
HOUSE 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
30 have not yet worked a single day on the job, and renewing guards
31 who are unemployed but searching for work; and
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1 WHEREAS, the costs and fees required for a person to attain
2 and maintain a security guard registration with the State are
3 high in relation to the relatively low wages that security
4 guards are paid; and
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6 WHEREAS, security guard agencies are often reliant on
7 contracts with third party organizations that can be terminated
8 by the third party at any time, potentially resulting in mass
9 layoffs of security guards; and
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11 WHEREAS, although some guard agencies will pay for the
12 training and registration fees for prospective employees and
13 employees, these agencies often prohibit the employee from using
14 their guard registration with any other employer as a condition
15 for doing so, thereby preventing the guard employee from taking
16 second part-time jobs and denying them additional supplemental
17 income; and
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19 WHEREAS, security guards who do not renew their
20 registration with the Board of Private Detectives and Guards
21 face immediate forfeiture of their registration rather than
22 suspension; and
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24 WHEREAS, while a forfeited registration may be restored
25 within one year after the date of forfeiture by filing a renewal
26 application along with required documentation, renewal fees, and
27 a penalty fee, a person who fails to restore a forfeited
28 registration within one year is considered a new applicant and
29 must satisfy all requirements for licensure in effect at the
30 time the person reapplies for registration; and
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32 WHEREAS, although a security guard can place the
33 registration on an "inactive" status with the Board of Private
34 Detectives and Guards, the employee must still pay fees to the
35 Board to do so, which can constitute a hardship for security
36 guards who are out of work and trying to find gainful
37 employment; now, therefore,
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39 BE IT RESOLVED by the House of Representatives of the
40 Twenty-ninth Legislature of the State of Hawaii, Regular Session
41 of 2017, that the Board of Private Detectives and Guards is
42 requested to review the current laws, administrative rules, and



1 procedures currently governing the registration of security
2 guards, including:

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

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

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26 BE IT FURTHER RESOLVED that certified copies of this
27 Resolution be transmitted to the Governor, the Director of
28 Commerce and Consumer Affairs, the Division Administrator of the
29 Professional and Vocational Licensing Division, and the Chair of
30 the Board of Private Detectives and Guards.

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OFFERED BY: Andy Evans

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MAR - 3 2017