

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY**

SUBCHAPTER 5. LICENSE REQUIREMENTS

390:35-5-2. Security guard, armed security guard, and private investigator licenses

- (a) Applicants for security guard, private investigator, or armed security guard licenses must meet and satisfy the requirements set forth in 59 O.S., Section 1750.5.
- (b) Applicants for Armed Security Guard or firearms authorized licenses must further:
 - (1) Successfully pass a psychological evaluation by a licensed psychologist; provided that the applicant shall bear the cost of such evaluation.
 - (2) Successfully complete the firearms phase of private security training;
 - (3) Be twenty-one (21) years of age, and
 - (4) Applicants for an armed security guard license must submit an affidavit that they are gainfully employed as an armed security guard and that a firearm is required within the scope of their employment.
- (c) An Armed Security Guard License grants no authority to carry a firearm when not acting directly in the course and scope of employment.
- (d) No licensee shall brandish, point, exhibit, or otherwise display a firearm at any time, except as authorized by law, and the rules of this Chapter.
- (e) Continuing education training is required for renewal of an individual license.
 - (1) Private Investigators must complete a minimum of sixteen (16) hours of continuing education training from an approved source, during the licensing period to maintain their license.
 - (2) Security Guards must complete a minimum of eight (8) hours of continuing education training from an approved source, during the licensing period to maintain their license.
 - (3) A person holding both a security guard license and private investigator license or a combination license must complete a total of sixteen (16) hours of continuing education training during the licensing period to maintain their license.
 - (4) Any expenses incurred for continuing education courses by any licensee shall be the responsibility of the licensee.
 - (5) For purposes of continuing education requirements, "licensing period" shall mean (730) calendar days from the date the license was issued.
 - (6) Firearms requalification courses will not count towards mandate training. Approved sources for mandated training are:
 - (A) College credit hours. Fifteen hours of mandate training will be granted for each successfully completed college hour. Proof of attendance needed is a certified copy of the grade report;
 - (B) Established Entities (Recognized county, state, and federal associations, professional associations, vocational-technical schools). One hour of training will be granted for each hour attended in a topic which directly relates to the performance of duties under the respective license. Proof of attendance needed is a copy of a certificate, sign-in roster, electronic notification or other proof from the sponsor accepted by CLEET; or
 - (C) CLEET Accredited Schools, Seminars, and Conferences. One hour of mandate training credit will be granted for each hour of instruction. For approval to conduct mandate training, sponsors must:

- (i) Submit a written request for program accreditation to CLEET;
 - (ii) Provide course outline, and course objectives;
 - (iii) Provide Resume for Instructors; and
 - (iv) After training, submit a roster of attendees completing the training to CLEET.
- (D) Completion of training courses required for initial licensing will satisfy the continuing education requirements for the first licensing period of an initial license.
- (7) Continuing education training may be reported to CLEET as it is completed or at the time of license renewal. Verification of the minimum hours of continuing education training will be made by CLEET when the licensee requests renewal. A licensee will be subject to the following disciplinary sanctions for failure to comply with the mandate training requirements:
- (A) Written Reprimand
 - (B) Denial
 - (C) Suspension
 - (D) Revocation and/or
 - (E) Disciplinary penalty or fine
- (8) A renewal license will be issued only after CLEET receives a request for renewal, the renewal fee, ~~current photographs~~, verification of current insurance or bond coverage, verification of the minimum hours of continuing education training for the license period and any other documents required by law.
- (9) A licensee who has timely submitted a request for renewal with payment and has failed to meet the minimum training requirements will be issued official notification of CLEET's intent to impose a disciplinary action for failure to meet the mandated training requirements in compliance with Chapter 2 of this Title.
- (10) This official notification shall provide that the licensee may temporarily continue to work for forty-five (45) days during which time the licensee must complete the training requirements and submit proof of such training to CLEET. The temporary work provisions of the Notice may be extended or cancelled by CLEET, as necessary to complete the administrative hearing process.
- (f) Any person seeking an Oklahoma Security Guard or Private Investigators license, who has been licensed by a state whose training and standards have been deemed comparable to and approved by the Oklahoma Council on Law Enforcement Education and Training may obtain a license by reciprocity, under the following conditions:
- (1) The applicant must meet the minimum license requirement standards set forth by Oklahoma Law including fingerprint requirements. Such fingerprints requirement may be waived by CLEET where a verified records check has been made within a reasonable period of time in the context of existing law requiring fingerprint checks.
 - (2) The applicant must have an active license in the original licensing state, and not be subject to any administrative action regarding the active status in the licensing state.
 - (3) The applicant receiving a license by reciprocity in Oklahoma shall at all times while working as a security guard or private investigator in Oklahoma be subject to all laws regarding security guards and private investigators including all applicable fees for such license.
 - (4) Reciprocity may be granted only from the state in which the applicant was originally licensed and not from any intervening state by reciprocity to the original licensing state.
 - (5) The applicant must sign a statement of irrevocable consent that service of process, in any

complaint or disciplinary action filed against the applicant, arising out of the applicant's private investigative activities in the reciprocating state, may be made by the delivery of such process on the administrator of the private investigation regulatory agency in his/her/its state of residence.

(6) An armored car employee who is primarily employed by an armored car company in another state, and is properly licensed by that state to carry a weapon while acting in the services of that company in the home state, and meets the minimum home state requirements, would be exempt from other requirements of 59 O. S. Section 1750.1 et seq. during such time as the armored vehicle from that state is actively engaged in interstate commerce within Oklahoma pursuant to 15 U.S.C. Section 5901, the "Armored Car Industry Reciprocity Act of 1993."

390:35-5-3. Conditional licenses

(a) Conditional licenses may be issued only to employees of security or investigative agencies.
(b) Conditional licenses may be issued to such employees when the following requirements have been met:

- (1) Receipt of an applicant's completed license application form. An application form shall be considered complete when all applicable spaces have been filled in properly, and it has been signed and notarized;
- (2) Receipt of two (2) properly completed, CLEET-issued "applicant" fingerprint cards or fingerprints submitted electronically through a fingerprint system approved by CLEET;
- (3) Receipt of correct license fees;
- (4) Receipt of ~~three (3) personal photographs, in color and of the prescribed size or~~ submission of a photograph electronically such as a digital photograph or scanned photographa copy of a valid driver license or state-issued photo identification card;
- (5) Receipt of proof of bond or liability insurance coverage, in the prescribed amount; and
- (6) Receipt of any other documents required by law.

390:35-5-4. Special Event Licenses

- (a) Special Event Licenses may be issued only to employees of security agencies.
(b) Applications for Special Event Status shall be made only by the security agency which has contracted to provide security guards for a particular event.
(c) Such applications shall be submitted on forms to be provided by CLEET, and not less than forty-eight (48) hours prior to the event. Exceptions may be granted when good cause is shown that a timely request could not be made.
(d) Applications for Special Event Status shall contain information as prescribed by CLEET, but shall contain at least the following:
- (1) The name and location of the event;
 - (2) The dates for which security guards will be provided at the event;
 - (3) The nature of the event;
 - (4) Justification for Special Event Status including an explanation as to why regularly licensed guards may not be used;
 - (5) Examples of duties to be performed by the licensees; and
 - (6) The projected number of guards to be licensed.
- (e) When an application for Special Event Status has been approved, the contracting agency shall apply in writing, to CLEET, for individual licenses. Such applications for individual

licenses shall contain information as prescribed by CLEET, but shall contain at least the following:

- (1) Each applicant's name, race, ~~sex~~gender, date of birth, social security number, home address, citizenship status;
 - (2) Certification that the employing agency has conducted a criminal history check with the sheriff in the county of residence of each applicant, and that such criminal history check was conducted within thirty (30) days prior to the date of the event to be licensed;
 - (3) Certification that each applicant is covered by the employing agency's bond or liability insurance, pursuant to the Act;
 - (4) Proper fee payment, which shall be seven dollars (\$7.00) per individual applicant.
- (f) Regularly licensed and conditionally licensed guards shall be exempt from the provisions of this section.
- (g) No person shall be issued more than two (2) Special Event Licenses in any calendar year.

390:35-5-5. Peace officer exemptions and non-exemptions

- (a) If a peace officer who is ordinarily exempt from licensing chooses to become licensed as a security guard or private investigator shall comply with 59 O.S. Section 1750.1 et seq., and these rules in all respects.
- (b) The peace officer exemption shall not apply in the following applications of the Act:
- (1) When a peace officer contracts with an employer to provide other guards;
 - ~~(2) When a peace officer is employed to provide security services through a "contractor";~~
 - ~~(3) When a peace officer is employed as a private investigator, as defined by the Act;~~
 - ~~(4)~~(2) No peace officer or reserve peace officer may wear his official police uniform and insignia while working in a capacity of a licensed security guard, except when the policies of his employing law enforcement agency, and the agency in whose jurisdiction he is so privately employed, allow him to do so;
 - ~~(5)~~(3) CLEET certified peace officers, whether full-time or reserve, may be given comparable training credit for successful completion of their CLEET basic peace officer or basic reserve officer certification training, when applying for a private security license;
 - ~~(6)~~(4) Active, full-time peace officers are exempt from the psychological evaluation that is required for armed security guard applicants. Retired, full-time peace officers are exempt from the psychological evaluation for a period of one (1) year from the date of their retirement. This exemption shall apply to any person who possesses CLEET peace officer certification, except when such person has been terminated from a law enforcement agency for failure to exercise appropriate judgement, restraint, and self-control in the use of force, or when there exists clear and convincing evidence of such;
 - ~~(7)~~(5) Reserve peace officers are not exempt from the psychological evaluation required for an armed security guard license, unless they are in the active service of a law enforcement agency as a reserve peace officer at the time of application.
 - ~~(8)~~(6) Reserve peace officers are not exempt from security guard, armed security guard, or private investigator licenses, and must be licensed while employed as such;
 - ~~(9)~~(7) When working as a licensed security guard, armed security guard, or private investigator, peace officers and reserve peace officers may possess firearms only to the extent of the authority allowed under law, as applied to licensed armed security guards.

390:35-5-12. Use of certain emblems and statements

- (a) Licensees may use the phrase "Licensed by the State of Oklahoma" on stationary, business cards, and in advertisements, but no person or licensee shall use any facsimile reproduction or pictorial portion of the Great Seal of the State of Oklahoma on any badge, credentials, identification card, or other means of identification used in connection with any activities regulated under the Act.
- (b) Every marked security vehicle shall conform to the following requirements:
- (1) The agency's state license number, or in the event of an individual security guard, the individual's license number shall be displayed on the rear of the vehicle or on both sides of the vehicle displayed in characters of no less than three (3) inches in height and clearly readable.
 - (2) The word "Security", either alone or in conjunction with the Company name, shall appear on each side and the rear of the vehicle in letters of no less than three (3) inches in height, and readable from a reasonable distance.
 - (3) A security vehicle shall not ~~be any color(s)~~ bear any similar color or markings to authorized law enforcement vehicles in the locale of the security company's business. For the purpose of subsection (3) markings shall mean any emblem, sticker, seal, paint, etc., used to decorate the exterior of the vehicle.
 - (4) Licensed security guards who are also full-time or reserve peace officers shall not use a police vehicle to patrol private security accounts while outside the peace officer's official peace officer jurisdiction.
- (c) For the purpose of this Chapter and other applicable section, a marked security vehicle shall be considered marked if said vehicle falls within the following:
- (1) Has any non-factory lighting such as spotlights (attached), overhead revolving or strobe lights, rear amber deck lights, dashboard revolving or strobe lights,
 - (2) Is used in private security as transportation; and
 - (3) Does not fall within the definition of armored car listed in 390:35-1-3.
- (d) All uniformed, licensed security personnel and agencies shall conform to the following requirements regarding the security uniform:
- (1) The name of the security agency, or in the event the guard is not employed by an agency, the words "Private Security", "Security Guards", "Private Guard", "Security" or "Guard", shall be visibly displayed on the uniform and jacket in a prominent manner.
 - (2) In all other respects, Uniforms shall comply with Title 59 O.S., Section 1750.9 and Title 59 O.S., Section 1750.10.
 - (3) Licensees shall not wear a uniform, insignia, badge, etc., that would lead a reasonable person to believe that he is connected with federal, state or local government, unless authorized by proper authorities to do so.
 - (4) The following options are acceptable attire for plain clothes assignments:
 - (A) Client logo patch with word "Security" on it with officer's name.
 - (B) No patch, with security officers name tag only.
 - (C) No patch, security officer's name and company name or logo on name tag.
 - (D) Combination company patch - name tag, company name or logo.
 - (E) No identification at all, just trousers and blazer.