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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE BOARD OF PRIVATE DETECTIVES AND GUARDS TO REVIEW  
THE CURRENT LAWS, REGULATIONS, PROCEDURES, AND FEES  
ASSOCIATED WITH THE REGISTRATION OF SECURITY GUARDS.

1           WHEREAS, the current laws and administrative rules  
2 governing the registration of security guard employees may be  
3 overly burdensome and costly for the security guard workforce;  
4 and

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6           WHEREAS, existing administrative rules place a heavy burden  
7 on security guards, creating barriers for guards wishing to  
8 enter, continue, or return to the profession; and

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10          WHEREAS, the Board of Private Detectives and Guards charges  
11 a \$117 fee for a person to register or renew a registration as a  
12 security guard employee for two years, which is a large up-front  
13 expense for a person who may be unemployed and trying to find  
14 gainful employment as a security guard; and

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16          WHEREAS, before registering with the Board of Private  
17 Detectives and Guards, the applicant must first complete eight  
18 hours of classroom instruction by an approved instructor, and an  
19 additional four hours of classroom instruction is required each  
20 time applicants renew their registration; and

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22          WHEREAS, prices for training classes are left fully to the  
23 discretion of instructors, and there is no statutory or  
24 administrative rule framework that sets a maximum or minimum  
25 amount that can be charged, thus creating an opportunity for  
26 price gouging by instructors; and

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28          WHEREAS, the high cost of registration and training can  
29 cause a large financial strain on both new security guards who



1 have not yet worked a single day on the job, and renewing guards  
2 who are unemployed but searching for work; and

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4 WHEREAS, the costs and fees required for a person to attain  
5 and maintain a security guard registration with the State are  
6 high in relation to the relatively low wages that security  
7 guards are paid; and

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9 WHEREAS, security guard agencies are often reliant on  
10 contracts with third party organizations that can be terminated  
11 by the third party at any time, potentially resulting in mass  
12 layoffs of security guards; and

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14 WHEREAS, although some guard agencies will pay for the  
15 training and registration fees for prospective employees and  
16 employees, these agencies often prohibit the employee from using  
17 their guard registration with any other employer as a condition  
18 for doing so, thereby preventing the guard employee from taking  
19 second part-time jobs and denying them additional supplemental  
20 income; and

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22 WHEREAS, security guards who do not renew their  
23 registration with the Board of Private Detectives and Guards  
24 face immediate forfeiture of their registration rather than  
25 suspension; and

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27 WHEREAS, while a forfeited registration may be restored  
28 within one year after the date of forfeiture by filing a renewal  
29 application along with required documentation, renewal fees, and  
30 a penalty fee, a person who fails to restore a forfeited  
31 registration within one year is considered a new applicant and  
32 must satisfy all requirements for licensure in effect at the  
33 time the person reapplies for registration; and

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35 WHEREAS, although a security guard can place the  
36 registration on an "inactive" status with the Board of Private  
37 Detectives and Guards, the employee must still pay fees to the  
38 Board to do so, which can constitute a hardship for security  
39 guards who are out of work and trying to find gainful  
40 employment; now, therefore,

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1 BE IT RESOLVED by the House of Representatives of the  
2 Twenty-ninth Legislature of the State of Hawaii, Regular Session  
3 of 2017, the Senate concurring, that the Board of Private  
4 Detectives and Guards is requested to review the current laws,  
5 administrative rules, and procedures currently governing the  
6 registration of security guards, including:

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- 8 (1) The policy mandating forfeiture of registration rather
- 9 than suspension;
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- 11 (2) Whether the current registration fees are too high in
- 12 relation to the median pay of security guards and when
- 13 compared to the licensing fees of other professions;
- 14 and
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- 16 (3) Whether the prices charged by training instructors
- 17 should be regulated by the Board; and
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19 BE IT FURTHER RESOLVED that the Board of Private Detectives  
20 and Guards is requested to study whether security guard agencies  
21 should be prohibited from denying their employees from taking  
22 outside supplemental employment; and

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24 BE IT FURTHER RESOLVED that the Board of Private Detectives  
25 and Guards is requested to submit findings and recommendations,  
26 including any proposed legislation or amendments to  
27 administrative rules, to the Legislature not later than twenty  
28 days prior to the convening of the Regular Session of 2018; and

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30 BE IT FURTHER RESOLVED that certified copies of this  
31 Concurrent Resolution be transmitted to the Governor, the  
32 Director of Commerce and Consumer Affairs, the Division  
33 Administrator of the Professional and Vocational Licensing  
34 Division, and the Chair of the Board of Private Detectives and  
35 Guards.

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OFFERED BY: Andy Evans

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MAR - 3 2017

