

Board of Private Detectives and Guards

Frequently Asked Questions

Q: What are the basic requirements for licensure?

A: Entity:

1. Have in its employ a principal detective or guard who shall be fully responsible for the direct management and control of the detective or guard agency and the agency's employees when detective or guard services are being provided;
2. Provide employment records of each officer, director, partner, manager, or member covering the last 10 years;
3. Provide criminal abstracts for each officer, director, partner, manager, or member from all localities in which they have resided in the last 10 years;
4. Verify that the entity is properly registered with the Business Registration Division (BREG), Department of Commerce and Consumer Affairs (DCCA), P.O. Box 40, Honolulu, HI 96810. Please contact them for the proper forms, at (808) 586-2727 or visit their website at: www.businessregistrations.com/home.html to order "Certificates of Good Standing" forms, etc;
 - If the entity has been registered in this state for LESS THAN ONE (1) YEAR, ATTACH a "*filed-stamped*" copy of the document filed with BREG; or the same certificate mentioned above.
 - If the entity has been registered in this state for MORE THAN ONE (1) YEAR, ATTACH a current "*Certificate of Good Standing*" issued not more than 1 year ago.
5. If applicant will be using a trade name, attach a current "filed-stamped" copy of the "*Application for registration of Trade Name*" approved by the Business Registration Division. You may contact them at (808) 586-2727;
6. Provide a business location in Hawaii where the firm will receive service of process;
7. Provide a bond of not less than \$5,000 issued by a surety authorized to conduct business in this State;
8. If intending to use a badge, uniform, identification, or emblem, provide a sufficient number of 8"x10" colored photographs of your agency's guard uniform and 3"x5" colored photographs of your agency's emblem, badges and identification card for the Board and police department of each county (ies) in which you intend to do business. Indicate the counties in which you will be operating.

Principal/Sole Proprietor:

1. Be at least 18 years of age;

2. Provide evidence of a high school education or its equivalent;
3. Verify at least 4 years of full-time investigational or guard work. The Board may accept:
 - A. For persons applying to be private detectives, employment:
 - i. Under the supervision of a licensed private detective;
 - ii. As a police officer with a police department of a state or political subdivision thereof;
 - iii. As an investigator with any federal, state, county, or municipal government agency; or
 - iv. As an investigator by an attorney-at-law or law firm.
 - B. For persons applying to be guards, employment:
 - i. Under the supervision of a licensed guard;
 - ii. As a guard by a private employer;
 - iii. As a police officer with a police department of a state or political subdivision thereof; or
 - iv. As a guard with any federal, state, county, or municipal government agency.
4. Pass an examination;
5. Not be presently suffering from any psychiatric or psychological disorder which is directly related and detrimental to a person's performance in the profession (private detective or guard);
6. Not have been convicted in any jurisdiction of a crime which reflects unfavorably on the fitness of the applicant to engage in the profession (private detective/guard), unless the conviction has been annulled or expunged by court order;
7. Possess a history of honesty, truthfulness, financial integrity and fair dealing;
8. Submit to a FBI fingerprint check through the Hawaii Criminal Justice Data Center. Provide fingerprinting on cards provided by the Board. (FBI will not accept any card without the board's code imprinted on it.)
9. Provide criminal abstracts from all locations in which the applicant has resided during the last 10 years.

Q: How are applications obtained?

A: You may:

1. Download the application at www.hawaii.gov/dcca/areas/pvl;
2. Call (808) 586-3000 to request an application; or
3. Submit a written request to:

Department of Commerce and Consumer Affairs
Professional and Vocational Licensing Branch
P.O. Box 3469
Honolulu, HI 96801

Q: What are the fees involved in obtaining and maintaining licensure?

A. Application fee: Entity (\$100) Principal/Sole Proprietor (\$50)

Examination fee: Principal/Sole Proprietor (\$50)

Finger printing fee: Electronic Submission using livescan machine at the Hawaii Criminal Justice Data Center (\$19.50)

Hard Copies Submission using Fingerprint card obtained from the Board (\$30.25)

(California residents \$32 fee required by California)

License fees: **Entity** (\$260) if licensed between July 1st even-numbered year to June 30 odd-numbered year; and (\$105) if licensed between July 1st odd-numbered year to June 30 even-numbered year.

Principal/Sole Proprietor (\$210) if licensed between July 1st even-Numbered year to June 30, odd-numbered year; and (\$80) if Licensed between July 1st odd-numbered year to June 30, even-Numbered year.

Renewal fees: **Entity** (\$310) (Renewal fee \$200/CRF \$110)
Principal/Sole Proprietor (\$260) (Renewal fee \$150/CRF \$110)

Q: Is verification of bonds required at the time of application?

A: No. Bond requirements shall be submitted prior to licensure, and need not be submitted at the time of application.

Q: Are photographs of uniforms, badges, identification, emblems required at the time of application?

A: No. Photographs of these items are only required if an applicant intends to use them and may be submitted prior to licensure. Applicants must submit for approval one set of

photographs for the Board and each county police department in which the applicant intends to conduct business.

Q: Can an individual be the principal guard or detective for more than one entity?

A: A guard or private detective shall not serve as principal guard or detective for more than one agency **unless** that guard or private detective obtains approval from the Board of Private Detectives and Guards.

Q: Does Hawaii have reciprocal agreements with other states?

A: No. All applicants must meet the same licensing and examination requirements.

Q: Does the Board of Private Detectives and Guards accept any form of education (ie. Academic courses, academic degrees, home study courses etc) in lieu of the 4 years of investigational or guard work experience?

A: No. Each applicant shall verify 4 years of full-time investigative or guard work to qualify for licensure.

Q: What is required of detective or guard agency licensees when hiring employees?

A: If licensees hire employees to work in an investigative or guard capacity the principal detective or guard is **required** to:

- (1) register those employees with the Board pursuant to HRS sections 463-6 and 463-8 and HAR section 16-97-15; and
- (2) submit an "Employer Registration Form (PDG-16) quarterly. Forms may be downloaded at www.hawaii.gov/dcca/areas/pvl. **Note:** Employers must notify the Board if they no longer have employees to stop the reporting requirements. (PDG-18)

Q: What is required of detective or guard agency licensees if they do not intend to hire employees or if they no longer have employees?

A: If licensees do not intend to hire employees, or if they terminate or no longer have employees, the principal detective or guard is required to:

- (1) submit an "Attestation of Licensees Intending or not to Hire Employees" form (PDG 18); and
- (2) upon employing any person, submit form (PDG 18) and henceforth comply with HAR §16-97-15 and submit the "Employee Registration Form" (PDG 16).

Q: Recent Law Changes?

A: Act 94, SLH 2004 effective May 28, 2004 established an inactive status which allows licensees, upon written request, to hold their licenses in abeyance if not currently being used in an effort to reduce a regulatory burden. This will result in lower renewal fees, the preservation of previously met licensure requirements (i.e., experience and

examinations) and reduce costs because bonds would not have to be maintained during the inactive period. While on inactive status, a licensee shall not be engaged in the practice of a private detective, guard, or agency. The license may be reactivated at any time by filing an application for reactivation and meeting all requirements established by the board, including the payment of the appropriate fees and providing any information regarding any arrest or conviction of any crime that reflects unfavorably on the fitness of the licensee to engage in the profession, and information that the licensee, while on inactive status, has suffered a psychiatric or psychological disorder that is directly related and detrimental to the licensee's performance in the profession. **Please contact the Licensing Branch office for more information at (808) 586-3000.**

Act 94 also established a definition for a detective or guard agency "firm" that includes all business entity forms, including a sole proprietorship, regardless of whether the sole proprietor has employees. Thus, a sole proprietorship will not be required to apply for an "agency" license and will be required to pay a single licensing fee as a firm and to pay for only one bond.

Therefore, effective May 28, 2004, sole proprietorships with employees will no longer be required to maintain an "agency" license or to maintain a bond for the "agency." Although sole proprietorships will no longer be required to maintain the agency bond, the Board is unable to return the bond. Please check with your surety company as to the procedures for cancellation, reimbursement of premiums (if any) etc.