

## 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: <http://www.hbe.ehawaii.gov/documents/search.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 <http://hawaii.gov/dcca/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 (\$19.25)

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 1<sup>st</sup> even-numbered year to  
June 30 odd-numbered year; and (\$105) if licensed between July  
1<sup>st</sup> odd-numbered year to June 30 even-numbered year.

**Principal/Sole Proprietor** (\$210) if licensed between July 1<sup>st</sup>  
even-Numbered year to June 30, odd-numbered year; and (\$80) if  
Licensed between July 1<sup>st</sup> 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 <http://hawaii.gov/dcca/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: What are the requirements to renew a private detective or guard license (sole proprietor, principal, agency)?**

A: All licenses expire on June 30 of the even-numbered year. Renewal applications are mailed to all current licensees approximately 45 days before the license expires. Licensees must submit their renewal application and all required documents and fees by

June 30 of the even-numbered year. Verification of current bond coverage may be required if the bond expires prior to June 30.

**Q: Recent Law Changes?**

A: Act 208, SLH 2010 imposes new registration, training, classroom instruction, education, and criminal history requirements for all guards and employers of guard agencies who act in a guard capacity. It also repeals the current regulatory exemption for guards who are employed solely by an employer in connection with the affairs of the employer. The new regulation requirements take effect July 1, 2013.

Effective July 1, 2013, all guards, and all agents, operatives, and assistants employed by a guard agency, private business entity, or government agency who act in a guard capacity shall apply to register with the board, and meet the following registration, instruction, and training requirements prior to acting as a guard:

- (1) Be not less than eighteen years of age;
- (2) Possess a high school education or its equivalent;
- (3) Not be presently suffering from any psychiatric or psychological disorder which is directly related and detrimental to a person's performance in the profession; and
- (4) Not have been convicted in any jurisdiction of a crime which reflects unfavorably on the fitness of the individual to act as a guard, unless the conviction has been annulled or expunged by court order; provided that the individual shall submit to a national criminal history record check as authorized by federal law, including but not limited to the Private Security Officer Employment Authorization Act of 2004, and specified in the rules of the board.

The Board established a subcommittee to commence discussion on implementation of Act 208. You may follow the committee's progress through the Board's minutes which may be requested from the Board's secretary at (808) 586-2705.

**Q: What happens if the private detective, guard, or agency license is not renewed before it expires?**

A: If the license is not renewed by June 30 of the even-numbered year, the license is forfeited. The licensee has one year from the expiration date to restore the forfeited license by submitting all required documents and fees, including a late renewal fee. If the license is not restored within the one year, then the licensee will be treated as a new applicant when re-applying.

**Q: How can I find out if a person is licensed as a private detective, guard, or agency?**

A: Click [here](#) for the web site to verify a license, or call (808) 586-3000.

**Q: How do I file a complaint against a private detective, guard, or agency?**

A: Click [here](#) for the web site to the Regulated Industries Complaints Office or call them at (808) 587-3222 and select menu option #3.