

**DEPARTMENT OF CONSUMER AFFAIRS**  
*Bureau of Security and Investigative Services*



**SECURITY GUARD GUIDE**

*A SUMMARY OF LAWS GOVERNING THE PROFESSION*



**JANUARY 2006**

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**INTRODUCTION**

**A Summary of Laws Governing the Profession**

Terrorism awareness and crime prevention have become major issues in our society. Security guards play a crucial role in safety and security. A great burden is placed on public forces to respond to crisis situations. As a result, the consumer is turning to the private security industry to help protect neighborhoods and businesses.

The Department of Consumer Affairs (DCA), Bureau of Security and Investigative Services (BSIS), has jurisdiction over the private security industry. The authority is derived from Division 3, commencing with Section 7580 of the Business and Professions Code (B & P).

This brochure explains key sections of the Business and Professions Code (B & P), Penal Code (PC) and California Code of Regulations (CCR), so security guards and law enforcement officers can be fully informed of the provisions affecting private security guards.

Security guards outnumber sworn peace officers four to one in this state, so it behooves peace officers and security guards alike to learn and understand the laws governing the security industry.

*NOTE: Every effort has been made to ensure the accuracy of this compilation. Should any confusion or error occur, the law will take precedence. Please refer to the relevant legal codes for clarification.*

**A SECURITY GUARD'S ROLE AND RESPONSIBILITIES**

- A security guard's role is to PROTECT people and the property of his/her employer or contracted clients.
- A security guard's responsibility BEFORE an incident/offense has occurred is PREVENTION.
- A security guard's responsibility during or after an incident/offense is to OBSERVE and REPORT.

**SECURITY GUARD POWER TO ARREST  
AND  
TRAINING REQUIREMENTS**

A security guard must complete 40 hours of required training and an 8-hour refresher course every 12 months after completing the 40-hour course. As part of that training, a security guard must complete an 8-hour Power to Arrest training course prior to being placed on post. In addition, 16 hours of training is required within the first month and an additional 16 hours within the first six months.

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A brief course of study in these laws and procedures is required prior to application for a "guard card." The following code sections describe the requirements in detail.

### **DIVISION 3, CHAPTER 11.5, PRIVATE SECURITY SERVICES ARTICLE 4**

#### **Business and Professions Code Section 7583.6 (Excerpt)**

- (a) A person entering the employ of a licensee to perform the functions of a security guard or a security patrolperson shall complete a course in the exercise of the power to arrest prior to being assigned to a duty location.
- (b) Except for a registrant who has completed the course of training required by Section 7583.45, a person registered pursuant to this chapter shall complete not less than 32 hours of training in security officer skills within six months from the date the registration card is issued. Sixteen of the 32 hours shall be completed within 30 days from the date the registration card is issued.
- (c) A course provider shall issue a certificate to a security guard upon satisfactory completion of a required course, conducted in accordance with the department's requirements. A private patrol operator may provide training programs and courses in addition to the training required in this section. A registrant who is unable to provide his or her employing licensee the certificate of satisfactory completion required by this subdivision shall complete 16 hours of the training required by subdivision (b) within 30 days of the date of his employment and shall complete the 16 remaining hours within six months of his or her employment date.
- (d) The department shall develop and approve by regulation a standard course and curriculum for the skills training required by subdivision (b) to promote and protect the safety of persons and the security of property. For this purpose, the department shall consult with consumers, labor organizations representing private security officers, private patrol operators, educators, and subject matter experts.
- (e) The course of training required by subdivision (b) may be administered, tested, and certified by any licensee, or by any organization or school approved by the department. The department may approve any person or school to teach the course.
- (f) (1) On and after January 1, 2005, a licensee shall annually provide each employee registered pursuant to this chapter with eight hours of specifically dedicated review or practice of security officer skills prescribed in either course required in Section 7583.6 or 7583.7.

#### **Business and Professions Code Section 7583.7 (Excerpt)**

- (a) The course of training in the exercise of the power to arrest may be administered, tested, and certified by any licensee or by any organization or school approved by the department. The department may approve any person or school to teach the course in the

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exercise of the power to arrest. The course of training shall be approximately eight hours in length and shall cover the following topics:

- (1) Responsibilities and ethics in citizen arrest.
  - (2) Relationship between a security guard and a peace officer in making an arrest.
  - (3) Limitations on security guard power to arrest.
  - (4) Restrictions on searches and seizures.
  - (5) Criminal and civil liabilities.
    - (A) Personal liability.
    - (B) Employer liability.
  - (6) Trespass law.
  - (7) Ethics and communications.
  - (8) Emergency situation response, including response to medical emergencies.
  - (9) Security officer safety.
  - (10) Any other topic deemed appropriate by the bureau.
- (b) The majority of the course shall be taught by means of verbal instruction. This instruction may include the use of a video presentation ...

### **Business and Professions Code Section 7583.8 (Excerpt)**

No employee of a licensee who performs the function of a security guard or security patrolperson shall be issued a registration card until there is proper certification by the instructor that the exercise of the power to arrest course has been taught and the employee's certification that the instruction was received has been delivered to the department.

## **CALIFORNIA CODE OF REGULATIONS TITLE 16, DIVISION 7 ARTICLE 6**

### **628. Training in Exercising the Power to Arrest.**

(a) The course of training in the powers to arrest prescribed by the Department of Consumer Affairs pursuant to Sections 7583.6(a) and 7583.7(a) of the Business and Professions Code consists of successful completion of a course approved by the bureau in exercising the powers to arrest.

(b) Uniformed employees of private patrol operators and responding alarm agents shall take and successfully complete the training course and examination in the exercise of powers to arrest. 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

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knowledgeable in the powers to arrest as set forth in the Standard Training Manual issued by the bureau and is able to assist employees who cannot read or write.

(c) A licensee 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 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 Standard Training Manual issued by the bureau.

(d) No employee may be assigned to work until he or she has completed the course referred to in subsection (a).

## FIREARMS

Several training and background check requirements relate to registration as an armed security guard. The following sections contain details on required training, distinctions between exposed and concealed firearms, and firearm-related crimes.

### **CALIFORNIA CODE OF REGULATIONS TITLE 16, DIVISION 7 ARTICLE 7**

631. Requirements for Carrying or Use of Firearms or Simulated Firearms.

(a) A registered employee shall not carry, use or possess a loaded or unloaded firearm in the performance of his duty, whether or not it is serviceable or operative, unless he has in his possession a firearms qualification card issued to him by the chief. Such card must be shown to any peace officer or bureau representative upon demand.

(b) A registered employee may not carry any replica or other simulated firearm.

#### **631.1. Allowing the Carrying or Use of a Firearm.**

(a) A private patrol or alarm company operator shall not allow an employee to carry or use a loaded or unloaded firearm, whether or not it is serviceable or operative, unless such employee possesses a firearms qualification card.

(b) A private patrol or alarm company operator may not allow an employee to carry any replica or other simulated firearm.

#### **632. Firearms Qualification Card.**

(a) The bureau shall issue a firearms qualification card to an applicant where all of the following conditions exist:

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- (1) The applicant is a licensed private investigator, alarm company operator, private patrol operator or registered employee of such a licensee or is employed or compensated by a lawful business or public agency as a security guard or patrol person;
- (2) The applicant has filed with the bureau a completed application for a firearms qualification card on a form prescribed by the bureau, dated and signed by the applicant under penalty of perjury that the information in the application is true and correct;
- (3) The application is accompanied by:
  - (A) Payment of the firearms qualification fee prescribed by Section 640(g).
  - (B) Proof, satisfactory to the bureau, of successful completion of a course approved by the bureau in the carrying and use of a firearm. Including:
    1. Proof of successful passage of a written examination prescribed by the bureau. Such examination shall be based on information required to be taught pursuant to Section 635; and
    2. Proof of qualifying on an approved firearm range with the caliber of weapon to be used by the applicant pursuant to Section 633.
- (4) The bureau has determined, after investigation, that the carrying and use of a firearm by the applicant in the course of his or her duties presents no apparent threat to the public safety.
  - (b) The firearms qualification card, when issued, shall be mailed to the applicant at the address which appears on the application. In the event of the loss or destruction of the card the cardholder may apply to the chief for a certified replacement for the card, stating the circumstances surrounding the loss, and pay a \$10 certification fee whereupon the chief shall issue a certified replacement for such card.
  - (c) Firearms qualification card does not authorize the holder thereof to carry a concealed weapon as that term is defined in Penal Code Section 12050.

## AUTHORITY TO CARRY AN EXPOSED FIREARM

The Business and Professions Code and the Penal Code contain several sections that security guards must obey when they carry an exposed firearm on duty.

### **BUSINESS AND PROFESSIONS CODE DIVISION 3, CHAPTER 11.5, PRIVATE SECURITY SERVICES ARTICLE 4**

#### **Business & Professions Code Section 7583.5**

- (a) Every licensee and any person employed and compensated by a licensee, other lawful business or public agency as a security guard or patrolperson, and who in the course of that employment or business carries a firearm, shall complete a course of training in the

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exercise of the powers to arrest and a course of training in the carrying and use of firearms. This subdivision shall not apply to armored vehicle guards hired prior to January 1, 1977. Armored vehicle guards hired on or after January 1, 1977, shall complete a course in the carrying and use of firearms, but shall not be required to complete a course of training in the exercise of the powers to arrest. The course of training in the carrying and use of firearms shall not be required of any employee who is not required or permitted by a licensee to carry or use firearms. The course in the carrying and use of firearms and the course of training in the exercise of the powers to arrest shall meet the standards which shall be prescribed by the Department of Consumer Affairs. The Department shall encourage restraint and caution in the use of firearms.

(b) No uniformed employee of a licensee shall carry or use any firearm unless the employee has in his or her possession a valid firearm qualification card.

*Note: It is illegal for a licensee or registrant to carry a concealed weapon on duty without a permit issued by local authorities. The firearm permit issued by BSIS only allows the security guard to carry an exposed firearm while on duty.*

## EXEMPTIONS FROM THE PRIVATE SECURITY SERVICES ACT

### **Business & Professions Code Section 7582.2 (Excerpt)**

This chapter [Chapter 11.5, the Private Security Services Act] does not apply to:

(a) A person employed exclusively and regularly by any employer who does not provide contract security services for other entities or persons, in connection with the affairs of the employer only and where there exists an employer-employee relationship, provided that the person at no time carries or uses any deadly weapon in the performance of his or her duties. For purposes of this subdivision, "deadly weapon" is defined to include any instrument or weapon of the kind commonly known as a blackjack, sling-shot, billy, sandclub, sandbag, metal knuckles, any dirk, dagger, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade and any metal pipe or bar used or intended to be used as a club.

...

(k) A peace officer of this state or a political subdivision thereof while such peace officer is employed by a private employer to engage in off-duty employment in accordance with the provisions of Section 1126 of the Government Code. However, nothing herein shall exempt such peace officer who either contracts for his or her services or the services of others as a private patrol operator or contracts for his or her services as an armed private security officer. For the purpose of this subdivision, "armed security officer" means an individual who carries or uses a firearm in the course and scope of that contract or employment.

(l) A retired peace officer of the state or political subdivision thereof when the retired peace officer is employed by a private employer in employment approved by the chief law enforcement officer of the jurisdiction where the employment takes place, provided that



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the retired officer is in a uniform of public law enforcement agency, has registered with the bureau on a form approved by the director, and has met any training requirements or their equivalent as established for security personnel under Section 7583.5. This officer may not carry a loaded or concealed firearm unless he or she is exempted under the provisions of subdivision (a) of Section 12027 of the Penal Code or paragraph (1) of subdivision (b) of Section 12031 of the Penal Code or has met the requirements set forth in Section 12033 of the Penal Code. However, nothing herein shall exempt the retired peace officer who contracts for his or her services or the other services of others as a private patrol operator.

## **PEACE OFFICER EXEMPTIONS**

An active duty peace officer or a level 1 or 2 reserve peace officer who wishes to be an armed security guard must apply for the security guard registration but does not have to apply for the firearm permit. However, to carry a weapon as a security guard, such peace officers must have on their person, while performing the duties of a security guard, a written authorization from their primary employer (law enforcement entity) giving them permission to carry a weapon while performing the duties of a security guard. If they are unable to obtain the written permission from their primary employer (law enforcement entity) they must apply for the firearm permit.

Such peace officers are also exempt from having to submit fingerprints for the security guard registration or firearm permit. However, you must notify the Bureau within 72 hours of any change in your employment status (retired, quit, fired) with your primary employer (law enforcement entity). You would then have to reapply for a new guard registration and exposed firearm permit and would also have to submit fingerprints.

## **APPLICABLE PENAL CODE SECTIONS** **(FROM THE 2005 COMPACT EDITION)**

### **I. Penal Code Section 12031 [Carrying of loaded firearms; misdemeanor] (Excerpt)**

(a) (1) A person is guilty of carrying a loaded firearm when he or she carries a loaded firearm on his or her person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited area of unincorporated territory.

(b) Subdivision (a) shall not apply to any of the following:

(1) Peace officers listed in Section 830.1 or 830.2, . . .

(2) A retired peace officer, except an officer listed in Section 830.1 or 830.2, subdivision (a) of Section 830.33, or subdivision (c) of Section 830.5 who retired prior to January 1, 1981 . . .

(3) An honorably retired peace officer who is listed in subdivision (c) of Section 830.5 . . .

(4) Members of the military forces of this state or of the United States engaged in the performance of their duties.

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(5) Persons who are using target ranges for the purpose of practice shooting with a firearm or who are members of shooting clubs while hunting on the premises of those clubs.

(6) The carrying of pistols, revolvers, or other firearms capable of being concealed upon the person by persons who are authorized to carry those weapons pursuant to Article 3 (commencing with Section 12050) of Chapter 1 of Title 2 of Part 4.

(7) Armored vehicle guards, as defined in Section 7521 of the Business and Professions Code, (A) if hired prior to January 1, 1977, or (B) if hired on or after that date, if they have received a firearms qualification card from the Department of Consumer Affairs, in each case while acting within the course and scope of their employment.

(8) Upon approval of the sheriff of the county in which they reside, honorably retired federal officers or agents of federal law enforcement agencies, including, but not limited to, the Federal Bureau of Investigation, the Secret Service, the United States Customs Service, the Federal Bureau of Alcohol, Tobacco, and Firearms, the Federal Bureau of Narcotics, the Drug Enforcement Administration, the United States Border Patrol, and officers or agents of the Internal Revenue Service who were authorized to carry weapons while on duty, who were assigned to duty within the state for a period of not less than one year, or who retired from active service in the state. . . .

(c) Subdivision (a) shall not apply to any of the following who have completed a regular course in firearms training approved by the Commission on Peace Officer Standards and Training. . . .

**(d) Subdivision (a) shall not apply to any of the following who have been issued a certificate pursuant to Section 12033. The certificate shall not be required of any person who is a peace officer, who has completed all training required by law for the exercise of his or her power as a peace officer, and who is employed while not on duty as a peace officer. (Emphasis added)**

(1) Guards or messengers of common carriers, banks, and other financial institutions while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state.

(2) Guards of contract carriers operating armored vehicles pursuant to California Highway Patrol and Public Utilities Commission authority (A) if hired prior to January 1, 1977, or (B) if hired on or after January 1, 1977, if they have completed a course in the carrying and use of firearms which meets the standards prescribed by the Department of Consumer Affairs.

(3) Private investigators and private patrol operators who are licensed pursuant to Chapter 11.5 (commencing with Section 7512) of, and alarm company operators who are licensed pursuant to Chapter 11.6 (commencing with Section 7590) of, Division 3 of the Business and Professions Code, while acting within the course and scope of their employment.

**(4) Uniformed security guards or night watch persons employed by any public agency, while acting within the scope and course of their employment. (Emphasis added)**

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(5) **Uniformed security guards, regularly employed and compensated in that capacity by persons engaged in any lawful business, and uniformed alarm agents employed by an alarm company operator, while actually engaged in protecting and preserving the property of their employers or on duty or en route to or from their residences or their places of employment, and security guards and alarm agents en route to or from their residences or employer-required range training. Nothing in this paragraph shall be construed to prohibit cities and counties from enacting ordinances requiring alarm agents to register their names. (Emphasis added)**

(6) Uniformed employees of private patrol operators and private investigators licensed pursuant to Chapter 11.5 (commencing with Section 7512) of Division 3 of the Business and Professions Code, while acting within the course and scope of their employment. . . .

(I) Nothing in this section shall prevent any person from carrying a loaded firearm in an area within an incorporated city while engaged in hunting, provided that the hunting at that place and time is not prohibited by the city council.

(j) (1) Nothing in this section is intended to preclude the carrying of any loaded firearm, under circumstances where it would otherwise be lawful, by a person who reasonably believes that the person or property of himself or herself or of another is in immediate, grave danger and that the carrying of the weapon is necessary for the preservation of that person or property. As used in this subdivision, "immediate" means the brief interval before and after the local law enforcement agency, when reasonably possible, has been notified of the danger and before the arrival of its assistance. . . .

(l) Nothing in this section shall prevent any person from having a loaded weapon, if it is otherwise lawful, at his or her place of residence, including any temporary residence or campsite. . . .

**Note:** *Merely completing a course in firearms training does not authorize any security guard to carry a firearm on duty unless he/she has been issued a permit to do so. Security guards who carry a firearm while on duty without a valid permit could be arrested and convicted for violation of Section 12031 of the Penal Code.*

## **II. Penal Code Section 12025 [Carrying a weapon concealed within a vehicle or on person]**

(a) A person is guilty of carrying a concealed firearm when he or she does any of the following:

(1) Carries concealed within any vehicle which is under his or her control or direction any pistol, revolver, or other firearm capable of being concealed upon the person.

(2) Carries concealed upon his or her person any pistol, revolver, or other firearm capable of being concealed upon the person.

(3) Causes to be carried concealed within any vehicle in which he or she is an occupant any pistol, revolver, or other firearm capable of being concealed upon the person.

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(b) Carrying a concealed firearm in violation of this section is punishable, as follows:

(1) Where the person previously has been convicted of any felony, or of any crime made punishable by this chapter, as a felony.

(2) Where the firearm is stolen and the person knew or had reasonable cause to believe that it was stolen, as a felony.

(3) Where the person is an active participant in a criminal street gang, as defined in subdivision (a) of Section 186.22, under the Street Terrorism Enforcement and Prevention Act (Chapter 11 (commencing with Section 186.20) of Title 7 of Part 1), as a felony.

(4) Where the person is not in lawful possession of the firearm, as defined in this section, or the person is within a class of persons prohibited from possessing or acquiring a firearm pursuant to Section 12021 or 12021.1 of this code or Section 8100 or 8103 of the Welfare and Institutions Code, as a felony.

(5) Where the person has been convicted of a crime against a person or property, or of a narcotics or dangerous drug violation, by imprisonment in the state prison, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed one thousand dollars (\$1,000), or by both that imprisonment and fine.

(6) By imprisonment in the state prison, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment . . .

(f) Firearms carried openly in belt holsters are not concealed within the meaning of this section.

(g) For purposes of this section, "lawful possession of the firearm" means that the person who has possession or custody of the firearm either lawfully owns the firearm or has the permission of the lawful owner or a person who otherwise has apparent authority to possess or have custody of the firearm. A person who takes a firearm without the permission of the lawful owner or without the permission of a person who has lawful custody of the firearm does not have lawful possession of the firearm. . . .

## **BATONS**

### **Business & Professions Code Section 7585.9 (Excerpt)**

(a) The course of training in the carrying and usage of the baton, the satisfactory completion of which shall be required of applicants who wish to obtain a baton permit, shall be in the format prescribed by the Department of Consumer Affairs as delineated in the bureau's "Baton Training Manual." The course of training contained in the manual shall include, but not be limited to, the following subjects:

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- (1) Moral and legal aspects of baton usage.
- (2) Use of force.
- (3) Baton familiarization and uses.
- (4) First aid for baton injuries.
- (5) Fundamentals of baton handling.
  - (A) Stances and grips.
  - (B) Target areas.
  - (C) Defensive techniques.
  - (D) Control techniques.
  - (E) Arrest and control techniques.
- (6) Examination of the subject matter as taught in the classroom and as provided by the bureau. . . .

### **Business & Professions Code Section 7585.14**

(a) A baton training facility shall issue a bureau-developed baton permit to any person who successfully completes a baton training course as described in Section 7585.9 and possesses a valid security guard registration card issued pursuant to Article 4 (commencing with Section 7583) or who has made application for that registration card. The permit is valid only when the holder possesses a valid guard registration card. . . .

### **Business & Professions Code Section 7583.34**

A licensee shall not permit any employee to carry a baton prior to ascertaining that the employee is proficient in the use of the weapon. Evidence of proficiency shall include a certificate from a baton training facility approved by the bureau which certifies that the employee is proficient in the use of the baton.

## 2005 PENAL CODE SECTIONS

Section 12002. [Exemptions: Law Enforcement Officers; Uniformed Security Guards.]

(a) Nothing in this chapter prohibits police officers, special police officers, peace officers, or law enforcement officers from carrying any wooden club, baton, or any equipment authorized for the enforcement of law or ordinance in any city or county.

(b) Nothing in this chapter prohibits a uniformed security guard, regularly employed and compensated by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of his or her employment, from carrying any wooden club or baton if the uniformed security guard has satisfactorily completed a course of instruction certified by the Department of Consumer Affairs in the carrying and use of the club or baton. The training institution certified by the Department of Consumer Affairs to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

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(d) Any uniformed security guard who successfully completes a course of instruction under this section is entitled to receive a permit to carry and use a club or baton within the scope of his or her employment, issued by the Department of Consumer Affairs. . . .

[NOTE: BSIS is authorized to issue only generic baton permits. Therefore, if a security guard has a baton permit, the guard is authorized to carry any type of baton on duty. BSIS strongly recommends that the security guard have specific training in the type of baton carried.]

## **TEAR GAS**

Tear gas and other chemical agents commonly used in the security professions may only be used after the proper training and certificate have been attained. The following excerpts from the Business and Professions Code explain the requirements.

### **DIVISION 3, CHAPTER 11.5, PRIVATE SECURITY SERVICES ARTICLE 4**

#### **Business & Professions Code Section 7583.35**

Every licensee, qualified manager, or a registered uniformed security guard, who in the course of his or her employment carries tear gas or any other nonlethal chemical agent, shall complete the required course pursuant to Section 12403.5 of the Penal Code.

#### **Business & Professions Code Section 7583.36**

A licensee shall not permit any employee to carry tear gas or any other nonlethal chemical agent prior to ascertaining that the employee is proficient in the use of tear gas or other nonlethal chemical agent. Evidence of proficiency shall include a certificate from a training facility approved by the Department of Consumer Affairs, Bureau of Security and Investigative Services that the person is proficient in the use of tear gas or any other nonlethal chemical agent.

#### **Business & Professions Code Section 7583.37 (Excerpt)**

The director may assess fines as enumerated in Article 7 (commencing with Section 7587). Assessment of administrative fines shall be independent of any other action by the bureau or any local, state, or federal governmental agency that may result from a violation of this article. In addition to other prohibited acts under this chapter, no licensee, qualified manager, or registered security guard shall, during the course and scope of licensed activity, do any of the following: . . .

(d) Carry or use tear gas or any other nonlethal chemical agent in the performance of his or her duties unless he or she has in his or her possession proof of completion of a course in the carrying and use of tear gas or any other nonlethal chemical agent.

**APPLICABLE PENAL CODE SECTIONS**

**Section 12403.5**

Notwithstanding any other provision of law, a person holding a license as a private investigator or private patrol operator issued pursuant to Chapter 11 (commencing with Section 7500), Division 3 of the Business and Professions Code, or uniformed patrolmen employees of a private patrol operator, may purchase, possess, or transport any tear gas weapon, if it is used solely for defensive purposes in the course of the activity for which the license was issued and if the person has satisfactorily completed a course of instruction approved by the Department of Consumer Affairs in the use of tear gas.

**UNIFORMS, PATCHES, BADGES, AND VEHICLES**

Security guards use distinctive uniforms, security patrol cars, and other items to distinguish their status and company affiliation. To maintain the distinction between civilians, security guards, and members of the law enforcement community, these identifying items must comply with the following regulations.

**BUSINESS AND PROFESSIONS CODE  
DIVISION 3, CHAPTER 11.5, PRIVATE SECURITY SERVICES  
ARTICLE 3**

**Business and Professions Code Section 7582.26 (Excerpt)**

...

dNo licensee, or officer, director, partner, manager, or employee of a licensee, shall use a title, or wear a uniform, or use an insignia, or use an identification card, or make any statement with the intent to give an impression that he or she is connected in any way with the federal government, a state government, or any political subdivision of a state government.

...

(f) No private patrol licensee or officer, director, partner, manager, or employee of a private patrol licensee shall use or wear a badge, except while engaged in guard or patrol work and while wearing a distinctive uniform. A private patrol licensee or officer, director, partner, manager, or employee of a private patrol licensee wearing a distinctive uniform shall wear a patch on each shoulder of his or her uniform that reads "private security" and that includes the name of the private patrol company by which the person is employed or for which the person is a representative and a badge or cloth patch on the upper left breast of the uniform. All patches and badges worn on a distinctive uniform shall be of a standard design approved by the director and shall be clearly visible. The director may assess a fine of two hundred fifty dollars (\$250) per violation of this subdivision.

...

(i) No private patrol operator licensee or officer, director, partner, or manager of a private patrol operator licensee, or person required to be registered as a security guard pursuant to

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this chapter shall use or wear a baton or exposed firearm as authorized by this chapter unless he or she is wearing a uniform which complies with the requirements of Section 7582.27.

### **Business and Professions Code Section 7582.27 (Excerpt)**

Any person referred to in subdivision (i) of Section 7582.26 who uses or wears a baton or exposed firearm as authorized pursuant to this chapter shall wear a patch on each arm that reads "private security" and that includes the name of the company by which the person is employed or for which the person is a representative. The patch shall be clearly visible at all times. The patches of a private patrol operator licensee, or his or her employees or representatives shall be of a standard design approved by the director. . . .

### **Business and Professions Code Section 7582.28 (Excerpt)**

Any badge or cap insignia worn by a person who is a licensee, officer, director, partner, manager, or employee of a licensee shall be of a design approved by the director, and shall bear on its face a distinctive word indicating the name of the licensee and an employee number by which the person may be identified by the licensee. The provisions of this section shall not be construed to authorize persons to wear badges who are prohibited by Section 7582.26 from wearing badges. . . .

## **DIVISION 3, CHAPTER 11.5, PRIVATE SECURITY SERVICES ARTICLE 4**

### **Business and Professions Code Section 7583.38**

A city, county, or city and county may regulate the uniforms and insignias worn by uniformed employees of a private patrol operator and vehicles used by a private patrol operator to make the uniforms and vehicles clearly distinguishable from the uniforms worn by, and the vehicles used by, local regular law enforcement officers.

## QUESTIONS?

The Bureau of Security and Investigative Services (BSIS) is located at:

2420 Del Paso Road, Suite 270  
Sacramento, California 95834

Business hours are 8:00 a.m. to 4:50 p.m. Monday through Friday.

The Security Guard Guide was developed by Rolando Taeza of the Bureau of Security and Investigative Services and designed by Jay Van Rein of the Department of Consumer Affairs. Additional copies may be downloaded from the web site at [www.dca.ca.gov/bsis/](http://www.dca.ca.gov/bsis/) or may be requested by writing to the Bureau at the above address.