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PERMANENT ADMINISTRATIVE ORDER

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DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

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RULES:

259-060-0120, 259-060-0135

AMEND: 259-060-0120

REPEAL: Temporary 259-060-0120 from DPSST 10-2020

NOTICE FILED DATE: 07/23/2020

RULE SUMMARY: OAR 259-060-0120 identifies the training that must be completed for each private security professional certification. Armed private security professionals are required to complete a firearms qualification and refresher training each year. A failure to complete this requirement by the due date will result in the emergency suspension of the armed professional certification.

Access to certified instructors, venues and ammunitions for firearms qualification and training has been affected by the COVID-19 (Coronavirus) Emergency. This rule change extends the special COVID provisions for time extensions that were initially established as a temporary rule.

Under this rule, DPSST may approve a time extension up to, but not exceeding, 90 days for the annual firearms requirements. The opportunity to request a time extension would apply to training and qualifications that are required by December 31, 2020.

The authority for DPSST to approve time extensions will expire on December 31, 2020. DPSST will stop approving time extensions after December 31, 2020. Time extensions approved prior to December 31, 2020, may extend beyond December 31, 2020, as long as they do not exceed 90 days.

CHANGES TO RULE:

259-060-0120

Private Security Professional Requirements for Certification ¶¶

(1) In order to be eligible for the issuance or renewal of a private security professional certification, all private security professional applicants must:¶¶

(a) Be in compliance with the minimum standards for certification as listed in OAR 259-060-0020;¶¶

(b) Successfully complete all required training; and ¶¶

(c) Submit an application for certification in accordance with OAR 259-060-0025.¶¶

(2) Alarm Monitor Private Security Professional.¶¶

(a) Basic training for an alarm monitor private security professional certification consists of successful completion of eight hours of alarm monitor basic classroom instruction and exam and a four-hour alarm monitor assessment.¶¶

(b) To renew alarm monitor private security professional certification, alarm monitor private security professionals must successfully complete the four-hour alarm monitor renewal course and exam.¶¶

(3) Unarmed Private Security Professional.¶¶

(a) Basic training for an unarmed private security professional certification consists of successful completion of 14 hours of unarmed basic classroom instruction, exam and assessments.¶¶

(b) To renew unarmed private security professional certification, unarmed private security professionals must successfully complete the four-hour unarmed renewal course and exam.¶¶

(4) Event and Entertainment Private Security Professional.¶¶

(a) Basic training for an event and entertainment private security professional certification consists of successful completion of the online event and entertainment private security professional basic course and exam.¶¶

(b) To renew event and entertainment private security professional certification, event and entertainment private security professionals must successfully complete the online event and entertainment private security professional refresher course and exam.¶¶

(5) Armed Private Security Professional.¶¶

(a) Basic training for an armed private security professional certification consists of successful completion of:¶¶

(A) Fourteen hours of unarmed basic classroom instruction, exam and assessments; and¶¶

(B) Basic firearms course as defined in OAR 259-060-0060 which consists of a minimum 24 hours of basic armed instruction, a written examination, safe gun handling test and marksmanship qualification.¶¶

(b) Certified armed private security professionals must complete the firearms marksmanship qualification and armed refresher course annually.¶¶

(A) The due date for this qualification and training requirement is determined by the Department by using the last day of the month one year from the date of the last successfully completed basic firearms course accepted by the Department or the last successfully completed firearms marksmanship qualification and armed refresher course accepted by the Department.¶¶

(B) This qualification and training requirement must be successfully completed, submitted to the Department on a Form PS-6 and accepted by the Department by the due date. Due to local, state and federal temporary emergency response requirements of the COVID-19 (Coronavirus) Emergency, the Department may grant a time extension for this annual requirement. Requests for a time extension must be submitted in writing. Approved time extensions for this annual requirement will not exceed 90 days. The Department's authority to grant a time extension expires after December 31, 2020.¶¶

(C) Failure to meet this qualification and training requirement subjects the private security professional's armed private security certification to emergency suspension under OAR 259-060-0300.¶¶

(D) An armed private security professional who fails to meet this qualification and training requirement is prohibited from performing armed private security services until the required training is successfully completed and a Form PS-6 is received and accepted by the Department. After the due date, an armed private security professional may satisfy the annual firearms training requirement by:¶¶

(i) Successfully completing the firearms marksmanship qualification and armed refresher course within the 90 days following the due date identified above; or¶¶

(ii) Successfully completing the entire basic firearms course.¶¶

(c) To renew armed private security professional certification, armed private security professionals must successfully complete the biennial unarmed renewal course and must be in compliance with the annual firearms qualification and training requirements found in subsection (b) above.¶

(6) Department-accredited courses may satisfy the training requirements listed above.¶

(7) Failure to complete any training requirements as prescribed by this rule may result in denial, suspension or revocation of private security certification or licensure as prescribed in OAR 259-060-0300 and civil penalties as prescribed in OAR 259-060-0450.

Statutory/Other Authority: ORS 181A.870

Statutes/Other Implemented: ORS 181A.870

AMEND: 259-060-0135

REPEAL: Temporary 259-060-0135 from DPSST 10-2020

NOTICE FILED DATES: 02/19/2020, 07/23/2020

RULE SUMMARY: OAR 259-060-0135 defines requirements to obtain and renew private security instructor certifications. These changes to OAR 259-060-0135 include two proposed rule changes.

Rule change #1

Section (1)(b) contains a correction to the the three years of experience that are required in order to be eligible to apply for certification as a private security instructor. During the 2019 rule change, the reference to law enforcement experience was inadvertently changed to police officer experience. This change unintentionally restricted applicant eligibility for instructor certification. This rule change corrects the error.

Rule Change #2

Section (4)(b)(B) contains time extension provisions for annual qualification requirements for firearms instructors. Private security firearms instructors are required to complete a firearms qualification each year. A failure to complete this requirement by the due date will result in the emergency suspension of the firearms instructor certification.

Access to certified instructors, venues and ammunitions for firearms qualification has been affected by the COVID-19 (Coronavirus) Emergency. This rule change extends the special COVID provisions for time extensions that were initially established as a temporary rule.

Under this rule, DPSST may approve a time extension up to, but not exceeding, 90 days for the annual firearms requirements. The opportunity to request a time extension would apply to training and qualifications that are required by December 31, 2020.

The authority for DPSST to approve time extensions will expire on December 31, 2020. DPSST will stop approving time extensions after December 31, 2020. Time extensions approved prior to December 31, 2020, may extend beyond December 31, 2020, as long as they do not exceed 90 days.

CHANGES TO RULE:

259-060-0135

Private Security Instructor Requirements for Certification

- (1) In order to be eligible for the issuance or renewal of an instructor certification, all private security instructor applicants must:¶¶
- (a) Be in compliance with the minimum standards for certification in OAR 259-060-0020;¶¶
 - (b) Provide proof of experience that equals ~~a minimum of three years~~ or more of full-time work experience ~~providing private security services,~~ within the 10 years prior to application. ~~The Department will also accept experience as,~~ as a private security provider, a military police officer ~~or a police officer toward satisfying the three years of work experience,~~ a law enforcement officer employed by a law enforcement unit as defined in ORS 181A.355 or any combination thereof; ¶¶
 - (c) Successfully complete all required training; and ¶¶

(d) Submit an application for instructor certification in accordance with OAR 259-060-0025.¶

(2) Alarm Monitor Private Security Instructor.¶

(a) The following training is required for certification as an alarm monitor private security instructor:¶

(A) The alarm monitor professional basic classroom instruction, assessment and exam; and¶

(B) The alarm monitor private security instructor course and exam.¶

(b) To renew alarm monitor private security instructor certification, alarm monitor private security instructors must:¶

(A) Successfully complete the alarm monitor private security instructor course; and¶

(B) Complete a minimum of eight hours of continuing education as defined by section (5) of this rule.¶

(c) Currently certified alarm monitor private security instructors who are also certified as an alarm monitor private security professional are exempt from the required alarm monitor private security professional renewal training if they have documented a minimum of 24 hours delivering any combination of the alarm monitor basic course or the alarm monitor renewal course during the current certification period. Documentation must be submitted with the application for renewal in the place of the Form PS-6 for the alarm monitor renewal course.¶

(3) Unarmed Private Security Instructor.¶

(a) The following training is required for certification as an unarmed private security instructor:¶

(A) The unarmed private security professional basic classroom instruction, assessment and exam; and¶

(B) The unarmed private security instructor development course and exam.¶

(b) To renew unarmed private security instructor certification, unarmed private security instructors must:¶

(A) Successfully complete the unarmed private security instructor refresher course and examination; ¶

(B) Complete a minimum of eight hours of continuing education as defined by section (5) of this rule; and ¶

(C) Have successfully completed either of the following unarmed instructor training requirements at least once within the three years prior to submission of an application for unarmed instructor renewal:¶

(i) Participation in the instructor demonstration component of the unarmed private security instructor development course; or¶

(ii) The unarmed private security instructor development course in its entirety.¶

(c) Currently certified unarmed private security instructors who are also certified as an unarmed private security professional are exempt from the required unarmed private security professional renewal training if they have documented a minimum of 28 hours delivering any combination of the unarmed basic course or the unarmed renewal course during the current certification period. Documentation must be submitted with the application for renewal in the place of the Form PS-6 for the unarmed renewal course.¶

(4) Private Security Firearms Instructor.¶

(a) The private security firearms instructor course is required for certification as a private security firearms instructor and the following prerequisites must be completed prior to attending the private security firearms instructor course:¶

(A) The unarmed private security professional basic classroom instruction, assessment and exam;¶

(B) The armed private security professional basic firearms course; and¶

(C) A firearms instructor development course that consists of a minimum of 40 hours. The course must have been successfully completed within the five years prior to application. Proof of successful completion is required.

Approved sources include:¶

(i) The Handgun Instructor Development Course provided by the Department of Public Safety Standards and Training; ¶

(ii) The Washington Criminal Justice Training Center; ¶

(iii) The National Rifle Association Law Enforcement Instructor Development School; ¶

(iv) The Federal Law Enforcement Training Center; ¶

(v) The Federal Bureau of Investigation; or ¶

(vi) A qualified firearms instructor certification course as determined by the Department.¶

(b) Certified private security firearms instructors must complete the firearms instructor marksmanship qualification annually. Instructors must qualify on a target authorized by the Department, within three attempts in

one day.¶

(A) The due date for this qualification requirement is determined by the Department by using the last day of the month one year from the date of the last successfully completed private security instructor firearms course accepted by the Department or the last successfully completed annual firearms instructor marksmanship qualification accepted by the Department. ¶

(B) This qualification requirement must be successfully completed, submitted to the Department through a Department approved submission process and accepted by the Department by the due date. Due to local, state and federal temporary emergency response requirements of the COVID-19 (Coronavirus) Emergency, the Department may grant a time extension for this annual requirement. Requests for a time extension must be submitted in writing. Approved time extensions for this annual requirement will not exceed 90 days. The Department's authority to grant a time extension expires after December 31, 2020.¶

(C) Failure to meet this qualification requirement subjects the private security instructor's private security firearms instructor certification to emergency suspension under OAR 259-060-0300.¶

(D) A private security firearms instructor who fails to meet this qualification requirement is prohibited from providing services as a certified private security firearms instructor until the required qualification is successfully completed and proof of completion is received and accepted by the Department. After the due date, a private security firearms instructor may satisfy the annual firearms qualification requirement by:¶

(i) Successfully completing the firearms instructor marksmanship qualification within the 90 days following the due date identified above; or¶

(ii) Successfully completing the entire private security firearms instructor course.¶

(c) To renew private security firearms instructor certification, private security firearms instructors must:¶

(A) Be in compliance with the annual firearms instructor marksmanship qualification requirement found in subsection (b) above;¶

(B) Successfully complete the private security firearms instructor course; and¶

(C) Complete a minimum of eight hours of continuing education as defined by section (5) of this rule.¶

(D) During renewal years, the Department may recognize a private security firearms instructor course completed for renewal of a private security firearms instructor certification as being in compliance with the annual firearms instructor marksmanship qualification requirement found in subsection (b) above when the private security firearms instructor course is successfully completed, submitted and accepted by the Department by the annual due date.¶

(5) Instructor Certification Continuing Education.¶

(a) Continuing education must focus on instructor development or the DPSST private security professional course topics applicable to the corresponding instructor certification. Continuing education sources include training, classes, seminars, workshops, lectures, conferences and webinars.¶

(b) Continuing education must be submitted on a Form PS-8 and include proof of completion or attendance. Proof can be in the form of a grade, certificate, transcript, minutes, attendance roster or training record. Other forms of proof may be accepted at the Department's discretion.¶

(c) Continuing education must be completed within the two years prior to application for renewal of the instructor certification.¶

(d) Instructors with more than one DPSST private security instructor certification must complete the continuing education for each of their instructor certifications using separate continuing education hours.¶

(6) Failure to complete any training requirements as prescribed by this rule may result in denial, suspension or revocation of private security certification or licensure as prescribed in OAR 259-060-0300 and civil penalties as prescribed in OAR 259-060-0450.

Statutory/Other Authority: ORS 181A.870

Statutes/Other Implemented: ORS 181A.870