

NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

REGISTRATION PROCEDURES



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Website: www.ncdps.gov/ASL

I. PRIVATE PROTECTIVE SERVICES

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A. *General Description*

Private Protective Services, a Section within the Training & Standards Division, of the North Carolina Department of Justice, consists of two licensing boards, the Private Protective Services Board (PPSB) and the Alarm Systems Licensing Board (ASLB), whose purposes are to administer the licensing, education and training requirements for fourteen licensed occupations. The Section operates under the statutory authority of North Carolina General Statutes 74C and 74D in order to safeguard the public welfare and safety.

B. *Regulated Activities*

North Carolina General Statute 74-D, the Alarm Systems Licensing Act, regulates the Alarm industry in North Carolina.

Alarm Systems Businesses - sells, installs, services, monitors or responds to electrical, electronic, or mechanical alarm signal devices, burglar alarms, television cameras, or still cameras, used to detect burglary, breaking and entering, intrusion, shoplifting, pilferage, or theft.

C. *Agency Structure*

This agency is divided into four Units:

Administration - The Administration Unit carries out directives of the Boards contained in North Carolina General Statutes 74-C and 74-D in order to safeguard the public and actively police both the Private Protective Service Industry and the Alarm Systems industries to insure compliance with the law in all aspects. This unit handles all personnel matters, budgetary matters, training matters and certification of trainers (instructors), and all administrative support activities necessary for the functioning of PPS.

Licensing - The Licensing Unit receives and processes each application received for an Alarm Systems Business License.

Registration - The Registration Unit receives, processes and issues three types of registrations for individuals employed by licensed companies: Unarmed, Armed and Alarm.

Note: Certain licenses require that the employees be registered with the Private Protective Services Board or the Alarm Systems Licensing Board. Applicants must submit a registration application along with certain other required documentation and fees.

Field Services - Investigators conduct background investigations on each application for license to verify applicant's qualifications for licensure and inquire as to applicant's moral character. Investigations are conducted on complaints alleging violations of North Carolina General Statute 74C (The Private Protective Services Act) and North Carolina General Statute 74D (The Alarm Systems Licensing Act). Audits of records required to be maintained by licensees are also conducted.

Note: Both Boards and the Attorney General have statutory authority to investigate and prosecute violations of General Statute 74C and 74D respectively. This prosecution may be through administrative hearings, criminal prosecution in District Court or other administrative action. The enforcement effort is supported by the Attorney for the Board.

D. ***Purpose of Class/Instruction***

The purpose of this instruction is to provide an overview of the requirements, process and procedures for registration of employees of licensed companies regulated by ASLB.

II. REGISTRATION DEFINITIONS

- A. **New** - Any applicant that has never been registered through ASLB or has expired with your company or any other company.
- B. **Renewal** - Any applicant already registered with your company that expires two years from date of issuance.
- C. **Transfer** - Any applicant that goes from one company to another during their active registration period. (It has to be between the same type of company; installer to installer, unarmed to unarmed).
- D. **(Duplicate)** - Any applicant that needs a card replaced for whatever reasons.
- E. **Licensee** - This is the License Holder
- F. **Designee** - This is the Person(s) appointed by the Licensee to submit online registration applications on behalf of the Licensee. The Licensee must notify the

board by submitting a designee application using PPSM for each designee. The designee must be **actively** registered or licensed with the company in order to be a designee. When a designee is approved by our office the QA needs to set them as a **primary** designee on the dashboard in order for them to see all the data that the QA can see regarding registrants and to avoid duplicate entries.

- G. **Rehire** - Any applicant you have terminated and you want to rehire while still having an active registration.
- H. **BPN#** - This is your Business Permit Number. This is found on your wall license.
- I. **Termination** - Any employee no longer working with your company.

J. **Denials - Correctable Denials** are those with discrepancies or omissions with online submitted applications by the company. **For Cause Denials** are those issued as a result of criminal convictions on the applicant's criminal record check or any convictions that may have been obtained through a preliminary background investigation which was conducted by our office. Once either denial is issued an extension request cannot be issued.

- K. **Name Changes** - marriage certificate, divorce decree, or any official court document must accompany all name changes.
- L. **Register and Terminate** - Any applicant terminated before the submission of registration application and/or leaves the company prior to registration. The Company must submit an online application, fees, and a termination notice.

Regarding renewals - Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

Criminal Record Checks - ASLBCheck.com - only those with logins must order the criminal record checks for registrants. The person that orders the criminal record check for the registrant has to be the one that to copy and paste the CRC token in PPSM for the registrant for it to work. The token when provided by the vendor must be used within 24 hours or receipt. If it isn't used within 24 hours the designee or licensee who obtained the CRC can request an updated token if requested within a reasonable timeframe.

III. REGISTRATION REQUIREMENTS [Alarm]

A. ***New Alarm*** (must be 18 years of age at time of application submittal)

1. The licensee or an approved designee shall submit an online application for the registration of each employee to the Board. It is also recommended that the company maintain a copy for their files and provide a copy to the applicant. While working in the scope of his/her duties, the applicant **shall** carry a copy of the application until a registration card is in their possession. (Full legal name required)
2. Fingerprint Cards. 1 set (hands) of classifiable fingerprints on an FBI applicant fingerprint card. The card can be obtained at Private Protective Services. If a fingerprint card is rejected, a company has 90 days from the date of the rejection letter to submit another fingerprint without having to pay the fingerprint fee again. If the card is received 90 days after the rejection the fee must be paid again. Fingerprint results once received are only good for the application that it was submitted with. The original fingerprint authority for release of information form and a printout on the online receipt along with the fingerprint card must be mailed to the our administrative office.

Required Card Data: Name: Last, First, Middle. Signature of Person fingerprinted. Residence of person fingerprinted. Date and Signature of Official Taking fingerprints. Employer and address. Reason fingerprinted. Date of Birth, Sex, Race, Height, Weight, Eyes, Hair, Place of Birth, Social Security Number, and Prints. All data must be filled in and prints must be legible or the application will be sent back or denied. Fingerprints must be made by rolling the finger from side of nail to the other side of the nail in order to be accepted.

3. Photographs. Upload online with online application submission a digital photo in JPEG. .JPG or .PNG format.
4. Criminal History Records Search. (Full legal name search required) Statements of the result of a statewide criminal records search conducted by ASLBCheck.com in eachstate where the applicant has resided in the preceding 60 months. The criminal record check must not be over sixty (60) days old when received with the online application submission. You may order your criminal record check via the internet at www.ASLBcheck.com or call 1-877-272-0266, ext 1029. The person ordering the CHRS must be the same person logging into PPSM submitting the application on behalf of the registrant. The CRC vendor will provide the user with a CRC token that must be uploaded online within 24 hours of receipt. A DD214 *is* acceptable for military if time

was served overseas with an APO/FPO address listed. If the applicant is still on active duty in the U.S. but has served time overseas, a letter from his/her Commanding Officer will be necessary, stating that the applicant had no criminal record during the overseas tour of duty.

5. Fees. \$45.00 and a \$38.00 fingerprint fee paid online with application submission using a credit card or other form of electronic funds transfer.
6. If the applicant was actively registered within the previous two years CEU's or a letter of exemption is required.
7. **Signatures:** Each online application submission must include an updated affidavit form and Public Notice Statement form.

Criminal Information/Conviction Questions: Applicant must answer these questions honestly and accurately to avoid denial. If any questions are answered yes, a *detailed* explanation must be provided with the online application as well as an acknowledgment letter from the Licensee of the company.

Signatures: Each online application submission must include an updated affidavit form and Public Notice Statement form.

B. ***Renewal Alarm***

A transfer and renewal can be done online at the same time.

1. The licensee or an approved designee shall submit an online renewal application for the registration of each employee to the Board. It is also recommended that the company maintain a copy for their files and provide a copy to the applicant. While working in the scope of his/her duties, the applicant **shall** carry a copy of the application and affidavit until a registration card is in their possession. (Full legal name required)
2. Photographs. Upload online with online application submission a digital photo in JPEG. .JPG or .PNG format.

3. Criminal History Records Search. (Full legal name search required)
Statements of the result of a statewide criminal records search conducted by ASLBCheck.com in each state where the applicant has resided in the preceding 24 months. The criminal record check must not be over sixty (60) days old when received with the online application submission. You may order your criminal record check via the internet at www.ASLBcheck.com or call 1-877-272-0266, ext 1029. The person ordering the CHRS must be the same person logging into PPSM submitting the application on behalf of the registrant. The CRC vendor will provide the user with a CRC token that must be uploaded online within 24 hours of receipt. A DD214 *is* acceptable for military if time was served overseas with an APO/FPO address listed. If the applicant is still on active duty in the U.S. but has served time overseas, a letter from his/her Commanding Officer will be necessary, stating that the applicant had no criminal record during the overseas tour of duty.
4. Fees. \$45.00 fee paid online with application submission using a credit card or other form of electronic funds transfer. A \$20.00 late fee will be charged for any renewal received after the expiration date, that is received within the first 30 days following the expiration. If it is received 30 days after the expiration it will be treated as new with new requirements. Expired registrations must be submitted as new online.
5. **Signatures:** Each online application submission must include an updated affidavit form and Public Notice Statement form.

C. **Transfer Alarm** - You must have the registrants ID number and the BPN # for the company they work/worked for and the registrant must have an active registration prior to starting the transfer online. The ID and BPN # is located on the registrants registration card or you can email a PPS Registration Processor to acquire the information.

A transfer and renewal can be done online at the same time.

1. The licensee or an approved designee shall submit a transfer application for the registration of each employee to the Board. It is also recommended that the company maintain a copy for their files and provide a copy to the applicant. While working in the scope of his/her duties, the applicant **shall** carry a copy of the application and affidavit until a registration card is in their possession. (Full legal name required)

2. Photographs Upload online with online application submission a digital photo in JPEG. .JPG or .PNG format.
3. Fees. \$10.00 fee paid online with application submission using a credit card or other form of electronic funds transfer.
4. **Signatures:** Each online application submission must include an updated affidavit form and Public Notice Statement form.

D. ***Apprentice Alarm*** - this is the only application not available through PPSM. The paper application is on the forms section of the alarm website - www.ncdps.gov/asl.

The Board may issue an apprenticeship registration permit to an applicant who is 16 or 17 years old and currently enrolled in high school if the applicant holds a valid drivers license and submits at least three letters of recommendation stating that the applicant is of good moral character as provided in G.S. 74D-2(d)(2). The letters of recommendation shall be from persons not related to the individual, and at least one of the letters shall be from an official at the school where the applicant is enrolled.

1. **PRINT** in blue or black ink or TYPE application. Submit an ORIGINAL copy to ASLB. It is also recommended that the company maintain a copy for their files and provide a copy to the applicant.
2. Photographs. Applicants are **required** to submit digital photos in JPEG format by e-mail (PPSASL-Photos@ncdps.gov) or by submitting them on a compact disc(CD). **E-mail is the preferred method.** If you are submitting photos on CD they should always be sent along with the application(s) in which the photograph(s) will be used with. Please utilize the following format when naming the photo on e-mail, CD:
Doe.John.Joseph.2587.type.jpg., which is the last name, first name, middle name, last four digits of their social security number and the type should be either licensee or registrant.
3. Fees. No fee is required.
4. Applicant information data must be completed correctly. The permit shall expire when the holder attains the age of 18.

E. ***Rehires/Terminations Alarm***

A rehire must be submitted within 10 days of rehire online through PPSM by locating the registrants record. You will be required to enter the rehire date - date employee returns to work. The registrant must have active time remaining to submit a rehire. If not the registrant must be submitted as new online.

No fees are necessary for a rehire unless applicant needs a new card. If a new card is needed the licensee or designee must submit an online duplicate request through PPSM for the registrant. The duplicate fee is \$40.00.

A termination must be submitted within 20 days of termination online and include the date employee left or was terminated.

IV. CONTINUING EDUCATION CREDITS

The Alarm Board's Continuing Education (CE) requirements became effective July 1, 2002. The rules require each licensee to complete at least 6 hours of CE training during each two-year renewal period. Registered employees are required to complete 3 hours of CE training during each renewal period. As a result, anyone renewing a license or registration on or after July 1, 2002 must have completed his or her continuing education hours within the previous two-year licensing or registration period.

In addition, the Board has also determined that any application for a new registration, where the employee has been registered for any time period during the previous two years, will also require submission of the CE certificate prior to issuance of the new registration. This does not apply to transfer or duplicate applications since the expiration date of the registration period remains the same.

Important Note: While all licensees must complete the CE training, these requirements only apply to registrants who are engaged in installation, service, sales or monitoring of alarm systems [as per Rule 11 .0501]. Some employees who are required to be registered, such as clerical/secretarial, will not be required to complete the CE credits. Upon submitting a registration renewal to the ASLB offices, the licensee must indicate that the registrant is not engaged in installation, service, sales or monitoring of alarm systems and is required to complete the Alarm Continuing Education Exemption Form must accompany a renewal at every renewal period. This form has to be signed by the licensee not a designee. This exemption form is found on Forms page on the ASLB website.

A CEU form or exemption form must be submitted online with the applicable application.

To receive Continuing Education credit, a licensee or registrant must:

Attend a Board-approved CE course

Sign the ASLB Attendance Roster upon arrival at the training class site.

Obtain a CE Attendance Certification from the instructor upon completion of the class.

Attach the Attendance Certification to the license/registration online where applicable.

To obtain Alarm Board approval of Continuing Education courses:

Obtain an application for CE course approval from the ASLB office.

Submit the completed application and course outline to the ASLB office.

The Board's CE Sub-Committee will review the course to determine if it is pertinent to the industry and if it meets its stated objectives.

These findings will be reported to the Board's Education & Training Committee, which will then recommend to the full Board to accept or deny course approval.

If approved, the course is assigned a number and the course sponsor is sent a notice of approval [courses will be approved for four years].

Ten business days prior to the scheduled class, you should contact our office in writing and provide the course name, course number, location of course, instructor's name, and scheduled date(s). You will be sent a CE Attendance Roster for each class and the Attendance Certification. The instructor will then make a copy of the certificate of attendance for each attendee desiring credit and complete the second section on course completion. Individuals taking the course must fill out the last section and keep the certificate until their renewal time when a copy is to be submitted to the ASLB office along with their renewal.

The Board has determined that **any application for a new registration, where the employee has been registered for any time period during the previous two years, will also require submission of the CE certificate prior to issuance of the new registration.** This does not apply to transfer or duplicate applications since the expiration date of the registration period remains the same.

At the ASLB meeting on July 16, 2004, the Board made a decision that when determining whether an applicant would be required to obtain the CE credits, we will go by the **expiration** date and not the **termination** date. Therefore, if we receive an application within two years of the expiration of an applicants registration, the applicant will be required to obtain CE credits prior to being approved for registration.

A. ***Deferrals***

If a criminal record check is submitted for an applicant that has pending charges and the court date has passed, we will request information regarding the pending charge. If the final disposition is not received, the applicant will be denied for incompleteness. You must make sure all pending charges have a disposition, and are submitted to PPS.

B. ***Preliminary Investigation of Registration Applications***

While processing registration applications, a preliminary investigation is conducted on each new applicant and a random sampling of renewal applications. Information may be obtained indicating the applicant may have a criminal record that was not submitted with the application.

Our office will generate an online letter through the PPSM online system requesting that the company submit a certified criminal record check from the jurisdiction where the possible record was located. Included in the letter will be the charges, dates and location of the record.

C. ***Denials***

There are three types of denials; Correctable Denials, Reconsideration Denials and Cause Denials.

Correctable

Correctable denials are denials in which there were discrepancies in the application package submitted online.

A correctable denial may not be appealed. Once an applicant has been denied correctable, the licensee will have thirty days to provide staff with the information that was omitted from the application. The information must be submitted to our office through the re-submittal process online. Once the thirty

days have passed and if **all** the information has not been submitted, the licensee **shall** remove the applicant from alarm related assignments. The applicant will not be allowed to work until the information is provided and they receive the registration card. This process is effective for those applications that are denied for **correctable reasons only**. If the applicant is denied for **cause reasons**, the applicant will still be required to be immediately pulled from post if they are registering as a **new** applicant. If the applicant is being denied for a combination of **correctable** and **cause** reasons, they will still be required to be pulled from post immediately upon receiving the online denial letter if they are registering as a **new** applicant.

Applications submitted without the required criminal records checks or if the applicant has criminal convictions will be considered a **for cause reconsideration** denial and applicant's registering as **new** would not be allowed to work until they submit the required information and receive the registration card.

Cause

Cause denials are a result of criminal convictions on the applicant's criminal record check or any convictions that may have been obtained through a preliminary background investigation which was conducted by our office. If this is a new applicant and you receive an online letter indicating the denial is for CAUSE, the applicant must immediately cease performing any ASLB regulated activity. The applicant may follow the steps for appealing the denial.

If this denial is on a renewal application the applicant must cease working until an appeal is filed with our office. Once the appeal is filed the applicant **MAY** continue to work until a Final Agency Decision has been issued.

ALL APPEALS MUST BE IN WRITING, FROM THE APPLICANT; THE APPLICANT CAN ALSO EMAIL THE ALARM PROCESSOR THE APPEAL INFORMATION:

Applicant should provide a telephone number where they can be reached on the appeal request.

Reconsideration for Cause

READ DENIAL LETTER THOROUGHLY. There may be an indication that the application can be reconsidered for approval by submitting a letter of explanation

from the applicant and/or documentation from the courts, and a letter from the licensee indicating their desire for employment.

D. ***Prior to submitting an online application***

Each licensee or designee has the option to save and view an application for errors and completeness. Please ensure prior to submission and payment the application is in order. **Once submitted changes cannot be made.**

E. ***Registration Dissemination***

Registration cards are prepared daily and mailed throughout the week. Cards may NOT be picked up.

All supplies are mailed upon request. We are happy to mail FD-258 fingerprint cards if you as a company don't obtain them, we will provide quantities of fingerprint cards based on the number of guards employed by the company. You may call your request in or make the request in writing.

Also, **do not use original ASLB applications as initial employment applications.**

F. ***Record Retention***

All records required to be kept shall be retained for at least three (3) years. This includes a copy of the employees registration application. Electronic copies are acceptable. In maintaining these files it is recommended that you copy the registration card and place a copy along with the application.

All records pertinent to an audit or an investigation shall be subject to inspection by the PPS staff upon demand between 8:00 a.m. and 5:00 p.m., Monday through Friday.

All licensees having registered employees are required to maintain a copy of their quarterly tax and wage report in the same form as submitted to the Employment Security Commission.

Note: It is the policy of the ASLB Board to allow licensees to maintain ESC reports at their place of business rather than send them to the Board's office. However, the reports must be submitted upon request of the PPS staff and must be available for inspection by staff at the licensee's place of business.

VII. DENIALS AND THE APPEAL PROCESS

Usually, a denial for a registration permit is for lack of good moral character. North Carolina General Statute 74D-6(3) grants the Board the authority to deny an application for lack of good moral character. Further, it grants the Board the authority to suspend or revoke a license or registration that has already been granted to an individual.

Evidence of lack of good moral character may be demonstrated by conviction of a crime for the following:

1. Illegal use, carrying, or possession of a firearm;
2. Illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage;
3. Felonious assault or act of violence;
4. Unlawful breaking or entering, burglary, larceny;
5. Any other offense involving moral turpitude. [**Note:** this may include worthless check convictions, trespassing offenses, etc.]

“Conviction” means a plea of guilty **or** no contest, or a verdict entered in open court.

If an applicant is denied, the applicant can appeal the denial by sending a letter or email of appeal to the Board. The applicant needs to provide a telephone number where they can be reached at all times on the appeal letter. The company (qualifying agent or designee) must also provide an email to the assigned processor stating their support of the appeal in order for the appeal to move forward. Once we receive the notice of appeal, the Director/Deputy Director will conduct an internal review of the application and convictions. The Director/Deputy Director will schedule an interview with the applicant to discuss the convictions. Therefore, it is extremely important that the applicant include in the notice of appeal a telephone number where they can be reached at. After the Deputy Director has discussed the reason(s) for denial with the applicant a decision is made by the Director/Deputy Director whether to administratively approve the application or forward the matter to the PPSB Attorney who will schedule the matter to be heard by an Administrative Law Judge at the Office of Administrative Hearings. If the application is approved by PPS staff, the application will be forward to the Registration Unit for processing. If the denial is upheld by the Director/Deputy Director, the file will be forwarded to the Registration Lead Worker who will then send a copy of the application to the

Board Attorney so he can schedule a hearing date with NC OAH. Once a date has been scheduled, the Board's Attorney will notify the applicant of the hearing date. This is a formal proceeding where sworn testimony is taken, cross-examination of witnesses are allowed, and documentary evidence is admitted into an "Official Record." The judge sits in place of the Board and collects facts and composes a recommendation to the Board.

After the Official Record is published by the Office of Administrative Hearings, the full Board

reviews the record and votes on a Final Agency Decision. The Board may adopt, modify, or reverse the judge's decision.

If a Final Agency Decision is issued and denies a license or registration permit, the applicant may not work. The appeal from this decision is to the Superior Court. The Administrative Office also offers an "in house" appeal process for convictions of a lesser offense.

VI. CLOSING

A. *Summary*

Compliance with the Registration requirements of the ASLB Board is important. While the staff is always willing to assist with any registration issues that may arise, the responsibility for compliance is with the company. The individual license holder and the company may be subject to disciplinary action by the Board if the registration requirements are not met.

B. *Questions*