Section.
- (2) "One-on-one Supervision" means person-to-person contact whereby the licensed investigator is personally and directly supervising or training the Associate. The training investigator must be the sponsoring licensed Private Investigator or any licensed Private Investigator who is a member of the sponsoring Private Investigator's firm, association, or corporation. The Private Investigator Associate may not subcontract his or her employment to another Private Investigator. However, the sponsoring Private Investigator may subcontract the Private Investigator Associate if the sponsor obtains prior written approval from the Board's Director by showing that the Private Investigator Associate will receive an educational benefit from the subcontract employment and the Associate will receive one-on-one supervision from another licensed Private Investigator. One-

- on-one supervision may also be satisfied if the Associate undergoes training from an individual or educational course approved by the Board's Director prior to the Associate receiving the training.
- (3) "Training Checklist" refers to the document(s) that shall state all areas of training and work that the Associate has performed. The supervising Private Investigator is responsible for maintaining the training checklist and providing a copy of the checklist to the Associate. The Training Checklist must reflect the date the Associate advances from one level to another. The training checklist must be signed by the Associate and the sponsoring Private Investigator at the end of each reporting period. In the event the Associate transfers employment to another Private Investigator, the Associate must provide the new supervising Private Investigator with the training checklist and the new sponsoring Private Investigator will then be responsible for the maintenance of the checklist. The Training Checklist must be updated on a quarterly basis for Level One Associates and on a yearly basis for Level Two and Level Three Associates. The training checklist must be maintained pursuant to Rule .0108 of this Chapter. When an Associate completes Level Three, the Training Checklist must be made a part of the Associate's application for a Private Investigator's license. The Board shall have immediate access to the training checklist.
  - (4) "Associate Log" refers to the document(s) maintained by the sponsoring Private Investigator which shall list each case the Associate has worked, the number of hours spent on the case, and the type of work performed. Details of the one-on-one training must be documented within the Associate's log.

*History Note:* Authority G.S. 74C-2(c); 74C-5(2);  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1101 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.

#### **14B NCAC 16 .1102 TRAINING AND SUPERVISION REQUIRED IN LEVEL ONE**

- (a) If upon sponsorship, the Associate has less than one year or 1,000 hours of verifiable training or experience, the Associate shall undergo 160 hours of one-on-one supervision training.
- (b) The first 40 hours of employment shall be one-on-one supervision. The remaining 120 hours of one-on-one supervision shall be gathered over the first year of employment or the first 1,000 hours of work, whichever comes first.
- (c) A Level One Associate cannot, independently of the sponsor, accept or contract employment. The Associate shall have direct face-to-face or telephone contact with the sponsor or another licensed Private Investigator within the firm, association, or corporation before accepting employment or before accepting a new case.
- (d) The sponsor or another licensed Private Investigator associated with the sponsor's firm, association, or corporation shall meet with the Level One associate to review the Associate's work product. The Private Investigator's review may be by telephone or face-to-face and shall occur at least four times per month. The licensed Private Investigator shall review each case on which the Associate is working or has worked since the last review. Review sessions may encompass more than one case.

*History Note:* Authority G.S. 74C-5(2);  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1102 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.

#### **14B NCAC 16 .1103 TRAINING AND SUPERVISION REQUIRED IN LEVEL TWO**

- (a) If upon initial application for an Associate permit, the applicant has at least one year or 1,000 hours of verifiable training or experience, the applicant will skip Level One and be classified as a Level Two Private Investigator Associate. An applicant that skips Level One shall undergo 80 hours of one-on-one training. The first 40 hours of one-on-one supervision shall occur within the first 40 hours of employment. The remaining 40 hours shall be gathered over the first year of employment or the first 1,000 hours of work, whichever comes first.
- (b) A Level Two Associate cannot, independently of the sponsor, accept or contract employment. The Associate shall have direct face-to-face or telephone contact with the sponsor or another licensed Private Investigator within the firm, association, or corporation before accepting employment or before accepting a new case.
- (c) The sponsor or another licensed Private Investigator associated with the sponsor's firm, association, or corporation shall meet with the Level Two Associate to review the Associate's work product. The Private



Investigator's review may be by telephone or face-to-face and shall occur at least four times per month. The licensed Private Investigator shall review each case on which the Associate is working or has worked since the last review. Review sessions may encompass more than one case.

*History Note: Authority G.S. 74C-5(2);  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1103 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1104 TRAINING AND SUPERVISION REQUIRED IN LEVEL THREE**

- (a) If upon sponsorship the Associate has at least two years or 2,000 hours of verifiable training or experience, the Associate will be classified as a Level Three Private Investigator Associate and shall undergo 40 hours of one-on-one training.
- (b) The first 40 hours of employment for the Level Three Private Investigator Associate shall be one-on-one supervision.
- (c) When the Level Three Associate completes the requirements of Level Three by fulfilling the licensing requirements set forth in Rules .0204 and .0401 of this Chapter, the Associate may apply for a private investigator's license.
- (d) The sponsor or another licensed Private Investigator associated with the sponsor's firm, association, or corporation shall meet with the Level Three Associate to review the Associate's work product. The licensed Private Investigator shall review each case on which the Associate is working or has worked since the last review. Review sessions may encompass more than one case.
- (e) The sponsoring Private Investigator shall have contact with the Level Three Associate sufficient to ensure compliance with G.S. 74C.

*History Note: Authority G.S. 74C-5(2);  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1104 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1105 EDUCATIONAL DEGREES AND NON-DEGREED TRAINING**

- (a) An applicant shall receive a minimum of 400 hours of experience credit for an associate's degree. The Board shall grant up to 100 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the associate's degree.
- (b) An applicant shall receive 800 hours of experience credit for a bachelor's degree. The Board shall grant up to 200 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the bachelor's degree.
- (c) An applicant shall receive 1,200 hours of experience credit for a graduate degree. The Board shall grant an additional 300 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the graduate degree.
- (d) During the first 40 hours of one-on-one supervision, a Level One Associate may receive up to 4 hours of one-on-one supervision credit for time spent in the courtroom observing a docketed trial. Of the remaining 120 hours of one-on-one supervision required in Level One, the Associate may receive up to 12 hours of credit for time spent in the courtroom observing a trial. Of the thousand hours of training required in Level One, the Associate cannot receive more than 100 hours of credit for time spent in the courtroom observing a trial. To receive credit for courtroom observation, the Level One Associate must state in the Associate's Log the docket number of the trial and the time spent observing the trial.
- (e) During the first 40 hours of one-on-one supervision, a Level Two Associate may receive up to 4 hours of one-on-one supervision credit for time spent in the courtroom observing a docketed trial. Of the remaining 80 hours of one-on-one supervision required in Level Two, the Associate may receive up to 8 hours of credit for time spent in the courtroom observing a trial. Of the thousand hours of training required in Level Two, the Associate cannot receive more than 100 hours of credit for time spent in the courtroom observing a trial. To receive credit for courtroom observation, the Level Two Associate must state in the Associate's Log the docket number of the trial and the time spent observing the trial.
- (f) During the first 40 hours of one-on-one supervision, a Level Three Associate may receive up to 4 hours of one-on-one supervision credit for time spent in the courtroom observing a docketed trial. Of the one thousand hours of

training required in Level Three, the Associate cannot receive more than 100 hours of credit for time spent in the courtroom observing a trial. To receive credit for courtroom observation, the Level Three Associate must state in the Associate's Log the docket number of the trial and the time spent observing the trial.

*History Note: Authority G.S. 74C-5(2);  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1105 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1106 CONSIDERATION OF EXPERIENCE**

(a) The Board shall consider any practical experience gained prior to the application date. The Board shall not consider experience claimed by the applicant if the experience was:

- (1) gained by contracting private protective services to another person, firm, 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.

(b) The Board shall consider any educational experience referred to in Rule .1105 of this Section.

*History Note: Authority G.S. 74C-5(2);  
Eff. July 1, 1994;  
Amended Eff. January 1, 2013; April 1, 1999;  
Transferred and Recodified from 12 NCAC 07D .1106 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1107 ENFORCEMENT**

A violation by the Associate may be deemed by the Board to be a violation of the sponsor if the violation is found to be the result of insufficient supervision and may subject the sponsor to any enforcement actions pursuant to G.S. 74C-17.

*History Note: Authority G.S. 74C-2(c); 74C-5(2); 74C-12;  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1107 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1108 TRANSFERABILITY OF TRAINING HOURS**

If a Level One Associate transfers employment to another Private Investigator, the one-on-one training shall not transfer and the Associate shall undergo new one-on-one supervised training hours with the new sponsoring Private Investigator. If a Level Two or Level Three Associate transfers employment to another Private Investigator, all training hours shall be transferred.

*History Note: Authority G.S. 74C-5(2);  
Eff. July 1, 1994;  
Transferred and Recodified from 12 NCAC 07D .1110 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

### **SECTION .1200 – CONTINUING EDUCATION**

#### **14B NCAC 16 .1201 DEFINITIONS**

In addition to the definitions set forth in Rule .0103 of this Chapter, the following definitions shall apply to this Section:

- (1) "continuing education" or "CE" refers to any educational activity approved by the Board to be a continuing education activity.
- (2) "credit hour" means 60 minutes of continuing education instruction.
- (3) "year" refers to the calendar year after the issuance of a new or renewal license.

*History Note: Authority G.S. 74C-5; 74C-22;  
Eff. February 1, 2010;  
Transferred and Recodified from 12 NCAC 07D .1301 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1202 REQUIRED CONTINUING EDUCATION HOURS**

- (a) Each licensee shall complete 12 credit hours of continuing education training during each two year renewal period.
- (b) Credit shall be given only for classes that have been approved by the Board as set forth in Rule .1203 of this Section.
- (c) A licensee who attends a complete meeting of a regularly scheduled meeting of the Board shall receive two credit hours for each meeting that the licensee attends, with credit being given for a maximum of two meetings per year with no more than four credit hours per year and eight credit hours per renewal period.
- (d) No more than six hours of CEU credit shall be given during a renewal period for online courses. However, during a national or State declared state of emergency that restricts or prohibits a licensee from attending live continuing education courses or a meeting of the Board, all required hours may be obtained online and credit shall be given upon written request to the Director.
- (e) No course offering CEU credits may be taken for credit more than one time during a renewal period.

*History Note: Authority G.S. 74C-2; 74C-5; 74C-22;  
Eff. February 1, 2010;  
Amended Eff. May 1, 2014;  
Transferred and Recodified from 12 NCAC 07D .1302 Eff. July 1, 2015;  
Emergency Amendment May 6, 2020;  
Readopted Eff. July 1, 2020;  
Emergency Amendment Eff. May 6, 2020;  
Temporary Amendment Eff. July 24, 2020;  
Temporary Amendment Expired May 14, 2021;  
Amended Eff. January 1, 2022.*

#### **14B NCAC 16 .1203 ACCREDITATION STANDARDS**

- (a) CE courses may obtain the approval of the Board by submitting the following information to the Board for consideration:
  - (1) the nature and purpose of the course;
  - (2) the course objectives or goals;
  - (3) the outline of the course, including the number of training hours for each segment; and
  - (4) the name of the instructor.
- (b) To determine if a course will receive approval from the Board, the Board shall complete the following review:
  - (1) The matter shall be referred to the Training and Education Committee for the appointment of a sub-committee that shall review the course under consideration. The sub-committee shall consist of at least two industry members of the Training and Education Committee. Other members of the sub-committee may be appointed at the discretion of the Training and Education Committee Chairman.
  - (2) The sub-committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.
  - (3) When the sub-committee completes its review, it shall report to the Training and Education Committee. The Training and Education Committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives and goals. The Training and Education Committee shall then report the findings with a recommendation of acceptance or denial to the Private Protective Services Board.
- (c) Upon receipt of the Training and Education Committee report, the Private Protective Services Board shall determine by majority vote if the course will be approved for continuing education credits. In making its determination, the Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.
- (d) Each approved course shall remain an approved course for four years from the date of approval by the Board, unless the course content changes or the course instructor changes.

(e) Trainers and instructors shall receive continuing education credit of five hours for every actual teaching hour with an eight hour cap of continuing education credit every two years.

(f) Colleges, universities, trade schools, and other degree granting institutions shall be granted standing approval when the institutions are accredited, certified, or approved by the Department of Public Instruction or by a similar agency in another state and the course is related to law, criminal justice, security profession, finance, ethics, forensics, crime prevention, and investigation. Approval is one credit hour per contact hour not to exceed eight credit hours.

*History Note:* Authority G.S. 74C-5; 74C-22;  
Eff. February 1, 2010;  
Amended Eff. October 1, 2011;  
Transferred and Recodified from 12 NCAC 07D .1303 Eff. July 1, 2015;  
Emergency Amendment Eff. May 6, 2020;  
Readopted Eff. July 1, 2020;  
Temporary Amendment Eff. July 24, 2020;  
Temporary Amendment Expired Eff. May 14, 2021;  
Amended Eff. February 1, 2022; January 1, 2022; July 1, 2021.

#### **14B NCAC 16 .1204 NON-RESIDENT LICENSEE CONTINUING EDUCATION CREDITS**

A non-resident licensee shall obtain the required continuing education credits as set forth in Rule .1202 of this Section. If a non-resident licensee resides in a state that requires continuing education for a private protective services business license, then the continuing education courses to be offered in the state of residence may be considered by the Board for approval in North Carolina on an individual course basis. In determining if the course is to be approved, the Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objective.

*History Note:* Authority G.S. 74C-2; 74C-22;  
Eff. February 1, 2010;  
Transferred and Recodified from 12 NCAC 07D .1304 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.

#### **14B NCAC 16 .1205 RECORDING AND REPORTING CONTINUING EDUCATION CREDITS**

(a) Each licensee shall be responsible for recording and reporting continuing education credits to the Board at the time of license renewal. For each course taken such report shall include a certificate of course completion that is signed by at least one course instructor, states the name of the licensee who completed the course, the date of course completion, and the number of hours taken by the licensee. Credit shall not be given if a certificate of course completion is dated more than two years before the license renewal date. Each course instructor shall be required to maintain a course roster and shall verify the identity of each participant by a government issued photo identification, such as a driver's license. The roster shall be delivered to the Board's office within two weeks of the completion date of the course.

(b) All applications for renewal of a license shall have continuing education certificate(s) of course completion attached verifying completion of the required number of credit hours. If an applicant is filing an application designated as "new" and the applicant has been licensed for any period of time within the previous two years, the applicant shall attach continuing education certificate(s) of course completion verifying completion of the required number of credit hours. An applicant shall not be required to submit a continuing education certificate of course completion if the applicant is filing an application designated as a "transfer" or "duplicate" and if the applicant has a current license issued by the Board.

*History Note:* Authority G.S. 74C-5; 74C-22;  
Eff. February 1, 2010;  
Transferred and Recodified from 12 NCAC 07D .1305 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.

#### **14B NCAC 16 .1206 NON-COMPLIANCE**

If a licensee fails to comply with this Section, his or her license shall not be renewed.

*History Note:* Authority G.S. 74C-5; 74C-22;  
Eff. February 1, 2010;  
Transferred and Recodified from 12 NCAC 07D .1306 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.

#### **14B NCAC 16 .1207 CREDIT FOR CE COURSES**

*History Note:* Authority G.S. 74C-2; 74C-4; 74C-5; 74C-22;  
Eff. February 1, 2010;  
Transferred and Recodified from 12 NCAC 07D .1307 Eff. July 1, 2015;  
Repealed Eff. October 1, 2020.

### **SECTION .1300 – ARMORED CAR SERVICE GUARD REGISTRATION (UNARMED)**

#### **14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Each armored car employer or his designee shall complete an online application form for the registration of each unarmed armored car service guard applicant to the Board. This online form shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (6) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1307 of this Section, if applicable; and
- (7) a completed affidavit form and public notice statement form.

(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit and shall retain a copy of the application, including the affidavit, in the guard's personnel file in the employer's office.

(c) The applicant's copy of the application and completed affidavit form shall serve as a temporary registration card that shall be carried by the applicant when he or she is working is within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

(d) A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

*History Note:* Authority G.S. 74C-3; 74C-5; 74C-8.1(a);  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1401 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2021.

#### **14B NCAC 16 .1302 FEES FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Fees for unarmed armored car service guards are as follows, along with a four dollar (\$4.00) convenience fee and credit card transaction fee:

- (1) thirty dollar (\$30.00) non-refundable initial registration fee;
- (2) thirty dollar (\$30.00) annual renewal, or reissue fee;

- (3) fifteen dollar (\$15.00) transfer fee; and
  - (4) twenty-five dollars (\$25.00) late renewal fee to be paid within 90 days from the date the registration expires and to be paid in addition to the renewal fee.
- (b) Fees shall be paid by credit card or other form of electronic funds transfer.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-9;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1402 Eff. July 1, 2015;  
Amended Eff. January 1, 2018;  
Readopted Eff. March 1, 2020.*

**14B NCAC 16 .1303 MINIMUM STANDARDS FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

An applicant for registration as an unarmed armored service guard shall:

- (1) be at least 18 years of age;
- (2) be a citizen of the United States or a resident alien;
- (3) be of good moral character and temperate habits. Any of the following within the last five years shall be prima facie evidence that the applicant does not have good moral character or temperate habits:
  - (a) conviction by any local, state, federal, or military court of any crime involving the illegal use, carrying, or possession of a firearm;
  - (b) conviction of any crime involving the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage;
  - (c) conviction of a crime involving felonious assault or an act of violence;
  - (d) conviction of a crime involving unlawful breaking or entering, burglary, larceny, or any offense involving moral turpitude; or
  - (e) a history of addiction to alcohol or a narcotic drug. For purposes of this Rule, "conviction" means the entry of a plea of guilty, plea of no contest, or a verdict of guilty;
- (4) not have been judicially declared incompetent or not have been involuntarily committed to an institution for treatment of mental illness. When an individual has been treated and found to have been restored, the Board shall consider this evidence and determine whether the applicant meets the requirements of this Rule; and
- (5) not have had a revocation by the Board.

*History Note: Authority G.S. 74C-3; 74C-5;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1403 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

**14B NCAC 16 .1304 INVESTIGATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

*History Note: Authority G.S. 74C-3; 74C-5;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1404 Eff. July 1, 2015;  
Repealed Eff. October 1, 2020.*

**14B NCAC 16 .1305 UNARMED ARMORED CAR SERVICE GUARD REGISTRATION IDENTIFICATION CARDS**

- (a) A registration identification card shall be carried by an armored car service guard registrant when performing the duties of a private protective services employee.
- (b) The registration identification card shall be exhibited upon the request of any law enforcement officer or any authorized representative of the Board.
- (c) Registration identification card holders shall within five business days notify the Board following receipt of any information relating to the holder's eligibility to continue holding the card.

(d) The guard transfer form and fee shall be submitted to the Board by the employer within 10 days of the beginning of employment.

(e) Upon revocation or suspension by the Board, a holder shall return the registration identification card to the Director within 10 days of the date of the revocation or suspension.

*History Note: Authority G.S. 74C-3; 74C-5;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1405 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

**14B NCAC 16 .1306 RENEWAL OR REISSUE OF UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Each applicant for renewal of an unarmed armored car service guard registration identification card or his or her employer shall complete an online form provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration and shall be accompanied by:

- (1) upload online a statement of the results of a statewide criminal history records search obtained from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (2) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee.
- (3) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission; and
- (4) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) The employer of each applicant for a registration renewal or reissue shall give the applicant a copy of the online application, including the completed affidavit form, that shall serve as a record of application for renewal or reissue and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-3; 74C-5; 78C-8.1(a);  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1406 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022.*

**14B NCAC 16 .1307 TRAINING REQUIREMENTS FOR UNARMED ARMORED CAR SERVICE GUARDS**

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

- (1) The Security Officer in North Carolina – (minimum of one hour);
- (2) Legal Issues for Security Officers – (minimum of three hours);
- (3) Deportment – (minimum of one hour);
- (4) Armored Security Operations – (minimum of five hours);
- (5) Emergency Responses – (minimum of three hours); and
- (6) Safe Driver Training – (minimum of three hours);

A minimum of four hours of classroom instruction shall be completed within 20 calendar days of any armored car service guard, including probationary, being placed on a duty station. These four hours shall include The Security

Officer in North Carolina and Legal Issues for Security Officers. Unarmed armored car service guard training is not transferable to qualify as unarmed security guard training.

(b) Licensees shall submit their names and resumes for proposed certified unarmed trainer registrations to the Director for Board approval.

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

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

- (1) The training is presented by a Board certified unarmed trainer.
- (2) Each student is given a copy of the Board approved unarmed armored car service guard training manual to use for the duration of the 16 hour training course.
- (3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.
- (4) All students in each classroom are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in each classroom must be at least 32 inches wide.
- (5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.
- (6) Each student is taught to use the audio and video equipment in the classroom prior to the start of the 16 hour unarmed armored car service guard training course.
- (7) The total number of students receiving remote training at one time does not exceed 35 students.
- (8) Any additional training beyond the Board mandated training in the unarmed armored car service guard training manual is taught either before or after the 16 hour unarmed armored car service guard training.
- (9) The Director is notified five days prior to training of the location of each classroom, the name of the certified trainer, and the number of students who will be present.
- (10) The sponsoring agency allows the Director or designee access via computer to the training during the time that it is taking place.

*History Note: Authority G.S. 74C-3; 74C-5;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1407 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

#### **14B NCAC 16 .1308 UNIFORMS AND EQUIPMENT**

The provisions of Rule .0104 of this Chapter apply to unarmed armored car service guards.

*History Note: Authority G.S. 74C-5; 74C-12; 74C-15;  
Eff. January 1, 2015;  
Transferred and Recodified from 12 NCAC 07D .1408 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

### **SECTION .1400 - ARMED ARMORED CAR SERVICE GUARDS FIREARM REGISTRATION PERMIT**

#### **14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

(a) Each armored car employer or his or her designee shall submit an online application form for the registration of each armed armored car service guard applicant to the Board. This online form shall be accompanied by:

- (1) one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;
- (3) upload online a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;



- (4) the applicant's non-refundable registration fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
  - (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;
  - (6) a certification by the applicant that he or she is at least 18 years of age;
  - (7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; and
  - (8) a completed affidavit form and public notice statement form.
- (b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit form and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.
- (c) The applicant's copy of the application, affidavit, and training certification shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.
- (d) Online applications submitted without proof of completion of a Board approved firearms training course shall not serve as temporary registration cards unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.
- (e) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

*History Note:* Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;  
 Eff. January 1, 2013;  
 Transferred and Recodified from 12 NCAC 07D .1501 Eff. July 1, 2015;  
 Amended Eff. November 1, 2017;  
 Readopted Eff. March 1, 2020.

**14B NCAC 16 .1402 FEES FOR ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

- (a) Fees for armed armored car service guard firearm registration permits are as follows, along with a four dollar (\$4.00) convenience fee and credit card transaction fee:
- (1) thirty dollars (\$30.00) non-refundable initial registration fee;
  - (2) thirty dollars (\$30.00) annual renewal, or reissue fee; and
  - (3) fifteen dollars (\$15.00) application fee.
- (b) Fees shall be paid by credit card or other form of electronic funds transfer.

*History Note:* Authority G.S. 74C-3; 74C-5; 74C-9; 74C-13;  
 Eff. January 1, 2013;  
 Transferred and Recodified from 12 NCAC 07D .1502 Eff. July 1, 2015;  
 Amended Eff. January 1, 2018;  
 Readopted Eff. March 1, 2020.

**14B NCAC 16 .1403 MINIMUM STANDARDS FOR ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

Applicants for an armed armored car firearms registration shall meet all the requirements of Rules .1303 and .1307 of this Chapter.

*History Note:* Authority G.S. 74C-3; 74C-5; 74C-13;  
 Eff. January 1, 2013;  
 Transferred and Recodified from 12 NCAC 07D .1503 Eff. July 1, 2015;  
 Readopted Eff. July 1, 2020.

**14B NCAC 16 .1404 INVESTIGATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

*History Note: Authority G.S. 74C-3; 74C-5; 74C-13;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1504 Eff. July 1, 2015;  
Repealed Eff. October 1, 2020.*

**14B NCAC 16 .1405 ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT IDENTIFICATION CARDS**

- (a) The provisions of Rule .1305 of this Chapter apply to armed armored car service guards.
- (b) Upon termination of employment of an armed armored car service guard, the employer shall return the employee's registration card to the Board within 15 business days of the employee's termination.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-13;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1505 Eff. July 1, 2015;  
Readopted Eff. July 1, 2020.*

**14B NCAC 16 .1406 RENEWAL OF ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed armored car service guard firearm registration permit identification card his or her employer or designee shall complete an online form provided by the Board. This online form shall be submitted not more than 90 days nor fewer than 30 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of the Section; and
- (6) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and completed application, including the completed affidavit form, to serve as a record of application for renewal and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1506 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022.*

**14B NCAC 16 .1407 TRAINING REQUIREMENTS FOR ARMED ARMORED CAR SERVICE GUARDS**

(a) Prior to applying, applicants for an armed armored car service guard firearm registration permit shall complete the basic training course for unarmed armored car service guards set forth in Rule .1307(a) of this Chapter. Private Investigator Licensees applying for an armed armored car service guard firearm registration permit shall complete a four hour training course consisting of blocks of instruction "The Security Officer in North Carolina" and "Legal Issues for Security Officers" as set forth in Rule .1307(a) of this Chapter. Private Investigator Licensees applying for an armed armored car service guard firearm registration permit are not required to complete the following training blocks found in the basic training course referenced in Rule .1307(a) of this Chapter: "Emergency Responses," "Department," "Armored Security Operations," and "Safe Driver Training." A Private Investigator Licensee applying for an armed armored car service guard firearm registration permit shall meet all additional training requirements set forth in Rule .1307(a) of this Chapter as well as the training requirements set forth in this Rule.

(b) Applicants for an armed armored car service guard firearm registration permit shall complete a basic training course for armed security guards that consists of at least 20 hours of classroom instruction including:

- (1) legal limitations on the use of handguns and on the powers and authority of an armed security guard, including familiarity with rules relating to armed security guards -- (minimum of four hours);
- (2) handgun safety, including range firing procedures -- (minimum of one hour);
- (3) handgun operation and maintenance -- (minimum of three hours);
- (4) handgun fundamentals -- (minimum of eight hours); and
- (5) night firing -- (minimum of four hours).

(c) Applicants for an armed armored service guard firearm registration permit shall attain a score of at least 80 percent accuracy on a firearms range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office. Should a student fail to attain a score of 80 percent accuracy, the student shall be given an additional three attempts to qualify on the course of fire he or she did not pass, which additional attempts shall take place within 20 days of the completion of the initial 20 hour course. Failure to meet the qualification after three additional attempts shall require the student to repeat the entire basic training course for armed security guards.

(d) All armed security guard training required by this Chapter shall be administered by a certified trainer and shall be successfully completed no more than 90 days prior to the date of issuance of the armed armored car service guard firearm registration permit.

(e) All applicants for an armed armored car service guard firearm registration permit shall obtain training under the provisions of this Rule using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to include lead-free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all weapons.

(f) No more than six new or renewal armed armored car service guard applicants per one instructor shall be placed on the firing line at any one time during firearms range training.

(g) Applicants for re-certification of an armed armored car service guard firearm registration permit shall complete a basic recertification training course for armed armored car guards that consists of at least four hours of classroom instruction and is a review of the requirements set forth in Subparagraphs (b)(1) through (b)(5) of this Rule. The recertification course is valid for 180 days after completion of the course. Applicants for recertification of an armed armored car service guard firearm registration permit shall also complete the requirements of Paragraph (c) of this Rule.

(h) To be authorized to carry a standard 12 gauge shotgun in the performance of his or her duties as an armed armored car service guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (b) and (c) of this Rule, five hours of classroom training that shall include the following:

- (1) legal limitations on the use of shotguns (minimum of one hour);
- (2) shotgun safety, including range firing procedures (minimum of one hour);
- (3) shotgun operation and maintenance (minimum of one hour);
- (4) shotgun fundamentals (minimum of one hour); and
- (5) night firing (minimum of one hour.)

An applicant may take the additional shotgun training at a time after the initial training in Subparagraph (b) of this Rule. If the shotgun training is completed at a later time, the shotgun certification shall run concurrently with the armed registration permit.

(i) In addition to the requirements set forth in Paragraph (h) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a shotgun range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(j) Applicants for shotgun recertification shall complete an additional one hour of classroom training as set forth in Subparagraphs (h)(1) through (h)(5) of this Rule and shall also complete the requirements of Paragraph (i) of this Rule.

(k) Applicants for an armed armored car service guard firearm registration permit who possess a current firearms trainer certificate shall be given, upon their written request, a firearms registration permit that will run concurrently with the trainer certificate upon completion of an annual qualification with their duty weapons as set forth in Paragraph (c) of this Rule.

(l) An armed armored car service guard shall qualify annually for both day and night firing with his or her duty weapon and shotgun, if applicable. If the armed armored car service guard fails to qualify on either course of fire, the guard cannot carry a firearm until such time as he or she meets the qualification requirements. Upon failure to qualify, the firearm instructor shall notify the armed armored car service guard that he or she is no longer authorized to carry a firearm, and the firearm instructor shall notify the employer and the Board on the next business day.

(m) Armed armored car service guard personnel may also work as armed security guards only if they hold an unarmed or armed security guard registration.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-13;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1507 Eff. July 1, 2015;  
Amended Eff. October 1, 2015;  
Readopted Eff. July 1, 2020;  
Amended Eff. July 1, 2021.*

#### **14B NCAC 16 .1408 UNIFORMS AND EQUIPMENT**

The provisions of Rule .0104 of this Chapter apply to armed armored car service guards.

*History Note: Authority G.S. 74C-5; 74C-12; 74C-15;  
Eff. January 1, 2015;  
Transferred and Recodified from 12 NCAC 07D .1508 Eff. July 1, 2015;  
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