
By: Delegate Hubbard

Introduced and read first time: January 31, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Private Detectives - Training and Examination**

3 FOR the purpose of requiring an individual to complete a certain amount of training and
4 pass an examination before the individual may be certified as a private detective;
5 providing that the training and examination shall be conducted by certain persons;
6 requiring a person who conducts training and examinations to issue a certificate of
7 completion to an individual who has completed the training and passed the
8 examination; requiring a copy of the certificate of completion to be submitted to the
9 Secretary of the State Police on application for certification as a private detective;
10 providing that while an individual is employed as a private detective with a private
11 detective agency, the agency shall keep the individual's certificate of completion on
12 file; providing that when the individual's employment with the detective agency
13 ends, the agency shall return the certificate of completion to the individual; and
14 generally relating to training and examination requirements for private detectives.

15 BY repealing and reenacting, with amendments,
16 Article - Business Occupations and Professions
17 Section 13-402 and 13-403
18 Annotated Code of Maryland
19 (1995 Replacement Volume and 1996 Supplement)

20 BY adding to
21 Article - Business Occupations and Professions
22 Section 13-402.1
23 Annotated Code of Maryland
24 (1995 Replacement Volume and 1996 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

27 **Article - Business Occupations and Professions**

28 13-402.

29 An individual qualifies for certification as a private detective if the individual:

30 (1) holds a license;

2

1 (2) is a firm member of a licensed private detective agency; or

2 (3) (i) is an employee of or an applicant for employment with a licensed
3 private detective agency; and

4 (ii) meets the qualifications set forth under §§ 13-402.1 AND 13-403 of
5 this subtitle.

6 13-402.1.

7 (A) TO QUALIFY FOR CERTIFICATION AS A PRIVATE DETECTIVE, AN
8 EMPLOYEE OF OR APPLICANT FOR EMPLOYMENT WITH A PRIVATE DETECTIVE
9 AGENCY SHALL:

10 (1) COMPLETE AT LEAST 30 HOURS OF TRAINING IN CURRICULUM
11 APPROVED BY THE MARYLAND POLICE TRAINING COMMISSION, WHICH DOES NOT
12 INCLUDE ANY TRAINING FOR FIREARMS WITHIN 90 DAYS OF EMPLOYMENT; AND

13 (2) PASS AN EXAMINATION APPROVED BY THE MARYLAND POLICE
14 TRAINING COMMISSION THAT TESTS COMPREHENSION OF THE CURRICULUM.

15 (B) THE TRAINING AND EXAMINATION SHALL BE CONDUCTED BY:

16 (1) AN INDIVIDUAL CERTIFIED BY THE MARYLAND POLICE TRAINING
17 COMMISSION AS A PRIVATE DETECTIVE INSTRUCTOR AND EMPLOYED BY A
18 PRIVATE DETECTIVE AGENCY;

19 (2) A REPRESENTATIVE MEMBER OF A PRIVATE DETECTIVE AGENCY;
20 OR

21 (3) AN INSTITUTION APPROVED BY THE MARYLAND POLICE TRAINING
22 COMMISSION.

23 (C) (1) WHEN AN INDIVIDUAL HAS COMPLETED THE TRAINING AND
24 PASSED THE EXAMINATION, THE PERSON CONDUCTING THE TRAINING AND
25 EXAMINATION SHALL ISSUE A CERTIFICATE OF COMPLETION TO THE INDIVIDUAL.

26 (2) THE CERTIFICATE OF COMPLETION SHALL BE ON THE FORM
27 PROVIDED BY THE SECRETARY AND SHALL BE THE PERMANENT RECORD OF
28 TRAINING FOR THE INDIVIDUAL.

29 (D) (1) WHILE AN INDIVIDUAL IS EMPLOYED AS A PRIVATE DETECTIVE BY
30 A PRIVATE DETECTIVE AGENCY, THE AGENCY SHALL KEEP THE INDIVIDUAL'S
31 CERTIFICATE OF COMPLETION ON FILE.

32 (2) WHEN THE INDIVIDUAL'S EMPLOYMENT WITH THE DETECTIVE
33 AGENCY ENDS, THE AGENCY SHALL RETURN THE CERTIFICATE OF COMPLETION TO
34 THE INDIVIDUAL.

35 13-403.

36 To qualify for certification as a private detective, an employee of or applicant for
37 employment with a licensed private detective agency shall:

38 (1) meet the standards set by the Secretary;

3

1 (2) submit to the Secretary:

2 (i) a sworn application on the form the Secretary provides; and

3 (ii) 2 sets of fingerprint cards marked with the applicant's fingerprints;

4 [and]

5 (3) pay to the Secretary:

6 (i) an application fee of \$50; and

7 (ii) payment for the cost of the fingerprint card record checks; AND

8 (4) SUBMIT A COPY OF THE CERTIFICATE OF COMPLETION WITHIN 90
9 DAYS OF THE ISSUANCE OF CERTIFICATION AS A PRIVATE DETECTIVE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That, in approving the
11 training curriculum required under this Act, the Maryland Police Training Commission
12 shall consult and work with the private detective industry.

13 SECTION 3. AND BE IT FURTHER ENACTED, That the training and
14 examination requirements of § 13-402.1 of this Act shall take effect on the date that the
15 Maryland Police Training Commission approves the required curriculum. An individual
16 who is certified on that date may remain certified for 1 year from that date, during which
17 period the individual shall meet the applicable training and examination requirements
18 and submit a certificate of completion to the Secretary of the Department of State Police.
19 If the individual has not met the applicable training and examination requirements and
20 submitted a certificate of completion to the Secretary by the end of the 1-year period, the
21 certificate of the individual is void and may not be renewed.

22 SECTION 4. AND BE IT FURTHER ENACTED, That the training and
23 examination requirements of § 13-402.1 of this Act do not apply to a person who is a
24 "representative member" of a firm, as defined in § 13-101(j) of the Business Occupations
25 and Professions Article, on the date that the required curriculum is approved by the
26 Maryland Police Training Commission.

27 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1997.