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## PERMANENT ADMINISTRATIVE ORDER

**DPSST 23-2020**  
CHAPTER 259  
DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

**FILED**  
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& LEGISLATIVE COUNSEL

FILING CAPTION: Establishes process for handling overpayments of private investigator fees for licensure.

EFFECTIVE DATE: 10/29/2020

AGENCY APPROVED DATE: 10/22/2020

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AMEND: 259-061-0010

NOTICE FILED DATE: 09/10/2020

RULE SUMMARY: The Department collects fees for the private investigator licensure program. The forms of payment that are accepted are business checks, cashier's checks, money orders, and credit cards. It is not uncommon to receive a fee amount greater than the amount due (overpayment).

Before this rule change, the Department rejected and returned unprocessed any payment that included an overpayment. This caused delays in issuing licenses. This rule change establishes a Department process for overpayments to allow for more efficient processing of applications for investigator licenses.

Overpayments will be handled in accordance with the rule. If the overpayment amount is \$10.01 or more, the payment will be rejected and returned unprocessed to the payee for re-submission of the correct amount. If the overpayment amount is \$10.00 or less, the payment will be accepted and processed. The payee may request a refund of the overpaid amount by submitting a written request.

In addition to establishing criteria for processing overpayments, the rule change included revisions for clarity and consistency. The rule revisions did not make any changes to existing fee amounts but it did separate the two components of the \$79 fee for application which included the cost of the fingerprint criminal background check and the examination for licensure. These are now represented by a \$29 fee for the new application which requires the examination for licensure and the DPSST's standard language for the fingerprint criminal history check fee.

CHANGES TO RULE:

259-061-0010

Fees and Payments ¶

(1) ~~Payments to the~~

~~(a) The Department are due at the time of application. All payments are non-refundable and must be paid by business check, money order, cashier's check or credit card. No personal checks or cash will be accepted. The Department does not accept personal checks or cash.~~

~~(b) Fees for licensure are due at the time of application.~~

~~(2c) The Department will charge the following fees:~~

~~(a) The fee of \$79 for the application for licensure as a non-refundable and non-transferable.~~

~~(d) Applicants who choose to withdraw their application or fail to complete the application process forfeit their application fees.~~

~~(2) Fees charged by the Department include:~~

~~(a) Private investigator. This fee includes the cost of a criminal background check and private investigator examination.~~

~~(b) The fee of \$550 for the issuance of a two-year license as a private investigator License Fee - \$550.~~

~~(b) Provisional Investigator License Fee - \$550.~~

~~(c) New Application Fee - \$29.~~

~~(d) Fingerprint Criminal History Check Fee - The current fee for processing a fingerprint criminal history check may be obtained from the Department. This fee is to recover the costs of administering the fingerprint check through the Oregon State Police and the Federal Bureau of Investigation. This fee is separate from and does not apply to any fees charged by a fingerprinting services vendor. An additional fee will be charged for the third submittal of fingerprint cards when rejected for filing by the FBI.~~

~~(e) The Late Renewal Fee of \$50 for application of reactivation from inactive status as described in OAR 259-061-0160.~~

~~(d) The \$25. A late fee is required when the Department receives an application for renewal after the expiration date.~~

~~(f) Duplicate or Replacement License Fee - \$20.~~

~~(g) Reactivation of Inactive License Fee (OAR 259-061-0160) - \$50; and~~

~~(h) Non-sufficient Funds (NSF) Penalty Fee of \$550 for the renewal of a two-year private investigator - \$25.~~

~~(3) If the Department receives payment of any fees or penalty by check and the check is returned to the Department as a non-sufficient;~~

~~(e) A late-submission funds (NSF) check, the payer of the fees of \$25r penalty will be added to assessed an NSF penalty fee in addition to the required payment of the fees for licensure renewal if the private investigator fails to complete the application process by the expiration date of the license; and~~

~~(f) The fee of \$2 penalty.~~

~~(4) Overpayment of Amounts Due.~~

~~(a) The Department will reject payments that include an overpayment of the amount due that is \$10.01 or more.~~

~~(b) The Department may accept payments that include an overpayment of the amount due when the overpaid amount is \$10.00 for the issuance of a duplicate or replacement card or license.~~

~~(3) In the event a non-sufficient check is received for payment, an additional \$25 administrative fee will be assessed less.~~

~~(c) Overpayment amounts that are \$10.00 or less will only be refunded upon receipt of a written request from the person who made the overpayment, or the person's legal representative. The written request must be received by the Department within three years of the overpayment.~~

~~Statutory/Other Authority: ORS 703.480, ORS 293.445~~

~~Statutes/Other Implemented: ORS 703.480, ORS 293.445~~