

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. BUREAU OF SECURITY AND INVESTIGATIVE SERVICES

Proposed Regulatory Text

Exam Application Repeal, Terminology and Training-related Updates

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| <p>Legend: Added text is indicated with an <u>underline</u>. Deleted text is indicated by strikeout.</p> |
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Article 1

Amend section 601 of Division 7 of Title 16 of the California Code of Regulations:

§ 601. Application for Examination.

An applicant is not eligible for examination until they have filed a complete application accompanied by the appropriate fee, to the Bureau, via mail at its current physical address listed on its website or through the Bureau's online portal accessible through the Bureau's website. ~~Complete applications must be filed in person at or mailed to the Bureau's Sacramento office no later than 20 days prior to the next scheduled or requested examination date. An applicant who fails to file within the above time period may, at the Bureau's discretion, be scheduled to take the following scheduled examination. An applicant who fulfills the above requirements shall receive guidance from the Bureau via mail or electronically on how to proceed scheduling their examination. If an applicant does not complete all requirements, the Bureau shall mail or email the applicant a deficiency or denial letter.~~

Note: Authority cited: Sections 7501.6, 7515, 7581 and 7591.6, Business and Professions Code. Reference: Sections 7503, 7526, 7582.6, 7582.7, 7582.8 and 7593, Business and Professions Code.

Repeal section 601.1 of Division 7 of Title 16 of the California Code of Regulations:

~~§ 601.1. Time and Place of Examinations.~~

~~Examinations shall be given at least once every two months at such places and on such dates as the Chief may from time to time fix. The Bureau shall mail to each applicant who has been approved to take an examination a notice of the date, time and place of the examination. Such notice shall be sent by regular mail to the home address shown on the application not later than two weeks prior thereto.~~

~~Note: Authority cited: Sections 7501.6, 7515, 7581 and 7591.6, Business and Professions Code. Reference: Sections 7504, 7504.5, 7527, 7582.8, 7582.9 and 7599, Business and Professions~~

Article 3

Amend section 621 of Division 7 of Title 16 of the California Code of Regulations, to read as follows:

§ 621. Advertisement.

(a) The word “advertisement,” as used in Sections 7534 and 7561.3 (a & b) of Chapter 11.3, Section 7582.20 of Chapter 11.5, and Sections 7590.1(a) and 7599.44 of Chapter 11.6 mean:

- (1) Any written, internet based or social media, electronically transmitted or printed communication for the purpose of soliciting, describing, or promoting the licensed business of the licensee, including a brochure, letter, pamphlet, newspaper, periodical, publication or other writing.
- (2) A directory listing caused or permitted by the licensee which indicates their licensed activity.
- (3) A radio, television or similar airwave transmission which solicits or promotes the licensed business of the licensee.

(b) The word “advertisement,” as used in Sections 7534 and 7561.3 (a & b) of Chapter 11.3, Section 7582.20 of Chapter 11.5, and Sections 7590.1(a) and 7599.44 of Chapter 11.6, shall not include the following:

- (1) Any printing or writing used on buildings, vehicles, uniforms, badges, or other property where the purpose of the printing or writing is identification.
- (2) Any printing or writing on communications, memoranda, or any other writings used in the ordinary course of business where the purpose of the writing is other than the solicitation or promotion of business.
- (3) Any printing or writing on novelty objects used in the promotion of the licensee's business where the printing of the information required by Sections 7534 and 7561.3 (a & b) of Chapter 11.3, Section 7582.20 of Chapter 11.5, and Sections 7590.1(a) and 7599.44 of Chapter 11.6 would be impractical due to the available area or surface.

Note: Authority cited: Sections 7515, 7581 and 7591.6, Business and Professions Code.

Reference: Sections 7534, 7535, 7561.3, 7582.20, 7582.21, 7590.1 and 7599.44, Business and Professions Code.

Article 6

Amend the Title of Article 6. Private Security Services, Alarm Company Operators, Guards, Patrolperson, Alarm Agents (Installer/Responder) of the California Code of Regulations, to read as follows:

Article 6. Private Security Services Act, Alarm Company Act ~~Operators, Guards, Patrolperson,~~
~~Alarm Agents (Installer/Responder)~~ Proprietary Security Services Act

Amend section 625 of Division 7 of Title 16 of the California Code of Regulations, to read as follows:

§ 625. Definitions.

(a) For purposes of this article, “licensee” means a private patrol operator or an alarm company operator.

(b) For purposes of this article, “guard or registrant” means a uniformed employee of a private patrol operator, an alarm agent of an alarm company operator, and any person employed or compensated by a private patrol operator or any lawful business as a security guard and who, in the course of such employment, carries a deadly weapon.

(c) For the purposes of this article, “security personnel” means a security guard or a proprietary private security officer.

Note: Authority cited: Sections 7581 and 7591.6, Business and Professions Code.
Reference: Sections 7580.6 and 7590.1, Business and Professions Code.

Amend section 628 of Division 7 of Title 16 of the California Code of Regulations, to read as follows:

§ 628. Training in Exercising the Powers to Arrest and Appropriate Use of Force.

(a) The course of training in the powers to arrest prescribed by the Department of Consumer Affairs pursuant to Sections ~~7542~~, 7574.18, 7583.6 and 7598.1 of the Code consists of successful completion of a course approved by the Bureau in exercising the powers to arrest. The training must be administered and certified by a single course provider as specified in Section 7583.6(f) of the Code, and be completed within six months preceding the date the application is submitted to the Bureau.

(b) ~~Uniformed employees of private patrol operators~~ security personnel and responding alarm agents shall take and successfully complete the training course and examination in the exercise of powers to arrest and appropriate use of force within six months preceding the date the application is submitted to the Bureau. An employee must receive a score of 100% on said examination in order to successfully complete said course. The course of training and administration of the examination may be given by a training school approved by the Bureau or by the employer or such uniformed employees provided that such employer has a designated instructor, and such instructor is knowledgeable in the power to arrest as set forth in the Power to Arrest and Appropriate Use of Force Training Manual

dated ~~July 2023~~ January 2025, which is exempt from the Administrative Procedure Act (California Government Code, section 11340 et seq.) pursuant to Business and Professions Code Section 7583.7, issued by the Bureau and is able to assist employees who cannot read or write.

(c) A ~~licensee~~ private patrol operator or approved training school which administers the training and examination shall retain the examination results on Bureau-approved answer sheets for a period of not less than two years or until audited by the Bureau, whichever occurs first. A ~~licensee~~ private patrol operator or training facility shall certify under penalty of perjury on the employee's application for registration that such person has successfully completed the training and examination contained in the Power to Arrest and Appropriate Use of Force Training Manual dated ~~July 2023~~ January 2025, issued by the Bureau.

(d) A statement that the applicant has completed the training course in the exercise of the power to arrest and the appropriate use of force, as specified in Section 7583.7, within six months preceding the date the application is submitted to the bureau, pursuant to Section 7583.6, submitted as part of the application.

Authority cited: Sections 7515, 7581, 7583.6 and 7583.7, Business and Professions Code.
Reference: Sections 7583.6, 7583.7, 7598.1 and 7598.2, Business and Professions Code.

Article 7

Repeal Section 636 of Division 7 of Title 16 of the California Code of Regulations:

§ 636. Course Approval.

~~(a) Institutions, firms, or persons wishing approval of the Bureau to offer a course in the carrying and usage of firearms must apply in writing to the Bureau and include the following information:~~

~~(1) A detailed outline of the course.~~

~~(2) the name of the instructor and a description of their qualifications, and~~

~~(3) places and dates where the course will be offered, length of the course, and an estimate of the maximum number of persons who will take the course.~~

~~(b) Such information must be supplied to the Bureau at least two months before the course is to be given. A course will not be approved that enrolls students prior to approval by the Bureau.~~

~~(c) Approval of a course may be withdrawn by the Bureau in writing.~~

~~Note: Authority cited: Sections 7515, 7581 and 7591.6, Business and Professions Code.
Reference: Sections 7585.4, 7585.5, 7585.6 and 7585.7, Business and Professions Code.~~

Article 9

Amend the Title of Article 9. Skills Training Course for Security Guards of the California Code of Regulations, to read as follows:

§ Article 9. Skills Training Course for Security ~~Guards~~ Personnel

Amend Section 643 of Division 7 of Title 16 of the California Code of Regulations, to read as follows:

§ 643. Skills Training Course for Security Personnel ~~Guards and Proprietary Private Security Officers.~~

- (a) The attached Appendix sets forth the subjects that shall be taught and the minimum number of hours that shall be allowed towards meeting required training. For the purposes of this section, “security personnel” or “security officer” means a security guard or a proprietary private security officer.
- (b) For each course, or series of courses including continuing education courses, the institution or company providing the training shall issue a Certificate of Completion to the individual completing the course. The certificate shall identify the course(s) taken, the number of hours of training provided, identification of the issuing entity, name of the individual and instructor and a date, and state that the course(s) comply with the Department of Consumer Affairs' Skills Training Course for Security Guards and Proprietary Private Security Officers. The certificate shall be serially numbered for tracking. An institution or company providing the training shall maintain the Certificates of Completion for a period of no less than two years.
- (c) The skills training course and administration of the examination shall only be given by the following:
 - (1) Any organization or school approved by the Bureau pursuant to Business and Professions Code subdivision 7583.6.
 - (2) Any firearms training facility licensed pursuant to 7585.4 of the Business and Professions Code.
 - (3) A private patrol operator or a designated employee of a private patrol operator provided they are qualified in the power to arrest and appropriate use of force topics as set forth in this section. A private patrol operator shall provide the training only to their direct employees.
 - (4) A proprietary private security employer or a designated employee of a proprietary security employer provided they are qualified in the power to arrest and appropriate use of force topics as set forth in this section. A proprietary security employer shall provide the training only to their direct employees.
- (d) Entities providing the skills training course and administration of the examination shall retain the examination results on Bureau-approved answer sheets for a period of not less than two years or until after receipt of completion of a Bureau inspection, whichever occurs first.

NOTE: Authority cited: Sections 7574.05 and 7581, Business and Professions Code. Reference: Sections 7574.18, 7583.6 and 7583.7, Business and Professions Code.

Amend Section 643 Appendix of Division 7 of Title 16 of the California Code of Regulations, to read as follows:

§ 643. Skills Training Course for Security Guards and Proprietary Private Security Officers. Appendix

I. Power to Arrest and Appropriate Use of Force Course Outline

The Power to Arrest and Appropriate Use of Force Course consists of a total of eight (8) hours of training in the following two (2) subjects:

A. Power to Arrest -- 3 Hours

Objective: To familiarize and instruct the individual on the training topics delineated at Business and Professions Code section 7583.7, including, without limitation, legal aspects, techniques, liability, and company requirements relating to the arrest of an individual. The training will utilize the Power to Arrest and Appropriate Use of Force Training Manual, dated ~~July 2023~~ January 2025, and may include lectures, discussion, exercises and role-playing.

1. Overview of Power to Arrest and Appropriate Use of Force Training Manual and subject matter.
2. Responsibilities and ethics in citizen arrest and types of encounters.
3. Relationship between security personnel and a peace officer in making an arrest.
4. Limitations on security personnel power to arrest, and security personnel's role including:
 - a. Background on private security industry
 - b. Contractual obligations
 - c. Company policies
5. Restrictions on searches and seizures.
6. Criminal and civil liabilities, including both of the following:
 - a. Personal liability
 - b. Employer liability

7. Trespass law.
8. Ethics and communications.
9. Emergency situation response, including response to medical emergencies.
10. Security officer safety.
11. Trespass law.
12. Ethics and communications.
13. Emergency situation response, including response to medical emergencies.
14. Security officer safety.

B. Appropriate Use of Force -- 5 Hours

For the purposes of this section, “in-person” means training conducted through traditional classroom instruction as defined in Section 7583.7 of the Business and Professions Code.

Objective: To introduce, instruct, and familiarize the individual on the appropriate use of force topics listed in section 7583.7 of the Business and Professions Code.

1. Legal standards for use of force
 - a. Statutes
 - b. Licensee and client contractual obligations
 - c. Civil and criminal liability
2. The use of objectively reasonable force -- (In-person)
 - a. Objectively reasonable standard
 - b. Restraint techniques and their implications
 - c. Force options
 - d. Real-life scenarios
3. Duty to intercede
4. Supervisory responsibilities

- a. Incident reporting requirements pursuant to 7583.2, 7583.4 and 7574.37 of the Business and Professions Code as applicable
- 5. Use of force review and analysis -- (In-person)
 - a. Real-life scenarios
- 6. De-escalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence -- (In-person)
 - a. Common misconceptions and benefits of de-escalation
 - b. Four concepts of de-escalation
 - 1. Self-control
 - 2. Effective communication
 - 3. Scene assessment and management
 - 4. Force options
 - c. Real-life scenarios
- 7. Implicit and explicit bias and cultural competency as defined in Section 631
 - a. Define and explain:
 - 1. Implicit bias
 - 2. Explicit bias
 - 3. Cultural competency
 - b. Strategies for effective communication within a diverse community
 - c. Real-life scenarios
- 8. Skills, including de-escalation techniques, to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues
 - a. Strategies for identifying and effectively communicating and de-escalating a situation with an individual with a disability or behavioral health issues
 - b. Real-life scenarios
- 9. Use of force scenarios, including simulations of low-frequency, high-risk situations and

calls for service, shoot-or-don't-shoot situations, and real time force option decision making -- (In-person)

- a. Factors that can affect an individual's response when threatened with danger
- b. Factors to consider before using force
- c. Real-life scenarios

10. Mental health and policing, including bias and stigma

- a. Categories of mental illness as defined in Section 631
- b. Biases and stigmas surrounding mental illness
- c. Real-life scenarios

11. Active shooter situations -- (In-person)

- a. Recognizing an active shooter situation
- b. Roles and responsibilities of security personnel
- c. Real-life scenarios

C. Examination

Individuals required to take the Power to Arrest and Appropriate Use of Force Training shall take and pass an examination as provided in the Manual with a score of 100% in order to have successfully completed said training.

II. Mandatory Outline of Courses

Objective: To familiarize and instruct the individual in basic skills and provide a common body of knowledge in the performance of security personnel work. All courses shall include information and subject matter pertaining to the outline provided. Additionally, all courses shall include written material, lectures or exercises to assure that the individual comprehends the subject matter presented. ~~Every~~ Newly licensed or employed security guard personnel shall complete two of the mandatory courses within thirty (30) calendar days from the day the guard's registration card is issued or the day date of the guard begins employment. The remaining two mandatory courses each consisting of four (4) hours of instruction, shall be completed within the first six (6) months from the day the guard registration card is issued or the day date of the guard begins employment, ~~as a security guard~~. Pursuant to Section 7583.6(b) and 7574.18 of the Code, the following outline includes subjects that shall be taught and the maximum number of hours that will be allowed for completion of the Mandatory Courses.

A. Public Relations (Community & Customer) - 4 Hours

1. Recognizing Gender & Racial Harassment & Discrimination
2. Respect:
 - Stereotyping
 - Attitude
3. Verbal Skills / Crisis Intervention
4. Introduction to Diversity
5. Substance Abuse & Mental Illness
6. Ethics & Professionalism
 - Appearance
 - Command Presence
 - Proper Conduct

B. Observation & Documentation - 4 Hours

1. Report Writing
2. English as a Second Language
3. Observation and Patrol Techniques
4. Asking Appropriate Questions
5. Observing Suspects/Suspicious Activity

C. Communication and its Significance - 4 Hours

1. Internal
 - Protocols Pursuant to Contract (Who to Contact & When)
 - Radio / Monitors
 - Other Technology
2. External
 - Emergency/First Responders

- Medical Personnel
- Police / Sheriff / Other Enforcement
- City Services / Government Services

D. Liability / Legal Aspects - 4 Hours

1. Personal / Contractor / Employer
2. Criminal, Civil, Administrative
3. BSIS Code & Regulations
4. Role of Security Personnel

III. Elective Course Outlines

Objective: To familiarize and instruct the individual in basic employer requirements relating to the performance of guard security personnel duties. Additionally, to provide the employer and the individual with the opportunity to select additional course work to improve the skills and knowledge of the individual. The listed courses should include a mixture of written materials, lectures and exercises. Security personnel shall complete no less than 16 hours of elective course training in security officer skills within six months from the date an initial registration is issued or the date of employment. Pursuant to Section 7583.6(b) and 7574.18 of the Code, the following outline includes subjects that shall be taught and the maximum number of hours that will be allowed for completion of the elective courses.

A. Post Orders & Assignments - 4 Hrs. Maximum

1. Site Specific Training
2. Equipment
 - Monitoring
 - Communication
 - Alarms
 - Elevators, Etc.
3. Emergency Response Issues
4. Liability Implications

- Explanation of Negligence
- Examples of Common Liabilities

5. Lost / Found Articles

B. Employer Policies / Orientation - 4 Hrs. Maximum

1. Employer Reports / Paperwork
2. Reporting Processes / Procedures
3. Tax Forms, Health Forms, Etc.
4. Uniforms
5. Work Schedules
6. Other Internal Policies, Processes or Procedures
7. Employer Use of Force Policy

C. Evacuation Procedures - 2 Hrs. Maximum

1. Emergency Procedures Related to Life, Safety and Acts of Nature
2. Working Knowledge of Evacuation Routes
 - Stairs
 - Elevators
 - Doors
3. Power Outage
4. Specific Points of Contact

D. Officer Safety - 4 Hrs. Maximum

1. Threat Assessment
2. Subject Contact
3. Safety Awareness
4. Blood Born Pathogens

5. Environmental/Hazardous Materials

E. Arrests, Search & Seizure (more advanced than PTA course) - 4 Hrs. Maximum

1. PC 836, 837 & the Differences
2. US Constitution & Amendments Impacting Guard Responsibilities
3. Loss Prevention
4. Merchant Law
5. Use of Force

F. Access Control - 2 Hrs. Maximum

1. Identification Procedures
2. Electronic Use/CCTV
3. Non-electronic procedures

G. Trespass - 4 Hrs. Maximum

1. Open Land
2. Private Property
3. Private Building
4. Public Property
5. Places of Public Accommodation/Public Access

H. Laws, Codes, Regulations and Ordinances - 2 Hrs. Maximum

1. Specific to Post Assignment

I. First Aid / CPR - 4 Hrs. Maximum

1. American Red Cross
2. American Heart Association Courses
3. Automatic Defibrillator Devices (AED's)

J. Handling Difficult People - 4 Hrs. Maximum

1. Communications
2. Conflict Management
3. Speaking Constructively
4. Valuing Diversity
5. Negotiating
6. Verbal Diffusion

K. Workplace Violence - 4 Hrs. Maximum

1. Detecting Unusual Behavior/Warning Signs
 - Worker to Worker
 - Client to Customer
 - Supervisor to Subordinate
2. Anger Management
3. Valuing Diversity
4. Personal Security
5. Reporting

L. Chemical Agents - 4 Hrs. Maximum

1. Tear Gas Use and Effects
2. Pepper Spray Use and Effects
3. Air Borne Chemical Agents
4. Water Borne Chemical Agents

M. Preserving the Incident Scene - 4 Hrs. Maximum

1. Identifying Evidence
2. Care and Handling of Evidence
3. Securing the Immediate Area

4. Legal Issues to Evidence Tampering and/or Removal

5. Witness/Participant Identification

N. Crowd Control 4 - Hrs. Maximum

1. Controlling Boisterous Celebrations

2. Handling Disputes

3. Confronting Conflicts Constructively

4. Planning for Civil Disobedience/Disturbances

5. Labor Actions, Disputes, Workplace Stoppages

O. Driver Safety 4 - Hrs. Maximum

1. Cars

2. Bicycles

3. Golf Carts

P. Supervision 4 - Hrs. Maximum

1. Roles and Responsibilities

2. Legal Liability

Q. Courtroom Demeanor - 4 Hrs. Maximum

R. Parking / Traffic Control - 2 Hrs. Maximum

S. Radio Procedures - 2 Hrs. Maximum

T. BSIS's Certified Course in Firearms Training - 8 Hrs. Maximum

U. BSIS's Certified Course in Baton Training - 4 Hrs. Maximum

V. School Security Guard Training - 8 Hrs. Maximum (In compliance with Bureau developed Training Syllabus)

W. Introduction to Executive Protection 4 - Hrs. Maximum

X. Annual Firearms Requalification 4 - Hrs. Maximum

Y. Fire Safety Course - 4 Hrs. Maximum

Z. Course in the Use of a Stun Gun or Air Taser - 4 Hrs. Maximum

AA. Weapons of Mass Destruction – 4 Hrs. Maximum

1. Introduction and Overview of the Training
2. The Role of a Security Officer
3. The Nature of Terrorism
4. Weapons of Mass Destruction
5. Coordinating and Sharing of Critical Information

BB. Restraint Techniques - 2 Hrs. Maximum

1. Handcuffs
2. Control holds
3. Prevention

CC. Electronic Control Device - 2 Hrs. Maximum

1. Taser
2. Stun gun

DD. Proprietary Security Services - 2 Hrs. Maximum

- a. Employed by Company
- b. Distinctive Uniform
- c. Unarmed
- d. Interact with Public

IV. Continuing Education

Objective: To provide additional or remedial instruction in private security subject matter to meet the annual continuing education requirement pursuant to Sections 7583.6(e) and 7574.18 of the Business and Professions Code. The annual training shall be eight (8) hours and must include a minimum of two (2) hours of review of the appropriate use of force topics as set forth in section I.B. of the Appendix. Mandatory and Elective courses shall be used to meet the remaining annual training hours.