

Regulation and Licensing

NEW RULE

Title 17— BOARDS OF POLICE COMMISSIONERS

Division 10 — Kansas City Board of Police Commissioners

Chapter 2 — Private Security

17 CSR 10-2.010 Regulation and Licensing In General

PURPOSE: Under the provisions of sections 84.420 and 84.720 of the Revised Statutes of Missouri, the Board of Police Commissioners of Kansas City, Missouri (board) has the authority and duty to regulate and license all private security and proprietary private investigative personnel, serving or acting as such within Kansas City, Missouri (city). This rule establishes procedures, testing requirements, and license fees for those persons required to be licensed.

(1) Any corporation, partnership, or other entity that provides private security services and proprietary private investigative services is fully responsible for the acts and omissions of its employees acting in the course and scope of their duties. Training is the responsibility of the entity hiring such employees. The board is a licensing agency, not an employer, and assumes no responsibilities for the acts or omissions of any entity or individual providing such services. The board's functions are limited to licensing and regulating any entity or individual who perform such services. The board shall have the power and duty to enforce the provisions of these rules and upon complaint of any person or on its own initiative to investigate violations, or to investigate the business, business practices, or business method of any person, firm, company, partnership, corporation, or political subdivision applying for or holding a license for providing private security services and proprietary private investigative services if, in the opinion of board, the investigation is warranted. Each entity or individual applicant shall be obligated to supply the information, books, papers, or records as reasonably may be required concerning proposed business practices or methods. Failure to comply with any reasonable request of the board shall be grounds for denying an application for a license or for revoking, suspending, or failing to renew a license issued under these rules. Those licensed must maintain the records that the board requires which include, but are not limited to, records of contract accounts, employment records, time records, and assignment records along with records required to be kept by federal and state law.

(2) Any license granted under section 84.720 of the Revised Statutes of Missouri shall constitute a privilege to do business and shall not invest the one licensed with any contractual interest, inherent right, or property interest.

(3) Those licensed to perform private security services or proprietary private investigative services have police powers limited to the property which they have been lawfully assigned to protect. With the exception of those licensed as airport police, whose authority is set out in 17 CSR 10-2.030(1)(A)4., those licensed under these provisions have no authority to enforce ordinances, statutes, or rules on the public streets of city or at any location other than on the property they have been assigned to protect.

(4) Private Officers Licensing Unit (POLU) is responsible for investigating, processing, licensing, inspecting, and the supervision of all persons working or acting as licensed private security or proprietary private investigators. The POLU is further responsible for issuing and transferring all such licenses, for reinstatements, and for periodic inspection of license holders.

(5) Private security and proprietary private investigator licenses are required for each of the following:

(A) Any individual providing private security services or proprietary private investigative services within the city whether for a licensed private security business or otherwise;

(B) Any firm, company, partnership, or corporation that provides private security services or proprietary private investigative services; and

(C) Any political subdivision, sole proprietorship, firm, company, partnership, or corporation that employs personnel to provide private security services or proprietary private investigative services.

(6) The board's licensing requirements do not apply to persons acting as bouncers, process servers, bondsmen, surety recovery agents (bounty hunters), or investigators for attorneys unless acting in a private security capacity as defined in these rules.

(7) No license is required for any peace officer authorized to exercise police powers in the city who holds a valid Peace Officer Standards and Training (POST) certificate.

(8) The board shall perform its functions under statute and under these regulations through the POLU of the Kansas City, Missouri Police Department (department). All private officers and proprietary private investigators are subject to inspection by employees of the board and members of the department. The purpose of such inspections is to ensure that the licensee is in compliance with the provisions of this rule. Failure to cooperate with an employee of the board or member of the department may result in penalties being assessed as set out in 17 CSR 10-2.060(9).

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 14, 2013.

Title 17 — BOARDS OF POLICE COMMISSIONERS

Division 10 — Kansas City Board of Police Commissioners

Chapter 2 — Private Security

RULE

17 CSR 10-2.020 Application for a License

PURPOSE: In order to promote and protect the public welfare, the Board of Police Commissioners of Kansas City, Missouri (board) shall license and regulate those persons wishing to provide private security services or proprietary private investigative services. Application forms provided by the board shall be used by all applicants. All forms may be downloaded at www.kcpd.org.

(1) All individual applicants are required to complete an "Employer's Application for Employment of Private Security/Proprietary Private Investigator 'Intent to Hire Form'" (Form 5409 P.D.). This form must be completed any time a license is applied for, renewed, transferred, or upgraded. All firms, companies, partnerships, corporation, sole proprietorships, and political subdivisions to be licensed under the provisions of section (5) below shall complete "Application for Company License" (Form 5486 P.D.).

(2) The board shall conduct a criminal history records check of each applicant and may conduct investigations as provided by section 84.720 of the Revised Statutes of Missouri. The applicant must pay the fee for the criminal history records check and fingerprinting at the time of application and upon each annual renewal.

(3) Each applicant shall submit to photographing and fingerprinting and shall provide proof of identity by submitting with the application a photo identification card, original Social Security card, proof of citizenship, permanent resident card, Military DD214, most recent name change documentation from a court of competent jurisdiction, or other equivalent identification. If an applicant provides proof of identity by submitting permanent resident card, the applicant must provide sufficient proof that they have established a bona fide residence in the United States of America. If an applicant requests a replacement license because of a name change, the applicant must supply to the Private Officers Licensing Unit (POLU) the appropriate name change documentation from a court of competent jurisdiction.

(4) Each applicant shall provide any additional information required by the board to conduct its investigation and shall comply with all requests of the board in the conduct of its investigation for a license under these rules.

(5) Firms, companies, partnerships, corporations, sole proprietorships, or political subdivisions engaging in the business of providing private security services or proprietary private investigative services or firms, companies, partnerships, corporations, sole proprietorships, or political subdivisions that employ other individuals to perform private security services or proprietary private investigative services shall be licensed in addition to any individual license required under these rules. An applicant wishing to obtain a company license for the sole purpose of employing proprietary private investigators must meet the guidelines outlined in 17 CSR 10-2.050(1)(C). Any license granted under this section shall be designated "company license." All company names must be approved by POLU. All licensed companies are required to annually pay a company fee by January 31 of each year and are required to comply with the terms of this regulation and all federal, state, and local laws. Failure to pay such fee will result in the suspension of the company license. In the absence of the annual company license, all licenses granted to employees or agents of that company are automatically suspended.

(6) Before being licensed under these rules, individual and company applicants shall file with the board a certificate of liability insurance in the amount of one (1) million dollars or the equivalent, naming the board

as an additional insured and certificate holder and protecting the board from liability judgments, suits, and claims, including, but not limited to, suits for bodily injury, personal injury, including false arrest, libel, slander, invasion of privacy, and property damage arising out of the licensing of individuals and entities providing private security services or proprietary private investigative services. The insurance must be written by a company approved by the Missouri superintendent of insurance and approved by the board with respect to its form, manner of execution and sufficiency, provided further however, before a license is issued to a nonresident of Missouri, the applicant must file with the Missouri Secretary of State a written consent for jurisdiction of the courts of Missouri, and any case(s) arising from any contract for performance of private security services or proprietary private investigative services made within city are to be performed wholly or in part, in the city or in any way connected with the business within the city or occurring in connection with the business of the one licensed within the city. Any company licensed must provide the insurance specified and cover all employees, provided however, that in the event a suit is filed or claim is made involving the board, the company shall immediately notify the board at which time the licensee may be required to furnish additional insurance. Failure of a licensee to maintain insurance is grounds for revocation. In the absence of adequate insurance, all licenses granted to employees or agents of that company are automatically suspended. Equivalent shall mean a bond in like amount or a certificate of self-insurance by a company with audited net worth of five (5) million dollars. Each certificate of insurance must stipulate coverage for armed/unarmed personnel as appropriate.

(7) When, in the opinion of the board, an applicant has fulfilled the requirements of these rules, the board may issue the applicant a license to provide private security services or proprietary private investigative services.

(8) All those licensed under these rules shall immediately notify the board in writing of any change of address or employment; a company shall notify the board in writing of the termination of employment of any person listed on the company application or any licensed employee and notify the board as to whether or not the individual's license has been returned to the company.

(9) Licenses, issued under these rules, are not transferable or assignable. When any person's license has been terminated, suspended, revoked, or has expired, the license shall be mailed or delivered to the POLU. If the license is lost or stolen, the license holder shall immediately notify POLU and provide a lost card affidavit signed by a company representative. An additional fee and a new Form 5409 P.D. are required. If the license has been stolen, a police report listing the license may be accepted in lieu of the additional fee. Any person licensed under these rules may hold a maximum of three (3) licenses. (10) All those licensed will be required to furnish a photograph and description of all vehicles to be used in the course of their business, including state license numbers, vehicle identification numbers, and provide proof of adequate automobile liability insurance coverage in accordance with the requirements established by the state of Missouri. All vehicles must clearly state that the vehicle is a security vehicle and display the company name. Use of any sign, signal, or other device contrary to the ordinance of the city, or which is similar in appearance to those used by the department is prohibited and may be grounds for denial, suspension, or revocation of a license. No private security company, proprietary private investigative company, or individual is authorized to operate any emergency vehicle as that term is defined by state law or city ordinance without the prior approval of the board. No vehicle displaying the word "police" shall be approved for use except as set out in 17 CSR 10-2.030(1)(A)4. AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. Rescinded and readopted: Filed May 28, 1993, effective Jan. 31, 1994. Rescinded and readopted: Filed Dec. 15, 1999, effective Aug. 30, 2000. Rescinded and readopted: Filed March 14, 2013.

Title 17 — BOARDS OF POLICE COMMISSIONERS

Division 10 — Kansas City Board of Police Commissioners

Chapter 2 — Private Security

RULE

17 CSR 10-2.030 Classification of Licenses

PURPOSE: This rule establishes minimum standards and classification of licenses related to specific private security services or proprietary private investigative services provided.

(1) Individual licenses to provide private security services or proprietary private investigative services granted pursuant to this chapter shall be classified as either Class A licenses or Class B licenses.

(A) Class A licensees shall have the authority to detain or apprehend suspects either committing felonies, misdemeanors, or city ordinance violations in the presence of the licensee or during the attempt to commit the same or upon probable cause to believe an offense was committed; provided, however, the authority is limited to the property the licensee is hired to protect during the hours s/he is hired to protect said property and is not to extend to the public streets of the city with the exception of suspects fleeing from private property on foot. In that case, the authority shall extend to the public streets so long as there is hot pursuit and the suspect has not attempted escape in a vehicle and further excepting airport police officers whose authority is set forth in this rule. No vehicle pursuits are allowed except as specifically authorized in 17 CSR 10-2.030(10)(A)4. Class A licenses may be further classified pursuant to the following titles, designations, and authorities:

1. Loss prevention agent—One who is unarmed, nonuniformed, and is responsible to observe, investigate, apprehend, and prosecute shoplifters, fraud checks, internal thefts, and the like. This individual is employed to prevent theft by unobtrusive, alert skills;
2. Patrol agent—Armed or unarmed, uniformed position delegated all the responsibility of a guard with the authority to react to illegal action by apprehension or detention. Persons, such as bank guards and hospital security, are normally assigned to a particular designated post to protect persons and property. This individual may also be responsible for proactive, aggressive policing of the property they are hired to protect. These responsibilities include foot patrol, response to alarms, self-initiated activity such as car and pedestrian checks on designated private property, investigations, apprehension or detention of suspects, and assisting in prosecution;
3. Proprietary private investigator—An armed or unarmed, nonuniformed person employed exclusively and regularly by one (1) employer in connection with the affairs of that employer and where there exists an employer-employee relationship, responsible for investigations which impact that employer. The qualification for this classification is set out in 17 CSR 10-2.050(1)(C); and
4. Airport police—Armed and uniformed position responsible or patrolling the property designated as the Kansas City International Airport and the Charles B. Wheeler Downtown Airport who are granted special permission to be known as the Kansas City International Airport Police. These officers are exempt from the provisions of 17 CSR 10-2.060(4). Airport police personnel shall be required to have a Class A license. Officers with licenses pursuant to this subclassification have the following authority, in addition to those created by the Class A license. The Class A license that has the airport police designation shall have authority to enforce city ordinance and state statute violations upon the public streets of the city, but only upon the streets within the property boundaries of the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. The Class A license that has the designation unarmed, uniformed “traffic control officer” shall have the authority to control traffic and issue citations for parking violations, but only upon the streets within the property boundaries of the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. This section grants no authority to engage in a vehicle pursuit on streets not within the property boundaries of the Kansas City International Airport or the Charles B. Wheeler Downtown Airport.

(B) Class B licenses shall not grant the authority for the licensees to detain or apprehend suspects. An applicant shall designate the particular subclassification listed in this subsection when applying for a Class B license. An applicant must make a separate application when applying for a Class B license designating more than one (1) subclassification of authority. The license identification issued by the Board of Police Commissioners of Kansas City, Missouri (board) shall designate which subcategory of a Class B license has been granted.

1. Guard—A guard is an unarmed, uniformed position with primary responsibilities being to watch and report on/or in a specific premises or designated area, to escort or guide, to control crowds, to give directions, to monitor camera systems, to control access, and to offer assistance for the safety of others. The guard has no authority to detain or apprehend a person suspected of committing a crime.
2. Armed courier—An armed, uniformed position primarily responsible for the protection and transport of money and other valuables from one (1) designated area to another. This licensee has the authority to conduct private security services on the public streets of the city, but this authority is limited to protecting property from activities which would impact the property protected. The courier must meet the qualifications relating to authority to carry a firearm, as set out in this chapter.
3. Proprietary private investigator—An armed or unarmed, nonuniformed person employed exclusively

and regularly by one (1) employer in connection with the affairs of that employer and where there exists an employer-employee relationship, responsible for investigations which impact that employer. The qualification for this classification is set out in 17 CSR 10-2.050(1)(C).

April 15, 2013

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Title 17 — BOARDS OF POLICE COMMISSIONERS

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RULE

17 CSR 10-2.040 Application Forms and Licensing Fees

PURPOSE: The Board of Police Commissioners of Kansas City, Missouri (board), in order to administer its responsibilities in the area of regulation and licensing of private security and proprietary private investigative personnel, shall establish a schedule of licensing fees and list of approved forms.

(1) The fees for licensing, renewing, transferring, etc., are as follows:

- (A) Annual Company License \$300.00
- (B) Class A—Armed License \$145.00
- (C) Class A—Armed License Renewal \$ 90.00
- (D) Class A—Unarmed License \$ 90.00
- (E) Class A—Unarmed License Renewal \$ 65.00
- (F) Class B—Armed License \$145.00
- (G) Class B—Armed License Renewal \$ 90.00
- (H) Class B—Unarmed License \$ 90.00
- (I) Class B—Unarmed License Renewal \$ 65.00
- (J) Replacement of Lost/Stolen License \$ 65.00
- (K) Dual License \$ 65.00
- (L) Change of Company Name \$150.00
- (M) License Upgrade/Change of license classification \$ 65.00
- (N) Rescheduling Fee (test failure, fail to qualify or attend range) \$ 85.00
- (O) Weapon Change \$ 85.00
- (P) State/NCIC/FBI Annual Fingerprinting Fee \$ 40.00
- (Q) Reinstatement Fee (following suspension/revocation) \$ 65.00
- (R) License Transfer \$ 65.00
- (S) Copy Fee \$ 1.00 per page
- (T) Annual Range Fee (Training and Qualification/Continuing Education) \$ 85.00
- (U) Classroom Training/Continuing Education Fee (every 2 years) \$ 50.00

(2) Only cash, credit cards, money orders, cashier's checks, or checks drawn on accounts of licensed companies are accepted in payment of fees. All fees are nonrefundable.

(3) The board will provide forms for applicants to use. All forms may be downloaded at www.kcpd.org.

(A) Form 5001 P.D., "Information for Private Security/Proprietary Investigative Personnel," provides basic information to private security and proprietary private investigative personnel which includes the source of the board's authority to license private security and proprietary private investigative personnel; information on the classifications of licenses; the duties and authority of the various license classifications; information concerning firearms qualification; and scheduling and directions to the police pistol range.

(B) Form 5297 P.D., "Instructions for Licensing a Company to Employ Private Security and Proprietary Private Investigative Personnel," provides instructions for licensing a company to employ private security and proprietary private investigative personnel which includes instructions concerning the required certificate of liability insurance; required documents; fee required; criminal history records check information; lists the private officer license classifications; procedures for monthly invoices; and

information concerning the required examination and firearms qualification.

(C) Form 5409 P.D. is the "Employer's Application for Employment of Private Security/Proprietary Private Investigators 'Intent to Hire.'" This form must be presented any time a license is applied for, renewed, or transferred. This is the basic application form for individual licensees which requests the following information: name of business, address, and telephone number; the individual applicant's name, address, telephone number, date of birth, and Social Security number; the type of license being applied for; and if armed, the make, model, caliber, and serial number of the firearm the applicant intends to carry. The form must be signed by both the individual applicant and an authorized company representative. No Form 5409 P.D. will be accepted if signed by a person other than the authorized representative designated by the company in writing and on file with the Private Officers Licensing Unit (POLU). (D) Form 5486 P.D. is the "Application for Company License." This form is the basic application form for companies wishing to regularly work or employ persons to engage in private security or proprietary private investigative businesses in the City of Kansas City, Missouri. It requires the following information: the company's trade name; the company's legal name, its address, its mailing address, and business phone; the principal name of the company and home office address and telephone; whether the company is using a fictitious name and whether that name is registered with the Missouri Secretary of State; whether the business is a corporation registered in a state other than Missouri but doing business in Missouri; a copy of the company's registration in Missouri and certificate of good standing from the Missouri Secretary of State if appropriate; a description of the company; information concerning whether a license issued by any governmental entity to the company has ever been denied, suspended, or revoked; a description of the uniform along with a photograph which clearly displays the company name and the word security either on the uniform or company patch to be worn by the company's personnel (the POLU will approve in advance all uniforms to be worn by any licensee); the approximate number of persons to be licensed; a list of all company-owned firearms; a list of the names, addresses, and capacities of each of the owners, partners, officers, directors, and associates of the company; a list of the company's contact persons who are authorized to sign and do business with the board; information and proof that the persons listed in the application are U.S. citizens; and the company's federal employment identification number (E.I.N.).

(E) Form 5715 P.D. is the "Verification of Firearms Training" form. This form requires an individual and his/her instructor to certify that the applicant has been trained in the use of the firearm the applicant intends to carry on duty. Information concerning what the training must include appears on the form. The form must be signed by the training instructor and the training instructor's company must be listed. This form must be presented to the POLU prior to the applicant being scheduled for the range.

(F) Form 5636 P.D. is the "Weapons Discharge Report." This form is designed to report information whenever a licensee discharges his/her firearm. Information which must be provided on the form includes: the name of the licensee and date the license expires; the licensee's weapon make, model, and serial number; the location of the incident; the time of the incident; the name of the licensee's supervisor and the time they were notified of the discharge; whether the licensee was on-duty and in uniform; whether any fatalities or injuries resulted from the discharge; whether the shooting was accidental or intentional; the department's case report number in connection with the incident; a narrative description of what transpired; the signature of the licensee along with the licensee's date of birth; and the signature of the company representative along with the company name and address. This form must be received by the POLU within five (5) days of the incident.

(G) Form 5707 P.D. is a "Temporary License Extension" form. It requests the date, the name of the licensee, their date of birth, and their employer's name. This form provides a temporary license to those who have not yet attended their scheduled firearms qualification date.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec.5, 1979, effective March 17, 1980.

Amended: Filed May 3, 1988, effective Sept. 29, 1988. Rescinded and readopted: Filed May 28, 1993, effective Jan. 31, 1994. Rescinded and readopted: Filed Dec. 15, 1999, effective Aug. 30, 2000.

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RULE

17 CSR 10-2.050 Testing Requirements and Qualification Standards

PURPOSE: In accordance with generally recognized policing standards, the Board of Police Commissioners of Kansas City, Missouri (board) has established testing requirements for those seeking individual licensing pursuant to these provisions and has established qualification standards pursuant to the duties carried out by individuals providing private security or proprietary private investigative services.

(1) All applicants for licensing shall successfully pass a written examination as presented by the department to potential licensees. A person failing to obtain a passing score as established by the board may be allowed to retake the written test three (3) times. An additional fee and a new Form 5409 P.D. is required each time the test is retaken. The test may not be taken more than one (1) time per day. An applicant shall have the right to review their test. The Private Officers Licensing Unit (POLU) may refuse to test any person if evidence exists that there is grounds for denial of the license. This excludes any person holding an active or inactive Peace Officer Standards and Training (POST) certification and all retired sworn members of the department. The board has established categories of testing that reflect the responsibilities and qualifications required for the type of license sought by the applicant. An information manual outlining the examination will be available from the POLU. It is the company's responsibility to provide training necessary to prepare the applicant to take and pass the board's written examination. In addition to obtaining the license as an armed licensee, the company must certify that the applicant or licensee has completed the required training and must present a completed Form 5715 P.D. at the time of application. The licensee must successfully qualify annually with their weapon. The qualification will be equivalent to that required for department police officers. In addition, any person holding an armed license shall requalify any time they change weapons. A licensee may only carry and qualify with one (1) weapon per company unless specific authorization is obtained from POLU. As set out in 17 CSR 10-2.040(1), a fee will be charged anytime a weapon change is made.

(A) Applicants for Class A licensing, in addition to those topics listed in subsection (1)(B) of this rule, shall also be tested on crime and criminal liability, firearms responsibility and liability, and patrol techniques. Class A licenses issued to those requesting designation as a proprietary private investigator shall also be tested on investigative techniques, illegal electronic surveillance, audio recording, and visual or video recording when permissible.

(B) Applicants for Class B licensing as provided in this chapter shall be tested on detention and seizure, how to interact with the general public and public officials, the licensing process, including rules, how to react to crisis situations, and liability issues.

(C) Applicants for proprietary private investigator must possess a high school diploma and one (1) of the following: A two- (2-) year degree in Administration of Criminal Justice or a bachelor's degree; two (2) consecutive years prior investigative experience in law enforcement, military police, or military intelligence functions; or two (2) years consecutive experience with a licensed private security or proprietary private investigative company, and be certified by that company as to knowledge of the law and investigative techniques.

(D) Each armed licensee will complete four (4) hours of training at the Kansas City, Missouri Police Pistol Range (range) each year. The curriculum will be set by the range staff. Each armed licensee may additionally be required to complete four (4) hours of classroom training every two (2) years. The curriculum will be set by the POLU. Each company representative who is authorized to sign and do business with the board as outlined on Form 5486 P.D. along with all those licensed in an unarmed capacity may be required to complete the four- (4-) hour classroom portion of the training every two(2) years. Each company representative and licensee will pay the training fees associated with these continuing education requirements as set out in 17 CSR 10-2.040(1).(2) As all applicants for Class A licenses are granted the authority to detain or apprehend, each applicant or his/her employer must certify annually on the Form 5409 P.D. to the satisfaction of the board that the applicant is physically and mentally capable of being able to safely detain or apprehend suspects without the necessity of resorting to the displaying or discharging of a weapon except in self defense or in defense of another. This will require every applicant to submit at renewal annually a Form 5409 P.D. The board may investigate the certification and may reject the application if there is evidence that the certification is false or incorrect.

(3) Additionally, each applicant applying for a license under these provisions must meet these standards—

(A) Meet the qualifications in 17 CSR 10-2.020(3);

(B) Be at least twenty-one (21) years of age to hold an armed license and be at least eighteen (18) years

of age to hold an unarmed license;

(C) Be able to read, write, and understand the English language;

(D) Meet physical and mental standards equivalent to those required of department police officers;

(E) Be capable of understanding and performing the duties and responsibilities of a licensee;

(F) If the applicant served in the Armed Forces of the United States within ten (10) years prior to the date of application, the final discharge of the applicant from the armed forces must be honorable or general under honorable conditions;

(G) Not have been convicted of a felony or a misdemeanor in federal or state court;

(H) Be of good moral character by having no felony convictions, misdemeanor convictions, or city ordinance convictions, which have as an essential element fraud, dishonesty, an act of violence, bribery, illegal drug use, sexual misconduct, and other similar acts constituting moral turpitude as defined by the common law of Missouri except

that city ordinance convictions involving driving while intoxicated or driving under the influence of alcohol or drugs will be considered on a case-by-case basis;

(I) For armed applicants, not be the respondent named in a full order of protection currently in effect issued after a hearing by a court of competent jurisdiction;

(J) Have no prior revocation of a security license;

(K) Failing to meet the standards as set out herein;

(L) Making any false statements or giving any false information in connection with an application for a license;

(M) Failing to provide information deemed necessary in order to establish eligibility;

(N) Holding a license which is suspended, including a suspension which is currently under review or under a stay pending the outcome of litigation in a court of competent jurisdiction;

(O) Providing other facts or actions which demonstrate that the applicant is unsuitable or ineligible for license; and

(P) Being terminated from or resigning under investigation or threat of discharge from the department shall make an individual ineligible for a license, but s/he may appeal to the board pursuant to the appeal process contained in this chapter.

(4) Applicants and their employers, in the event of license denial, will be given a written notification. Applicants may appeal in writing to the POLU within thirty (30) days of denial notification. The appeal should contain a brief statement responding to the reasons for denial. The board will then notify the applicant in writing of its formal decision on the matter. Applicants have no right to a hearing or presentation to board.

(5) The board reserves the right to prohibit the holder of a license from carrying any firearm.

(6) All licenses granted by the board as set out herein may be temporary until the completion of the applicant's criminal history records check. Armed licenses will not be issued until the criminal history records check results are received by the POLU.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 14, 2013.

Title 17 — BOARDS OF POLICE COMMISSIONERS

Division 10 — Kansas City Board of Police Commissioners

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RULE

17 CSR 10-2.055 Weapons Regulations and Firearms Qualification

PURPOSE: Applicants seeking licenses for positions authorized to carry approved firearms must be certified as qualified to carry those firearms pursuant to requirements as established by the Board of Police Commissioners of Kansas City, Missouri (board) herein. (1) A licensee is authorized to carry only firearms in a strong side hip holster approved by the board and only if the licensee has qualified with that firearm as set out herein. All licensees must have a completed Verification of Firearms Training Form (Form 5715 P.D.) before reporting to the Private Officers Licensing Unit (POLU). The firearms approved

by the board are as follows: .38 caliber, double action solid frame revolvers (five (5) or six (6) shot); and semi-automatics, double action only or double/single action, which are equipped with a decocker or decocker safety. This requirement limits the semi-automatics which may be carried to .40, .45, and 9mm calibers. Striker action firearms are acceptable. The department shooting range supervisor or his/her designee may deny a licensee the opportunity to qualify if, in their discretion, they believe a person or a firearm does not meet the requirements set out herein or presents a danger to others.

(2) All applicants seeking licensure for positions for which firearms may be possessed must qualify annually with the firearm(s) on the department pistol range and under the supervision of the department's firearms instructors. The firearms qualifications standards shall be in accordance with those established by department for its officers.

(3) An applicant must display the ability to safely and properly handle his/her approved firearm.

(4) An applicant who is determined by the range instructor to be unqualified or incapable of handling a firearm shall not be licensed.

(A) Any applicant who displays an inability to handle a firearm safely and properly will be disqualified from carrying a firearm.

(B) An applicant who does not attain the minimum scores for qualification shall be given a maximum of two (2) additional opportunities to qualify. An additional fee and new Form 5409 P.D. is required for each additional qualification and will be scheduled by the POLU.

(5) In addition to the applicant successfully passing an approved firearms qualification test, the applicant or his/her employer must satisfy the physical certification requirements for a Class A license as established herein.

(6) Licensees holding an armed license may wear their approved firearm with their uniform, unless classified as a nonuniformed proprietary private investigator, while at work and while traveling directly to and from work.

(7) Those licensed as private security and proprietary private investigators must comply with city ordinance and state law which prohibits carrying a firearm or other weapon readily capable of lethal use into any building owned or occupied by any agency of the state government. This includes the POLU and any other office within the building or any other building occupied by the department.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed May 28, 1993, effective Jan. 31, 1994.

Rescinded and readopted: Filed Dec. 15, 1999, effective Aug. 30, 2000. Rescinded and readopted: Filed March 14, 2013.

Title 17 — BOARDS OF POLICE COMMISSIONERS

Division 10 — Kansas City Board of Police Commissioners

Chapter 2 — Private Security

RULE

17 CSR 10-2.060 Regulation, Suspension, and Revocation

PURPOSE: Under section 84.720, RSMo, the Board of Police Commissioners of Kansas City, Missouri (board) shall regulate individuals providing private security/proprietary private investigative services. Pursuant to this authority, the board has the power to suspend, impose a fine, order probation, or revoke any license granted by it and is obligated to furnish an appeal process for any license so affected.

(1) The board may monitor and investigate allegations of improper conduct and the activities of individuals providing private security and proprietary private investigative services and firms, companies, partnerships, entities, or political subdivisions providing security services or proprietary private investigative services pursuant to these rules.

(2) All licenses shall expire one (1) year from the date of initial issuance. For licenses renewed after their expiration date, the licensee will be processed as a new applicant.

(3) A licensee must carry his/her license with him/her at all times while they are working. The license card must be worn on the outermost garment while on duty. The licensee must produce such license immediately at the request of a police officer; employee of the board; or person that the licensee has stopped or detained, if the licensee holds a license which allows him/her to stop and detain persons.

(4) The Private Officers Licensing Unit (POLU) will approve in advance all uniforms to be worn by any licensee. No uniform identical to or bearing resemblance to any uniform used by the department shall be approved. Additionally, no uniforms, badges, or other insignia using the word "police" shall be approved for use, except as provided in 17 CSR 10-2.030(1)(A)4. Companies licensed under this chapter shall provide the board a description, including the type and color of the company uniform along with a photograph of the uniform. The company name must appear on the uniform or a patch and the word "security" must also appear on the uniform or patch. The word "security" must be clearly displayed on the outermost clothing to be worn by the licensee.

(5) Individuals providing private security services or proprietary private investigative services are required to file a discharge of firearms report with the board within five (5) days of the incident whenever they discharge a firearm in the course of their occupation, other than formal firearms training.

(6) Individuals providing private security services or proprietary private investigative services are required to notify the POLU when they are arrested or have court cases pending within five (5) days of the incident.

(7) No person licensed under these provisions shall divulge to any unauthorized person or company any information or knowledge received from the department or any source when the divulgence would be detrimental to effective law enforcement. Under no circumstances may any records received from the department, whether generated by computer or otherwise, be accessed for personal use.

(8) The chief of police or his/her designee may impose a fine, order probation, order a suspension, or revoke a license of any company granted under section 84.720 of the Revised Statutes of Missouri pursuant to the procedures set forth in section (10) of this rule, when there exists information that the licensee or, if the licensee is an organization, any of its officers, directors, partners, or associates has—

(A) Failed to meet the qualifications in 17 CSR 10-2.020(3);

(B) Failed to maintain the physical and mental standards required of department police officers;

(C) Failed to understand and perform the duties and responsibilities of a licensee;

(D) Been convicted of a felony or a misdemeanor in federal or state court;

(E) Failed to be of good moral character by having a felony conviction, misdemeanor conviction, or city ordinance conviction, an essential element of which is fraud, dishonesty, an act of violence, bribery, illegal drug use, sexual misconduct, and other similar acts constituting moral turpitude as defined by the common law of Missouri except that city ordinance convictions involving driving while intoxicated or driving under the influence of alcohol or drugs will be considered on a case-by-case basis;

(F) For armed licensees, been named as the respondent in a full order of protection currently in effect issued after a hearing by a court of competent jurisdiction;

(G) Failed to meet the standards as set out herein;

(H) Made a false statement or given any false information in connection with an investigation by the POLU or the department;

(I) Provided other facts or actions which demonstrate that the applicant is unsuitable or ineligible to continue to hold a license; and

(J) Being terminated from or resigning under investigation or threat of discharge from the department shall make an individual ineligible for a license, but s/he may appeal to the board pursuant to the appeal process contained in this chapter.

(9) Any fine imposed by the chief of police shall not exceed the sum of five thousand dollars (\$5,000). No suspension shall exceed ninety

(90) days except that a suspension which is challenged and pending before a court of competent jurisdiction will continue in effect until a final judgment by a court of competent jurisdiction unless the court has issued a stay.

(10) When the chief of police or his/her designee determines that a license granted pursuant to section 84.720 of the Revised Statutes of Missouri shall be suspended or revoked, the following procedures shall apply:

(A) Notice of fine, probation, suspension, or revocation shall be mailed to the licensee and their company at the address maintained in the Private Officers Licensing Unit (POLU);

(B) Notice of suspension or revocation shall be signed by the chief of police or his/her designee and shall indicate—

1. The decision to suspend or revoke;

2. The reason(s);

3. Duration of the suspension, if determinable;

4. Condition of reinstatement, if any; and

5. A description of the appeal process;

(C) Upon receipt of a notice of fine, suspension, or revocation, the individual or organization affected may request a review of the action of the POLU by filing a notice of appeal, in writing, with the POLU within thirty (30) business days of the dated written notification of suspension or revocation at 635 Woodland, Suite 2104, Kansas City, MO 64106;

(D) In the case of an appeal, the discipline initially assessed will continue in effect until and unless it is reversed or amended by the board;

(E) In the event of an appeal, the case shall be submitted to the board solely on the record. The record shall consist of all documentary evidence obtained by or submitted to the chief of police or the POLU by the parties, any agreed upon statement of the case agreed to by all the parties, and the legal briefs as might be filed by the parties or their representatives. Individuals or organizations denied a license upon application may appeal to board pursuant to this section; and

(F) The chief of police or his/her designee may place a licensee on probation in lieu of a fine, suspension, or revocation.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 14, 2013.