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PERMANENT ADMINISTRATIVE ORDER

DPSST 19-2020
CHAPTER 259
DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

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& LEGISLATIVE COUNSEL

FILING CAPTION: Extending COVID temporary work permit options through December 31, 2020.

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AMEND: 259-060-0030

REPEAL: Temporary 259-060-0030 from DPSST 9-2020

NOTICE FILED DATE: 07/23/2020

RULE SUMMARY: OAR 259-060-0030 outlines eligibility and processes for the issuance of a temporary work permit when applying for certification or licensure as a private security provider. The private security certification and licensure program utilizes a temporary work permit to allow private security providers to perform private security services while their application for certification or licensure is being processed. In order for the temporary work permit to be valid, the applicant must have completed all application requirements including completion of training and submission of fingerprints.

Access to training and fingerprinting has been affected by COVID-19. This rule change extends the special COVID provisions for temporary work permits that were initially provided through a temporary rule. Under this rule change, licensed executive or supervisory managers may continue to issue COVID PS-20 temporary work permit forms for private security professional applicants while training and fingerprint requirements are being completed.

THE COVID PS-20 OPTION IS ONLY AVAILABLE THROUGH DECEMBER 31, 2020.

The COVID PS-20 CANNOT be issued on or after January 1, 2021.

THE APPLICANT MUST COMPLETE THE TRAINING AND FINGERPRINT REQUIREMENTS PRIOR TO THE EXPIRATION OF THE COVID PS -20.

APPLICANTS WILL NOT BE APPROVED FOR A SECOND COVID PS-20.

CHANGES TO RULE:

259-060-0030

Temporary Assignments ¶

(1) Temporary Work Permits for Alarm Monitor, Unarmed or Event and Entertainment Private Security Professionals and Managers.¶¶

(a) - Form PS-20. A licensed manager may issue a temporary work permit to an employee who has completed all application requirements to become certified as an alarm monitor, unarmed or event and entertainment private security professional or licensed as an executive or supervisory manager.¶¶

(Aa) Temporary work permits (Form PS-20) may not be issued to armed private security professionals or instructors.¶¶

(Bb) Managers may self-issue a temporary work permit upon completion of all application requirements.¶¶

(b2) State of Emergency Temporary Work Permit Provisions - Form COVID PS-20. The following authorizations for issuing COVID temporary work permits expire after December 31, 2020. Any COVID temporary work permit issued on or after January 1, 2021 will be invalid.¶¶

(a) Due to local, state and federal temporary emergency response requirements of the COVID-19 (Coronavirus) Emergency, a licensed manager may issue a temporary work permit (Form COVID PS-20) to an employee who has submitted an application (Form PS-1 or Form PS-21) and the fees for issuance or renewal of certification as an alarm monitor, unarmed or event and entertainment private security professional or licensure as an executive or supervisory manager.¶¶

(A) The Form COVID PS-20 will allow the alarm monitor professional, unarmed professional, event and entertainment professional or manager to perform private security services in accordance with their certification or license classification while completing training or fingerprinting requirements that have been delayed by the COVID-19 (Coronavirus) Emergency.¶¶

(B) This includes the manager's ability to self-issue a temporary work permit.¶¶

(b) Due to local, state and federal temporary emergency response requirements of the COVID-19 (Coronavirus) Emergency, a licensed manager may issue a temporary work permit (Form COVID PS-20) to a certified armed private security professional under the following conditions:¶¶

(A) The armed professional has submitted an application for renewal (Form PS-21) and the fees to renew their armed professional certification;¶¶

(B) The armed professional has completed the annual firearms qualifications and training requirements for renewal as required under OAR 259-060-0120 (5); and¶¶

(C) The armed professional has not been able to complete the biennial unarmed renewal course due to local, state or federal temporary emergency response requirements of the COVID-19 (Coronavirus) Emergency.¶¶

(D) The Form COVID PS-20 will allow the armed professional to perform private security services in accordance with their certification classification while completing the biennial unarmed renewal course that has been delayed by the COVID-19 (Coronavirus) Emergency.¶¶

(c) Section (3), but excluding (3)(c)(B), of this rule also applies to temporary work permits issued using the Form COVID PS-20.¶¶

(d) The Department will not approve a second COVID temporary work permit issued using the Form COVID PS-20. In order for a private security provider to continue to work under a regular temporary work permit, the Department must have received proof of successful completion of the required training and fingerprints.¶¶

(3)(a) Temporary work permits are employer specific and non-transferable. When an applicant is performing private security services for more than one employer, a temporary work permit is required for each employer.¶¶

(eb) Temporary work permits are issued by completing the Form PS-20.¶¶

(A) One copy of the Form PS-20 must be submitted to the Department, either electronically or mailed and postmarked, on or before the first day the applicant performs private security services.¶¶

(B) One copy of the Form PS-20 must be retained by the employer.¶¶

(C) One copy of the Form PS-20 must be retained by the employee. The employee must have a copy of their Form PS-20 in their possession while performing the functions of a private security provider and must be able to present their copy of the Form PS-20 to any DPSST staff member, law enforcement officer or Oregon Liquor Control Commission agent upon demand, or any other person, upon reasonable request.¶¶

(dc) A temporary work permit expires 120 days from the date of issuance.¶¶

- (A) The date of issuance is recognized as the date the employing manager signed the Form PS-20.¶
- (B) If a temporary work permit expires prior to the applicant's receipt of the Department-issued certification or license, subsequent temporary work permits may be issued by the employing manager after contacting the Department and receiving approval.¶
- (ed) A lost or destroyed temporary work permit may be replaced by the employing manager without Department approval. The replacement temporary work permit will expire on the same date as the original temporary work permit.¶
- (fe) Administrative Termination of a Temporary Work Permit.¶
- (A) The Department may, upon written notice, administratively terminate a Temporary Work Permit for the following reasons:¶
- (i) The Department has reason to believe that a person with the applicant's name and birth date fails to meet the minimum moral fitness standards as described in OAR 259-060-0020 and 259-060-0300;¶
- (ii) An application is incomplete or the Department has been unable to verify application information to its satisfaction due to non-response or non-compliance of the applicant; or¶
- (iii) The holder of the Temporary Work Permit has violated any provisions of the Temporary Work Permit, the Act or these administrative rules.¶
- (B) Upon notification from the Department that the Temporary Work Permit has been administratively terminated, the applicant may not perform private security services.¶
- (C) A new application packet, including all required fees and proof of valid training, must be submitted as prescribed in OAR 259-060-0025 prior to the issuance of a new Temporary Work Permit.¶
- (24) Reciprocity.¶
- (a) As prescribed by ORS 181A.850(2), an employing, licensed executive manager may temporarily assign a person who is not certified as a private security professional in the state of Oregon to perform private security services in this state for a period of time not to exceed 90 days if:¶
- (A) The person is employed in another state;¶
- (B) The person holds a private security professional's certification or license from another state; and¶
- (C) The certification or licensing standards of the other state meet or exceed the standards of this state.¶
- (b) Reciprocity must be requested on a Form PS-9.¶
- (A) One copy of the Form PS-9 must be submitted electronically or mailed and postmarked to the Department on or before the first day the applicant performs private security services.¶
- (B) Additional copies of the Form PS-9 must be retained by the employer and employee.¶
- (C) The employee must have a copy of their Form PS-9 in their possession while performing the functions of a private security provider and must be able to present their copy of the PS-9 to any DPSST staff member, law enforcement officer or Oregon Liquor Control Commission agent upon demand, or any other person, upon reasonable request.¶
- (c) Only one Form PS-9 will be authorized per private security provider in a 24-month period. Additional Form PS-9's may be issued by contacting the Department and receiving approval prior to the issuance of the PS-9.
- Statutory/Other Authority: ORS 181A.870
- Statutes/Other Implemented: ORS 181A.870