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**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**DPSST 4-2022**

CHAPTER 259

DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

**FILED**

03/10/2022 11:39 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Correcting the fees for late renewals and duplicate or replacement licenses for Private Investigators.

EFFECTIVE DATE: 03/10/2022 THROUGH 09/05/2022

AGENCY APPROVED DATE: 03/10/2022

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**NEED FOR THE RULE(S):**

This rule change is necessary to correctly reflect the current administrative fees for the Private Investigator Licensure Program. The Department of Public Safety Standards and Training (DPSST) filed fee increases for private investigator late renewals and duplicate or replacement licenses through a permanent rule change effective January 1, 2022. The fee increases were not ratified during the 2022 Legislative Session. Fees that are not ratified are rescinded.

The fee increases for late renewal applications and duplicate or replacement licenses keep the administrative fees in the Private Investigator Licensure Program consistent with the administrative fees in the Private Security Certification and Licensure Program. The temporary rule will allow DPSST time to re-complete the processes to implement the fee increases.

**JUSTIFICATION OF TEMPORARY FILING:**

The Private Investigator Licensure Program administrative fee increases were not ratified during the 2022 Legislative Session. Fees that are not ratified are rescinded after the session ends. The temporary rule is needed to correctly reflect the current administrative fees for private investigators.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

The Private Security and Investigator Policy Committee and the Board on Public Safety Standards and Training meeting minutes are available on the Department of Public Safety Standards and Training website, [www.oregon.gov/dpsst](http://www.oregon.gov/dpsst). The DPSST staff memos prepared for each entity are available by submitting a records request to DPSST.

AMEND: 259-061-0010

**RULE SUMMARY:** This temporary rule change is needed to return the fees listed in administrative rule for late renewal applications and duplicate or replacement licenses back to the fees listed in the rule before January 1, 2022. This is a procedural change. DPSST filed a permanent rule change increasing these two administrative fees effective on January 1, 2022. DPSST postponed implementation of the increased fees to allow for the fees to be ratified by the Legislature during the 2022 Session. The increased fees were not implemented and DPSST continued to use the old fee amounts.

DPSST submitted a timely request for fee ratification to the Legislature. DPSST received notice from the Legislative Fiscal Office that the fee increases would not move forward in the 2022 session because there were timing difficulties in getting them all the way through the process. Fees that are not ratified during a legislative session are rescinded.

The fee increases for late renewal applications and duplicate or replacement licenses keep the administrative fees in the Private Investigator Licensure Program consistent with the same administrative fees in the Private Security Certification and Licensure Program. DPSST will submit a new proposed rule change to re-complete the process for the fee increases.

#### CHANGES TO RULE:

259-061-0010

Fees and Payments ¶¶

##### (1) Payments.¶¶

(a) The Department accepts business checks, money orders, cashier's checks, and credit cards approved by the Department. Credit card payments may require submission of additional verification information as designated by the Department. The Department does not accept personal checks or cash.¶¶

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

(c) Amounts due to the Department for fees or penalties are 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 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) Late Renewal Fee - ~~\$3025~~. A late fee is required when the Department receives an application for renewal after the expiration date; ¶¶

(f) Duplicate or Replacement License Fee - \$240;¶¶

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

(h) Non-sufficient Funds (NSF) Penalty Fee - \$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 funds (NSF) check, the payer of the fees or penalty will be assessed an NSF penalty fee in addition to the required payment of the fees or 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 or 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