SECURITY GUARD LICENSE PACKET

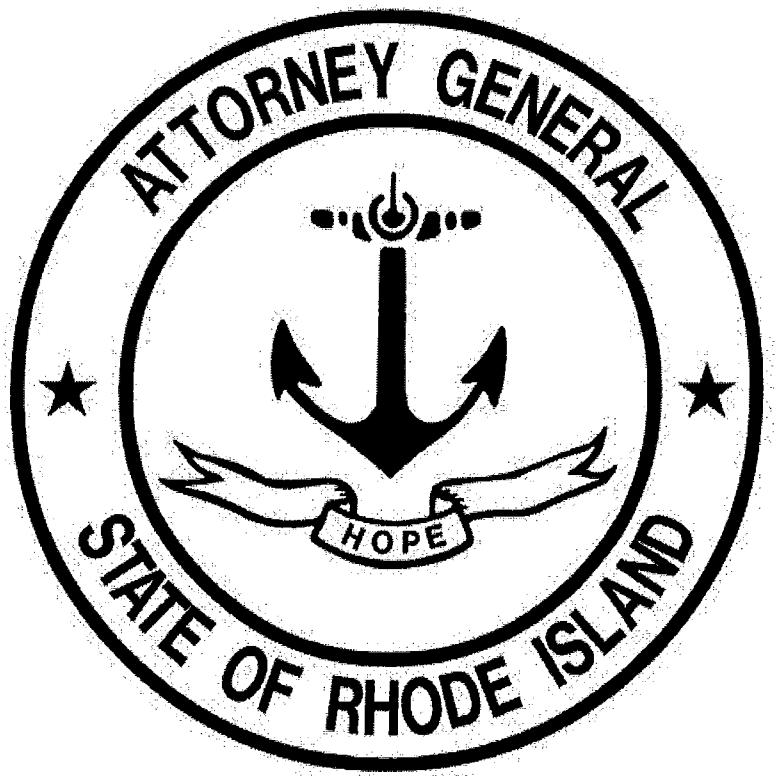
POLICY

*

LAWS

*

APPLICATION



PETER F. KILMARTIN

ATTORNEY GENERAL

Please Read Prior To Filling Out Application

Prior to submission of your application please make sure that all the required documents have been completed in their entirety. Failure to include **ALL** the requested information will cause your application to **NOT BE PROCESSED**. **If the license is approved**, it is valid for 2 years.

Applicants must have an actual physical Rhode Island address properly zoned for business. We will not accept P.O. Boxes as an address.

Whether this is your first time applying for your license or are renewing your current license, this application is used for both. Please review the application to make sure you are filling out the correct pages. The application is broken down into three separate and distinct sections.

Section I:	Application for Individual Business Licenses
Section II:	Application for Corporate and Partnership Licenses
Section III:	RIGL's pertaining to Security Guard Licenses

Rhode Island General Laws pertinent to the application process:

Under Rhode Island General Law Section 5-5.1-3 (2) entitled "Powers and Duties of the Attorney General", it instructs the Office of the Attorney General to:

*"investigate the qualifications of each applicant before any license is issued pursuant to the provisions of this chapter and to **obtain a criminal background check** on any applicants from the division of criminal identification within the department of the attorney general"* also,

Under Rhode Island General Law Section 5-5.1-8 entitled "License Qualifications" it states that:

"Every applicant, or in the case of a partnership each partner, or in case of a corporation, each officer and general, and each shareholder owning ten percent (10%) or greater interest in the applicant; provided, that applicant is not a publicly traded corporation, shall meet the following qualification before it may engage in any business licensed under this chapter" and also,

RIGL 5-5.1-8(3) specifically states that applicants can: *not have been convicted in any jurisdiction of a felony*

In abiding by the above mentioned laws a National Criminal Background Check (fingerprinting) must be completed on each applicant applying for a security guard license. The background check will be administered differently for in state applicants and out of state applicants. In state applicants MUST respond to the Office of Attorney General in order to conduct their background check. Out of state applicants MUST submit ALL the requested information via the mail for processing of their background check.

If you have any questions regarding the application process please call 401-274-4400.

Individual Business: In State Applicants

1. Submit Section I of the application
2. Submit application fee in the amount of $400.00 (check or money order made out to BCI)
3. Submit a copy of your certificate of insurance in the minimum amount of $300,000.00
4. Any individual that owns 10% or more of the business must respond into the Office of the Attorney General for a National Background Check (fingerprinting) with:

    a. Positive identification; accepted forms are state issued drivers licenses, state issued identification cards, or passports, **none of which can be expired.**

    b. A check or money order only for $35.00 made out to BCI for the background check.

Individual Business: Out of State Applicants

1. Submit Section I of the application
2. Submit application fee in the amount of $400.00 (check or money order made out to BCI)
3. By mail submit the below mentioned documents:

    a. Any individual that owns 10% or more of the business must submit a signed notarized release for information form which is included in the application packet.

    b. Submit a **legible copy** of their positive identification; accepted forms are state issued drivers licenses, state issued identification cards, or passports, **none of which can be expired.**

    c. Certification of fingerprints taken by a Law Enforcement Agency using applicant finger print card (FBI FD-258) no others will be accepted. Please fill out the fingerprint disclaimer located within this packet.

    d. Check or money order in the amount of $35.00 for the National Background check made out to "BCI".

Submit the above mentioned documents by mail to:

RI Attorney General's Office
150 South Main Street
Providence, RI 02903
Attention: BCI Division

Corporate & Partnership: In State Applicants

1. Submit Section II of the application
2. Submit application fee in the amount of $400.00 (check or money order made out to BCI)
3. Submit a copy of your certificate of insurance in the minimum amount of $300,000.00
4. Any individual that owns 10% or more of the business must respond into the Office of the Attorney General for a National Background Check (fingerprinting) with:

    a. Positive identification; accepted forms are state issued drivers licenses, state issued identification cards, or passports **none of which can be expired.**

    b. A check or money order only for $35.00 made out to BCI for the background check.

Note: If the applicant is a partnership, **each partner must complete** page 1 of the corporate and partnership application on individual pages. If the applicant is a corporation which is not publicly traded, **each shareholder owning at least ten percent (10%) or greater interest in the corporation must complete the information on page 1** of the corporate and partnership application on individual pages.

Corporate & Partnership: Out of State Applicants

1. Submit Section II of the application
2. Submit application fee in the amount of $400.00 (check or money order made out to BCI)
3. By mail submit the below mentioned documents:

    a. Any individual that owns 10% or more of the business must submit a signed notarized release for information form which is included in the application packet.

    b. Submit a **legible copy** of their positive identification; accepted forms are state issued drivers licenses, state issued identification cards, or passports, **none of which can be expired.**

    c. Certification of fingerprints taken by a Law Enforcement Agency using applicant finger print card (FBI FD-258) no others will be accepted. Please fill out the fingerprint disclaimer located within this packet.

d. Check or money order in the amount of 35.00 for the National Background check made out to "BCI".

Note: If the applicant is a partnership, **each partner must complete** page 1 of the corporate and partnership application on individual pages. If the applicant is a corporation which is not publicly traded, **each shareholder owning at least ten percent (10%) or greater interest in the corporation must complete the information on page 1** of the corporate and partnership application on individual pages.

Submit the above-mentioned documents by mail to:

RI Attorney General's Office
150 South Main Street
Providence, RI 02903
Attention: BCI Division

FINGERPRINT DISCLAIMER

Name: _____

(Print or Type)

Maiden Name: _____

D/O/B:_____

I_____ hereby direct and authorize the Bureau of Criminal Identification of the Department of Attorney General for the State of Rhode Island to make available to_____ any criminal record that the Bureau of Criminal Identification has on file in reference to me.

I hereby waive and release any and all manner of actions, cause of actions, and demands of every kind, nature and description, arising from any release of criminal records and requests therefrom, whatsoever against the State of Rhode Island, Bureau of Criminal Identification, the Attorney General, and employees of the Attorney General's Office in both law and equity which I may now have or in the future may have.

_____
Signature of Applicant

Sworn to before me in the City of _____ State of _____ this _____ day of _____, 2014.

_____
Notary Public

_____
Commission Expires

Note: Copy of photo identification with date of birth must accompany this disclaimer.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

SECTION

1

INDIVIDUAL APPLICATION

APPLICATION FOR LICENSE AND REGISTRATION

AS A PRIVATE SECURITY GUARD BUSINESS

Biennial Fee: **$400.00** (Check or Money Order)
Made payable to the Attorney General

Date: _____

I being over the age of eighteen (18) years old and a citizen of the United States, hereby make an application for a license to engage in the Private Security Business.

SECTION 1
INDIVIDUAL APPLICATION

1. Name: _____

2. Date of Birth: _____

3. Present Address: _____

_____ Phone # _____

4. Business Address: _____

_____Phone # _____

5. Place of Birth: _____

6. Sex: _____ Height: _____ Weight: _____

7. Hair color: _____ Eye color: _____

SECTION 1
INDIVIDUAL APPLICATION

8. Occupation: present and for the past five (5) years:

Employer	Address	Title

Present:

A. _____
B. _____
C. _____
D. _____
E. _____

9. Previous Addresses in the past five (5) years:

Number & Street	City, State & Zip Code

Present:

A. _____
B. _____
C. _____
D. _____
E. _____

10. Are you a Citizen of the United States? YES or NO

11. If naturalized, when and where?

Court: _____

City: _____ State: _____

12. If you are not a U.S. Citizen, are you a resident alien? YES or NO

SECTION 1
INDIVIDUAL APPLICATION

13. Have you ever been convicted in any jurisdiction of any crime?
(If so, provide complete details on a separate sheet of paper and attach)

YES OR NO

14. Have you ever had a private security guard business application or license or registration revoked or denied by any jurisdiction?
(If so, provide complete details on a separate sheet of paper and attach)

YES OR NO

15. Have you ever been declared incompetent by reason of mental illness or disease by any jurisdiction?
(If so, provide complete details on a separate sheet of paper and attach)

YES OR NO

16. Do you now suffer or have you ever suffered from habitual drunkenness or narcotics addition or dependence?
(If so, provide complete details on a separate sheet of paper and attach)

YES OR NO

Date: _____

Notary Public: _____

Name Printed: _____

My Commission Expires: _____

Notary ID: _____

SECTION 2
CORPORATE & PARTNERSHIP APPLICATION

SECTION 2
CORPORATE & PARTNERSHIP APPLICATION

NOTE: If the applicant is a partnership, each partner must complete the information required in this section. Do so on a separate sheet of paper. If the applicant is a corporation which is not publicly traded, each shareholder owning at least ten percent (10%) or greater interest in the corporation must complete the information required in this section on a separate sheet of paper.

1. NAME OF CORPORATION: _____

2. BUSINESS ADDRESS: _____

   TELEPHONE NUMBER: _____

3. Is the corporation duly qualified to do business in the State of Rhode Island with a valid certificate of such authority issued by the Secretary of State?

   YES OR NO

4. Does the corporation have a registered agent for service of process?

   YES OR NO

Name of registered agent: _____

Phone #: _____

5. Have any license applied for or issued to you or a partnership or corporation of which you were a member ever been revoked or denied by any jurisdiction?

   YES OR NO

   If yes, provide complete details on a separate sheet of paper.

6. Date and Place of incorporation: _____

_____

SECTION 2
CORPORATE & PARTNERSHIP APPLICATION

7. Name, Address and Date of Birth of every partner, and/or corporate officer and director and their title.

	Name	Address	Title	DOB
A.				
B.				
C.				
D.				
E.				
F.				

8. Has any partner, officer, general or shareholder owning a ten percent (10%) or greater interest in the corporation ever been convicted of a crime in any jurisdiction? (If yes, provide complete details on a separate sheet of paper and attach)

YES OR NO

Date: _____

Notary Public: _____

Name Printed: _____

My Commission Expires: _____

Notary ID: _____

CHAPTER 5-5.1
Private Security Guard Businesses

Index Of Sections

- § 5-5.1-1 Short title.
- § 5-5.1-2 Definitions.
- § 5-5.1-3 Powers and duties of the attorney general.
- § 5-5.1-4 Regulations.
- § 5-5.1-5 Subpoenas, oaths, and contempt.
- § 5-5.1-6 Inspections – Audits.
- § 5-5.1-7 License to conduct business – Violation.
- § 5-5.1-8 License qualifications.
- § 5-5.1-9 Investigation and action on application.
- § 5-5.1-10 Grounds for denial of application for license or renewal of license.
- § 5-5.1-11 Procedure for approval or denial of application – Hearings.
- § 5-5.1-12 Renewal of licenses.
- § 5-5.1-13 Registration and license fees.
- § 5-5.1-14 Non-transferability of license.
- § 5-5.1-15 Grounds for suspension and revocation of licenses.
- § 5-5.1-16 Surrender of license.
- § 5-5.1-17 Change in status of licensee.
- § 5-5.1-18 Registration.
- § 5-5.1-19 Uniform and equipment.
- § 5-5.1-20 Identification cards.

- **§ 5-5.1-21 Licensee business procedures.**
- **§ 5-5.1-22 Insurance requirements.**
- **§ 5-5.1-23 Criminal offenses.**
- **§ 5-5.1-24 Judicial review.**

SECTION 5-5.1-1

§ 5-5.1-1 Short title. – This chapter may be cited as the "Private Security Guard Act".

SECTION 5-5.1-2

§ 5-5.1-2 Definitions. – (a) As used in this chapter:

(1) "Applicant" means any person who on his or her own behalf or on behalf of another has applied for permission to engage in any act or activity that is regulated under the provisions of this chapter.

(2) "Branch office" means any office of a licensee within the state other than its principal place of business within the state.

(3) "Business" means any corporation, company, association, operation, firm, partnership, institution, trust, or other form of business association, as well as a natural person. One client or customer constitutes a business.

(4) "Employee" means any natural person employed by the businesses defined in this section. It does not include secretaries and clerical workers.

(5) "Attorney General" means the attorney general of the state of Rhode Island;

(6) "License" means any license required by this chapter.

(7) "Licensee" means any person to whom a license is granted in accordance with, the provisions of this chapter.

(8) "License fee" means any moneys required by law to be paid for the issuance or renewal of any license required by the regulations.

(9) "Person" means any corporation, company, association, operation, firm, partnership, institution, trust, or other form of business association, as well as a natural person.

(10) "Private security guard business" includes:

(i) A business which furnishes for hire or reward watchmen, guards, bodyguards, private patrolmen, or other persons, to protect persons or real and personal property;

(ii) A business which furnishes for hire or reward any trained dog or other animal with or without an accompanying handler for the purpose of providing security.

(11) "Publicly traded corporation" means any corporation or other legal entity, except a natural person, which:

(i) Has one or more classes of security registered pursuant to § 12 of the Securities Exchange Act of 1934 (15 U.S.C. § 78 l); or

(ii) Is an issuer subject to § 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. § 78o(d)).

(b) Words and terms: tense, number, and gender. In construing the provisions of this chapter except when otherwise plainly declared or clearly apparent from the context:

(1) Words in the present tense include the future tense;

(2) Words in the masculine include the feminine and neuter genders; and

(3) Words in the singular include the plural and the plural includes the singular.

SECTION 5-5.1-3

§ 5-5.1-3 Powers and duties of the attorney general. – The attorney general or his or her designee shall have general responsibility and authority for the implementation of this chapter, as subsequently provided, including, without limiting the responsibility and authority:

(1) To process all applications for any license provided under this chapter;

(2) To investigate the qualifications of each applicant before any license is issued pursuant to the provisions of this chapter and to obtain a criminal background check on any applicants from the division of criminal identification within the department of the attorney general;

(3) To hear and decide all license applications, which includes the power to grant or deny the application and revoke or suspend the license;

(4) To promulgate any rules and regulations that in his or her judgment are necessary to fulfill the policies of this chapter;

(5) To investigate violations of this chapter and regulations promulgated under this chapter; and

(6) To collect all license and registration fees imposed by law and forward the fees immediately to the general treasurer.

SECTION 5-5.1-4

§ 5-5.1-4 Regulations. – (a) The attorney general is authorized to adopt, amend, or repeal any regulations, consistent with the policy and objectives of this chapter, that he or she deems necessary or desirable for the public interest in carrying out the provisions of this chapter.

(b) The regulations shall be adopted, amended, and repealed in accordance with the provisions of chapter 35 of title 42.

SECTION 5-5.1-5

§ 5-5.1-5 Subpoenas, oaths, and contempt. – (a) The attorney general or his or her designee shall have the power and authority to issue subpoenas and to compel the attendance of witnesses at any place within this state, to administer oaths and to require testimony under oath. The attorney general may serve his or her process or notices in a manner provided for the service of process and notice in civil actions in accordance with the rules of court.

(b) If a witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry by the attorney general, the attorney general may petition a court of competent jurisdiction within the state to compel the witness to obey the subpoena or to give the evidence. The court shall promptly issue process to the witness and hold a hearing on the petition as soon as possible. If the witness refuses, without reasonable cause or legal grounds, to be examined or to give evidence relevant to proper inquiry by the attorney general, the court may cite the witness for contempt.

SECTION 5-5.1-6

§ 5-5.1-6 Inspections – Audits. – The attorney general or his or her designee shall have authority, with warrant:

(1) To inspect and examine the principal place of business, each bureau, agency, subagency, office, or branch office for which a license is sought or has been issued;

(2) To inspect, examine, and audit all books, records, and documents pertaining to the licensee's operation;

(3) To inspect and examine employees and records at site locations of operations under the controls entered into by the agency.

SECTION 5-5.1-7

§ 5-5.1-7 License to conduct business – Violation. – No person whether or not he or she is a resident of the state shall engage in the private security guard business without first obtaining from the attorney general a license to conduct the business, as subsequently provided. No person shall conduct the business under the license of another person nor shall any person lease or sublease a license to another person; provided, that this provision does not apply to any person conducting the business under the license of another person, or who is the lessee or sublessee of a license of another person as of July 10, 1989. A license entitles the holder to conduct the businesses defined in § 5-5.1-2(a) and (b). Any person who violates any of the provisions of this section is guilty of a felony.

SECTION 5-5.1-8

§ 5-5.1-8 License qualifications. – (a) Every applicant, or in the case of a partnership each partner, or in the case of a corporation, each officer and general, and each shareholder owning a ten percent (10%) or greater interest in the applicant; provided, the applicant is not a publicly traded corporation, shall meet the following qualifications before it may engage in any business licensed under this chapter:

(1) Be eighteen (18) years of age;

(2) Be a citizen of the United States or a resident alien;

(3) Not have been convicted in any jurisdiction of a felony;

(4) Not have had his or her license or registration revoked or application for the license or registration denied by the attorney general or by the appropriate authority of any other jurisdiction;

(5) Not have been declared by any court of competent jurisdiction incompetent by reason of mental defect or disease and not having been restored;

(6) Not suffer from habitual drunkenness or from narcotics addiction or dependence; and

(7) Be of good moral character.

(b) A corporation seeking a license shall be incorporated under the laws of this state or shall be qualified to do business within this state with a valid certificate of authority issued by the secretary of state and an agent for service of process designated as required by law.

(c) With verification of no criminal background as established in subsection (a) of this section, any person engaged in the private security guard industry, prior to January 1, 1988, and who continues to be engaged as of January 1, 1988, may apply for a security agent license. This initial application will be treated as a renewal of a license.

SECTION 5-5.1-9

§ 5-5.1-9 Investigation and action on application. – After an examination of the application and any further inquiry and investigation that he or she deems proper and necessary as to the good character, competency, and integrity of the applicant and the persons named in the application, the attorney general shall as soon as practicable issue a license in a form prescribed by him or her to the applicant or notify the applicant of a denial of the license application.

SECTION 5-5.1-10

§ 5-5.1-10 Grounds for denial of application for license or renewal of license. – The attorney general shall deny the application for or renewal of a license if he or she finds that the applicant, or the qualifying agent, or any of the applicant's partners, officers, generals, or shareholders owning a ten percent (10%) or greater interest in the applicant, provided the applicant is not a publicly traded corporation, does any of the following:

(1) Violates any provisions of this chapter or rules and regulations promulgated under this chapter;

(2) In the case of the qualifying agent, commits any act which would disqualify the qualifying agent under § 5-5.1-8 and in the case of the applicant, or applicant's partners, officers, generals, or shareholders owning a ten percent (10%) or greater interest in the applicant, provided the licensee is not a publicly traded corporation, has failed to meet the qualifications of § 5-5.1-8;

(3) Practices fraud, deceit or misrepresentation;

(4) Makes a material misstatement in the application for or renewal of a license; and

(5) Demonstrates incompetence or untrustworthiness in actions affecting the conduct of the business required to be licensed under the chapter.

SECTION 5-5.1-11

§ 5-5.1-11 Procedure for approval or denial of application – Hearings. – The procedure of the attorney general in approving or denying an application for a license or renewal of the license shall be as follows:

(1) If the application is approved, the attorney general shall issue a license in the form provided in this chapter;

(2) If the application is denied, the attorney general shall notify the applicant or licensee, in writing, of the denial and state the reasons for his or her action;

(3) Within fifteen (15) days from the receipt of notice, the applicant or licensee may request a hearing in writing;

(4) If a request for a hearing is received in a timely manner, the attorney general shall set a date for a hearing and notify the parties of the time and place of the hearing;

(5) All hearings shall be held in accordance with the provisions of chapter 35 of title 42.

SECTION 5-5.1-12

§ 5-5.1-12 Renewal of licenses. – Each license shall expire two (2) years after its date of issuance. Subject to the power of the attorney general to deny, revoke, or suspend a license, any license shall be renewable by the attorney general for the next two (2) year period upon proper application for renewal payment of license fees. An application for renewal of a license must be received by the attorney general on a form provided by him or her not less than thirty (30) days prior to the expiration date of the license. He or she shall promptly notify the licensee of his or her intent to refuse to renew the license. The licensee may, in fifteen (15) days after receipt of that notice of intent to refuse to renew a license request a hearing on the refusal in the manner prescribed by § 5-5.1-11. A licensee shall be permitted to continue to engage in business while its renewal application is pending. Upon renewal of any license the attorney general shall issue a renewal license.

SECTION 5-5.1-13

§ 5-5.1-13 Registration and license fees. – The registration and license fee for a private security guard business shall be four hundred dollars ($400) biennially.

SECTION 5-5.1-14

§ 5-5.1-14 Non-transferability of license. – (a) No license issued pursuant to the provisions of this chapter shall be assigned or transferred, either by operation of law or otherwise.

(b) If a licensee dies, becomes disabled, or ceases to engage in the business, the successor, heir, devisee, or personal representative of the licensee shall, within thirty (30) days of the death, disablement, or other termination of operation by the original licensee, comply with all requirements of this chapter regarding application for a license.

(c) If a sale, assignment, transfer, merger, or consolidation of a business licensed under this chapter is consummated, the purchaser, assignee, transferee, surviving, or new corporation who is not already a licensee shall immediately comply with all requirements of this chapter regarding application for a license. The purchaser, assignee, transferee, surviving, or new corporation is subject to all of the requirements of this chapter to the extent the requirements are applicable and may continue the operation of the business until notified by the attorney general of its final decision on the new application for a license.

(d) With good cause, the attorney general may extend the period of time for filing the application required by subsections (b) and (c) of this section.

SECTION 5-5.1-15

§ 5-5.1-15 Grounds for suspension and revocation of licenses. – The attorney general may suspend or revoke any license issued under this chapter in the manner subsequently prescribed if the licensee or any of its partners, officers, generals, and shareholders owning a ten percent (10%) or greater interest in the license, provided the licensee is not a publicly traded corporation, and the qualifying agent does any of the following:

(1) Violates any provisions of this chapter or rules and regulations promulgated under this chapter;

(2) Practices fraud, deceit or misrepresentation;

(3) Makes a material misstatement in the application for or renewal of the license;

(4) In the case of the qualifying agent, commits any act which would disqualify the qualifying agent under § 5-5.1-8 and in the case of the licensee, or any of its partners, officers, generals and shareholders owning a ten percent (10%) or greater interest in the licensee, provided the licensee is not a publicly traded corporation, fails to meet the qualifications of § 5-5.1-8.

(5) Demonstrates incompetence or untrustworthiness in actions affecting the conduct of the business required to be licensed under this chapter.

(6) Prior to suspension or revocation of a license, the attorney general promptly notifies the licensee of his or her intent to issue an order for revocation or suspension, stating the grounds for revocation or suspension. Within fifteen (15) days of receipt of notice of intent to revoke or suspend from the attorney general, the licensee may request a hearing in writing.

(7) If a request for a hearing is received in a timely manner, the attorney general shall set a date for a hearing and notify the parties of the time and place of the meeting.

(8) All hearings are held in accordance with the provisions of chapter 35 of title 42.

(9) After the licensee has exhausted the right of appeal or, if the licensee does not seek a hearing, the licensee shall immediately cease to operate the business for the time period provided in the order of suspension or permanently in the case of revocation and shall notify all of its clients of the revocation or suspension and maintain a copy of the notices in its business records.

(10) Under circumstances in which the attorney general determines that the public health, welfare, or safety may be jeopardized by the termination of a licensee's services, the attorney general may, upon his or her own motion or upon application by the licensee or any party affected by the termination, extend the time for the termination of the licensee's operations, subject to any reasonable, necessary and proper conditions or restrictions that he or she deems appropriate.

SECTION 5-5.1-16

§ 5-5.1-16 Surrender of license. – Each license shall be surrendered to the attorney general within seventy-two (72) hours after it has been revoked or after the licensee ceases to do business pursuant to an order of suspension. If the attorney general or a court of competent jurisdiction has pending before it any matter relating to the renewal, revocation or transfer of a license, the licensee shall not be required to surrender the license until the matter has been adjudicated and all appeals have been exhausted provided that a stay has been obtained in accordance with the provisions of this chapter pertaining to judicial review.

SECTION 5-5.1-17

§ 5-5.1-17 Change in status of licensee. – The licensee shall notify the attorney general, in writing, within five (5) days of:

(1) Any change in identity of the licensee, or any of its partners, directors, officers, and shareholders owning a ten percent (10%) or greater interest in the licensee, provided the licensee is not a publicly traded corporation. Any substitute in the persons enumerated must satisfy all requirements of §§ 5-5.1-8 and 5-5.1-13 and be approved, in writing, by the attorney general; and

(2) Any material change in the information previously furnished or required to be furnished to the attorney general or any occurrence that could reasonably be expected to affect the licensee's privilege to a license under this chapter.

SECTION 5-5.1-18

§ 5-5.1-18 Registration. – (a) Except as provided in this chapter, no person shall perform the functions and duties of an employee of a business required to be licensed under this chapter in this state, without first having been registered or licensed. The attorney general shall keep and

make available for public inspection a list of all persons who have been registered or licensed and the name of the company employing the person at the time of registration or licensure.

(b) No holder of any unexpired license issued pursuant to this chapter shall knowingly employ any person who has been convicted of a felony in connection with his or her or its business in any capacity. Should the holder of an unexpired license falsely state or represent that a person is or has been in his or her employ, that false statement or misrepresentation is sufficient cause for the revocation of the license.

(c) No person shall be employed by any holder of a license until he or she has executed and furnished to the license holder a verified statement, to be known as "employee's registration statement," stating:

(1) His or her full name, age, residence address, and place and date of birth;

(2) The country of which he or she is a citizen;

(3) The business or occupation engaged in for the five (5) years immediately preceding the date of the filing of the statement, stating the place or places where the business or occupation was engaged in, and the name or names of any employers;

(4) That he or she has not been convicted of a felony or of any offense involving moral turpitude; and

(5) Any further information that the attorney general may by rule require to show the good character, competency, and integrity of the person executing the statement.

(d) All holders of a license shall be allowed to obtain a criminal background check on any employee or prospective employee from the division of criminal identification for a fee determined by the department of the attorney general.

(e) If any holder of a license files with the attorney general the "employee's statement" of a person other than the person employed, he or she is guilty of a felony.

SECTION 5-5.1-19

§ 5-5.1-19 Uniform and equipment. – (a) No individual licensed by, registered by, or subject to the provisions of this chapter shall wear or display any insignia, patch, or pattern which indicates or tends to indicate that he or she is a law enforcement officer of the federal government, a state, or any political subdivision of the state or which contains or includes the word "police" or the equivalent of that word, or is similar in wording to any law enforcement agency in this state. All badges, shields, and any other devices shall not indicate or tend to indicate that it represents that of any law enforcement officer of the federal government, a state, or any other political subdivision of the state. This entire wording must be approved by the attorney general.

(b) No person while performing any activities of a business licensed by this chapter shall have or utilize any vehicle or equipment displaying the words "police", "law enforcement officer", or the equivalent of these words or have any sign, shield, marking, accessory, or insignia that indicates that the vehicle is a vehicle of a public law enforcement agency. This entire wording must be approved by the attorney general.

SECTION 5-5.1-20

§ 5-5.1-20 Identification cards. – The attorney general shall prescribe by regulation the form of identification cards that may be carried by persons licensed under this chapter.

SECTION 5-5.1-21

§ 5-5.1-21 Licensee business procedures. – (a) Any licensee shall, on notice from the attorney general, discontinue any advertising or the use of any advertisement, seal or card, which in the opinion of the attorney general tends to mislead the public. Failure to comply with this order of the attorney general is cause for revocation of the license.

(b) No licensee shall, by the use of any letterhead, advertisement, or other printed matter, or in any manner, represent that he or she is an instrumentality or agency of the federal government or of the state or political subdivision of the state.

(2) No licensee shall conduct a business under a trade name until he or she has obtained the written authorization of the attorney general to do so. The attorney general shall not authorize the use of a trade name which, in his or her opinion, is similar to that of a public office or agency, or of that used by another licensee that the public may be confused or misled by the trade name, except that this provision does not apply to the continued use of a trade name by a corporation that:

(i) Was commercially using that trade name in good faith on December 31, 1987; and

(ii) Had commercially used that trade name in good faith continuously for a period of more than one year prior to December 31, 1987.

(3) The authorization shall require, as a condition precedent to the use of the name, the filing of a certificate of doing business under the name with the city or town clerk of the city or town where the licensee's principal place of business is located and with the secretary of state in the manner provided by law.

SECTION 5-5.1-22

§ 5-5.1-22 Insurance requirements. – A licensee of a private security guard business shall file with the attorney general a certificate of insurance evidencing comprehensive general liability coverage for bodily injury, personal injury, and property damage with endorsements for assault and battery and personal injury, including false arrest, libel, slander, and invasion of privacy, in the minimum amount of three hundred thousand dollars ($300,000) for bodily or personal injury and one hundred thousand dollars ($100,000) for property damage. A licensee shall also file endorsements for damage to property in their care, custody and control and for errors and omissions. The certificate shall provide that the insurance shall not be modified or cancelled unless thirty (30) days prior notice is given to the attorney general. A licensee must be insured by a carrier licensed in this state.

SECTION 5-5.1-23

§ 5-5.1-23 Criminal offenses. – (a) It is unlawful for any person subject to the provisions of this chapter to knowingly commit any of the following:

(1) Provide any service required to be licensed under this chapter without possessing a valid license;

(2) Employ any individual to perform the duties of an unarmed employee or armed employee who has not first complied with all provisions of this chapter and the regulation in all respects;

(3) Falsely represent that a person is the holder of a valid license; or

(4) Possess a license or identification card issued to another person.

(b) The violation of any of the provisions of this section is a felony.

SECTION 5-5.1-24

§ 5-5.1-24 Judicial review. – (a) Any person aggrieved by a final decision or order of the attorney general made after a hearing or rehearing, whether or not a petition for a hearing was filed, may obtain judicial review of the decision by appeal to the superior court in accordance with chapter 35 of title 42.

(b) Filing of an appeal shall not stay enforcement of the decision or order of the attorney general unless the stay is obtained from the court upon application in accordance with the rules of court or from the attorney general upon any terms and conditions that he or she deems proper.