

**RULES
OF
THE TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF REGULATORY BOARDS**

**CHAPTER 0780-05-02
PRIVATE PROTECTIVE SERVICES**

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0780-05-02-.01 PURPOSE.

The purpose of this chapter is to provide for the administration and implementation of the Private Protective Services Licensing and Regulatory Act (T.C.A. §§ 62-35-101 et seq., herein referred to as the "Act").

Authority: T.C.A. § 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988.

0780-05-02-.02 DEFINITIONS.

- (1) As used in this chapter, unless the context otherwise requires, the definitions of terms contained in § 62-35-102 of the Act are applicable.
- (2) The following definitions are also applicable in these rules.
 - (a) "Baton" means a club, nightstick, or baton that is designed and manufactured for use by a law enforcement officer or security guard/officer.
 - (b) "Chemical spray" means a chemical composition housed in a handheld dispenser that is designed and manufactured for the purpose of self defense.
 - (c) "Special Event" means any public event that requires security services for a specific and defined period of time.
 - (d) "Special Event Permit" means a permit issued to a licensed Tennessee Contract Security Company that allows for the temporary employment of individuals for security guard and patrol services during a special event.
 - (e) "Stun gun" means a handheld, electronic control device designed and manufactured for self-defense which emits an electrical spark which may momentarily disable a person.

(Rule 0780-05-02-.02, continued)

- (f) “Employed” means to receive compensation, in any form, for the performance of security guard services and/or patrol services.

Authority: T.C.A. § 62-35-129. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed January 30, 1997; effective April 15, 1997. Amendments filed April 25, 2018; effective July 24, 2018. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.03 SWORN PEACE OFFICERS.

- (1) The provisions of the Act do not apply to a full-time sworn peace officer who receives compensation for services as a security guard, patrol guard, or watchperson under a contract with a private business that is properly licensed as a contract security company or registered as a proprietary security organization pursuant to the requirements of the Act. However, this paragraph shall not be construed to exempt such companies, corporations, partnerships, persons, or other organizations from the requirements of the Act, which may include to register as a proprietary security organization or obtain a license as a contract security company.
- (2) At any reasonable time upon request, a private business which employs a full-time sworn peace officer or any other individual exempt from the requirements of the Act as a security guard, patrol guard, or watchperson shall make available to the Commissioner:
 - (a) A copy of the employment contract (if written);
 - (b) Any policy of insurance which covers or is purported to cover the acts or omissions of the individuals providing security services within the scope of their employment;
 - (c) Any credentials showing the individual is a full-time or retired law enforcement officer; and
 - (d) Any other documents to show the individual is exempt from the Act’s registration requirements.

Authority: T.C.A. §§ 62-35-103 and 62-35-129. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.04 HOSPITALS.

- (1) If a hospital employs any armed security guards/officers in an employer-employee relationship, such hospital shall comply with all of the requirements for a proprietary security organization under the Act.
- (2) If a hospital which employs only unarmed security guards/officers files a notice of revocation of voluntary submission to the provisions of the Act pursuant to T.C.A. § 62-35-123(b), such hospital shall remain subject to the prescribed civil or criminal penalties for acts or omissions occurring between receipt of the notice of voluntary submission and receipt of the notice of revocation.

Authority: T.C.A. §§ 62-35-129(b), 62-35-130(b), and 62-35-136. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988.

0780-05-02-.05 FINGERPRINTING.

- (1) Any person required to submit classifiable fingerprints by the Act or this chapter shall be deemed to have supplied the required sets of fingerprints if that applicant causes a private

(Rule 0780-05-02-.05, continued)

company contracted by the State to electronically transmit that applicant's classifiable prints directly to the TBI and FBI to forward an electronic report based on that applicant's fingerprints to the Commissioner.

- (2) Any person required to submit fingerprints by the Act or this chapter shall make the arrangements for the processing of his or her fingerprints with the company contracted by the State to provide electronic fingerprinting services directly and shall be responsible for the payment of any fees associated with the processing of fingerprints to the respective agent authorized by the TBI and FBI.
 - (a) Provided, however, that the Commissioner or the Commissioner's designee may authorize the submission of three (3) sets of classifiable physical fingerprint cards, at the expense of the applicant and rolled by a qualified person acceptable to the Commissioner or the Commissioner's designee, for good cause.
- (3) In the event an applicant furnishes unclassifiable fingerprints or fingerprints that are unclassifiable by nature then the Commissioner may require the applicant to cease all functions as a security guard officer and the applicant shall submit new fingerprints together with any additional fee(s) charged by the TBI and/or FBI for processing the new fingerprints.
- (4) In the event the State no longer contracts with any company to provide an electronic fingerprinting service, then the applicant shall submit three (3) classifiable TBI and FBI fingerprint cards with his or her application and shall pay the Commissioner all processing fees established by the TBI and FBI.
- (5) All sets of classifiable fingerprints required by this rule shall be furnished at the expense of the applicant.
- (6) Applicants shall in all cases be responsible for paying application fees as established by the Commissioner regardless of the manner of fingerprinting.

Authority: T.C.A. §§ 62-35-105(a)(4)(E), 62-35-116(7), 62-35-119(a)(1)(B) and (C), 62-35-129(b), and 62-35-130(a). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed July 19, 1990; effective September 2, 1990. Amendment filed February 28, 2001; effective May 14, 2001. Amendments filed December 4, 2015; effective March 3, 2016.

0780-05-02-.06 INSURANCE REQUIREMENTS.

- (1) An applicant for a contract security company license shall furnish, in addition to the information specified in § 62-35-105(a) of the Act, a certificate of insurance which meets the requirements of § 62-35-114.
- (2) A proprietary security organization which files a notice under § 62-35-123 of the Act shall furnish, in addition to the information specified therein, a certificate of insurance which meets the requirements of § 62-35-114.
- (3) The insurance requirements of T.C.A. § 62-35-114 apply only to licensees and those proprietary security organizations which are covered by the Act. Such requirements do not apply to a private business which procures security guard and/or patrol services from a contract security company.
- (4) In the event that a licensee or a proprietary security organization covered by the Act ceases to maintain insurance coverage which meets the requirements of the Act for any reason, such licensee or proprietary security organization shall not provide, employ, or undertake to provide or employ any security guard and/or patrol service until a proper insurance certificate is filed with the Commissioner.

(Rule 0780-05-02-.06, continued)

Authority: T.C.A. §§ 62-35-105, 62-35-123, and 62-35-129. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.07 APPLICANTS FOR LICENSES.

- (1) Experience.
 - (a) Any applicant who seeks to qualify for a contract security company license on the basis of qualified experience must substantiate such experience with suitable documentation of employment (preferably written certifications from employers). The applicant's claimed experience is subject to such independent verification by the Commissioner as may be deemed warranted.
 - (b) The Commissioner will not consider experience accumulated without any authorization, permit, or license required by applicable federal, state, or local law.
- (2) Examination.
 - (a) Any applicant who seeks to qualify for a contract security company license by passing an examination must apply directly to the independent testing organization selected by the Commissioner to prepare and grade such examination. Payment of any examination (or reexamination) fee shall be the responsibility of the applicant.
 - (b) The examination for a contract security company license will cover the following subjects:
 1. General duties of a contract security company business;
 2. Field note taking and report writing;
 3. Emergency procedures;
 4. Legal powers and limitations;
 5. De-escalation techniques;
 6. Proper safe restraint techniques;
 7. First aid;
 8. Cardiopulmonary resuscitation (CPR);
 9. Active shooter; and/or
 10. The provisions of the Act and this chapter.

Authority: T.C.A. §§ 62-35-118 and 62-33-129. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.08 APPLICANTS FOR REGISTRATION CARDS.

- (1) Pending issuance or denial of a registration card, an individual may work as an unarmed security guard/officer if he or she:

(Rule 0780-05-02-.08, continued)

- (a) Has filed with the Commissioner an application which is sufficient on its face in all respects (except for proof of completion of required training). The Commissioner may consider the following documentation as proof that an application has been filed:
 - 1. Postmarked certified United States Mail receipt addressed to the Tennessee Department of Commerce and Insurance and evidencing certified return receipt postage paid;
 - 2. Receipt evidencing shipment of the application to the Tennessee Department of Commerce and Insurance via a commercial courier service;
 - 3. United States Mail return receipt;
 - 4. A printed confirmation for an application and payment summary; or
 - 5. Such other evidence of filing as the Commissioner may deem acceptable;
- (b) Has paid the prescribed application and licensing fee; and
- (c) Keeps on his or her person while on duty, a copy of the completed application that is on file with the Tennessee Department of Commerce and Insurance.
- (d) Once an application for a security guard/officer has been denied, then the applicant may not perform the services of a security guard/officer by retaining a copy of a completed and filed application on his or her person.
- (e) Once an application for a security guard registration has been denied based on a criminal record, the security guard must immediately cease and desist all security guard activities and may not reapply for a security guard registration, either armed or unarmed, for six (6) months from the date of the registration denial.
- (f) A security guard/officer who is working on a pending application in a public school, public charter school, private school, or church-related school must also keep proof of all training requirements necessary to be posted in such school at all times while providing security or patrol services in or at such school, which may include:
 - 1. A copy of a training form from a certified trainer indicated the completed training by the security guard/officer;
 - 2. Any certifications, certificates, cards, or other documentation from an approved provider evidencing the security guard/officer's completion of the required training; and/or
 - 3. Any proof or documentation of the security guard/officer's status being exempt from any training requirements.
- (g) Any applicant who receives notification of the incomplete status of their application must immediately cease all work as a security guard until such deficiency in his/her application is remediated and the applicant can show proof of such remediation. The Commissioner may consider the following documentation as proof that any defect in an application has been remediated:
 - 1. Correspondence, either in physical or electronic form, which confirms his/her application is complete;

(Rule 0780-05-02-.08, continued)

2. Any evidence which tends to substantiate any missing documents and/or information not included in the applicant's original application have now been received by the program; or
 3. Any other evidence of filing as the Commissioner may deem acceptable.
- (2) Any holder of, or applicant for, an unarmed security guard/officer registration card who wishes to act as an armed security guard/officer must file a separate application (with the prescribed application and licensing fee) for an armed security guard/officer registration card.
 - (3) A security guard/officer who holds an active registration card or who has applied for a registration card but who has not completed the additional training required by T.C.A. § 62-35-118(a)(2)(B) must complete this additional training within fifteen (15) days of being employed by or otherwise providing services for a proprietary security organization that holds a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board.
 - (4) If a security guard/officer is employed by a contract security company but not placed on a post that would require the additional training pursuant to T.C.A. § 62-35-118(a)(2)(B), then the security guard/officer will not need to complete the additional training unless or until the security guard/officer is placed on a post that would require the additional training required by T.C.A. § 62-35-118(a)(2)(B). If a security guard/officer has been employed by a contract security company for more than fifteen (15) days and is then placed on a post that requires the additional training pursuant to T.C.A. § 62-35-118(a)(2)(B), then the security guard/officer will have fifteen (15) days from the date of being placed on the post to complete the additional training, even if that exceeds fifteen (15) days from the date the guard was originally employed by the contract security company.
 - (5) A security guard/officer registrant or applicant who is or will be on a post that requires the additional training pursuant to T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e) must submit an application to the Commissioner to add the required classifications to his or her registration card that indicates this security guard/officer has or will complete the required trainings pursuant to T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e). This application must be submitted and all applicable fees paid prior to this guard working at this post. A copy of the application to add these trainings to the registration card must be kept on the security guard/officer's person, as described in subdivision (1) of this rule.
 - (6) A security guard/officer who is working at a post requiring the additional training pursuant to T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e) must keep an active registration card showing the added trainings on the card or a copy of the submitted application to add classifications to his or her registration card and proof of the payment of all applicable fees on his or her person while working as a security guard at this post.
 - (7) Any application for a registration card that fails to include any documents required upon submission of the application may be closed or denied at the discretion of the Commissioner.

Authority: T.C.A. §§ 62-35-103, 62-35-116, 62-35-119, and 62-35-129; and Public Acts of 1987, Chapter No. 436, Section 38(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988. Amendment filed July 19, 1990; effective September 2, 1990. Amendment filed December 14, 1990; effective January 28, 1991. Amendment filed February 28, 2001; effective May 14, 2001. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.09 EXAMINATIONS OF APPLICANTS FOR REGISTRATION CARDS.

- (1) The examination(s) which must be passed by an applicant for a new registration card will be administered and graded by the applicant's certified trainer. Such examination(s) shall be:
 - (a) Written or typed on paper, computer software, or online;
 - (b) Designed primarily to measure the applicant's knowledge in the field of security guard and patrol service generally, rather than in policies, procedures, or requirements associated with a particular contract security company or proprietary security organization; and
 - (c) Subject to review and evaluation by the Commissioner at any reasonable time upon request.
- (2) If, after review and evaluation of an examination administered by a certified trainer, the Commissioner determines that it does not adequately cover the subjects required by § 62-35-118 of the Act, the Commissioner shall notify the certified trainer in writing of such determination and the reason(s) for it. Upon receipt of such written notice, the certified trainer shall expeditiously revise the examination to the satisfaction of the Commissioner.

Authority: T.C.A. §§ 62-35-118 and 62-35-129. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.10 CERTIFICATES OF COMPLETION OF TRAINING.

- (1) When an applicant for a registration card (or renewal thereof) successfully completes the training, or applicable refresher training, (including any examination) required by the Act, the applicant's certified trainer shall submit a statement to the Commissioner on the prescribed form. The statement shall contain:
 - (a) The name and certification number of the trainer;
 - (b) The name and Social Security number of the applicant;
 - (c) The nature of the training completed;
 - (d) The date of completion; and
 - (e) The applicant's examination score and/or firearms qualification score.
- (2) The Commissioner may refuse to accept a statement submitted pursuant to paragraph (1) above if it is inaccurate or incomplete in any material respect.
- (3) The Commissioner may refuse credit for training which is completed earlier than one (1) year prior to the date the application is received by the Tennessee Department of Commerce and Insurance.
- (4) An applicant or registered security guard/officer who is requesting to have the de-escalation, safe and proper restraint, first aid, and/or CPR trainings required by T.C.A. § 62-35-118(a)(2)(B) added to his or her registration card as classifications may complete such trainings through:
 - (a) A certified trainer approved by the Commissioner to provide any or all of these trainings;

(Rule 0780-05-02-.10, continued)

- (b) A recognized and/or accredited program approved by the Commissioner to provide any or all of these trainings;
 - (c) An individual training, program, or course that, in the discretion of the Commissioner, demonstrates sufficient training in the applicable subject; or
 - (d) Any applicable local, state, or federal law enforcement training related to de-escalation, proper and safe restraint, first aid, and/or CPR trainings.
- (5) An applicant or registered security guard/officer who is requesting to have the active shooter training required by T.C.A. § 62-35-118(e) added to his or her registration card as a classification may complete such training through:
- (a) A certified trainer approved by the Commissioner to provide the training;
 - (b) A recognized and/or accredited program approved by the Commissioner to provide the training;
 - (c) An individual training, program, or course that, in the discretion of the Commissioner, demonstrates sufficient training in responding to an active shooter situation; or
 - (d) Any applicable local, state, or federal law enforcement training related to active shooter training that is approved by the Commissioner.
- (6) An applicant or registered security guard/officer who is requesting to have the trainings required by T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e) added to his or her registration card must have proof of the completed training(s) submitted to the Commissioner through a completed training form or through any other documentation approved by the Commissioner.
- (7) A certified trainer, in his or her discretion, may give a copy of the completed training form to an applicant or registered security guard/officer.

Authority: T.C.A. §§ 62-35-118(c) and 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988. Amendment filed July 19, 1990; effective September 2, 1990. Amendment filed December 14, 1990; effective January 28, 1991. Amendment filed February 28, 2001; effective May 14, 2001. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.11 CERTIFIED TRAINERS.

- (1) Any individual who seeks to provide training to a security guard/officer to meet the qualifications of the Act, including in the use of any approved firearm(s) and/or less than lethal weapons, must qualify as a certified trainer in accordance with T.C.A. § 62-35-126 and this rule.
- (2) Any individual who wishes to become a certified trainer shall submit an application to the Commissioner on the prescribed form. The application shall include:
 - (a) The full name and business address of the applicant;
 - (b) Date and place of birth;
 - (c) One (1) set of classifiable electronic fingerprints as required by the provider approved by the Commissioner;
 - (d) One (1) head-and-shoulder photograph taken within the last six (6) months;

(Rule 0780-05-02-.11, continued)

- (e) Disclosure of any affiliation with a contract security company or proprietary security organization;
- (f) Identification of the training that the applicant desires to administer:
 - 1. Unarmed security guard/officer training; and/or
 - 2. Armed security guard/officer training;
- (g) Identification of any additional classifications of training that the applicant desires to administer:
 - 1. Baton training;
 - 2. Chemical spray training;
 - 3. Stun gun training;
 - 4. De-escalation techniques;
 - 5. Proper and safe restraint techniques;
 - 6. First aid training;
 - 7. Cardiopulmonary resuscitation (CPR) training; and/or
 - 8. Active shooter training.
- (h) A resume outlining the education and experience of the applicant, including descriptions of all employment or occupations engaged in during the immediate past five (5) years;
- (i) Any documentary evidence of qualifications to conduct the training required by the Act, including but not limited to:
 - 1. An instructor's certificate issued by the Tennessee Peace Officer Standards and Training Commission;
 - 2. An instructor's certificate issued by a federal, United States military, state, county, or municipal law enforcement agency;
 - 3. An instructor's certificate issued by the National Rifle Association;
 - 4. For each type of less than lethal weapons training which the applicant desires to provide, a certificate showing that the applicant has completed a course in the instruction of persons in the proper use of the less than lethal weapon and the liabilities associated with its use;
 - 5. For each type of less than lethal weapons training which the applicant desires to provide, a notarized statement by the applicant to the effect that the applicant has, for at least one (1) year prior to November 1, 1996, provided training to security guard/officers or law enforcement officers in the proper use of the less than lethal weapon and the liabilities associated with its use;

(Rule 0780-05-02-.11, continued)

6. An active instructor's certificate issued by the American Red Cross or another recognized and qualified cardiopulmonary resuscitation (CPR) and/or first aid training organization or association;
 7. An instructor's certificate from any certifying agency, association, company, or organization showing the applicant is qualified to instruct individuals on de-escalation and/or safe and proper restraint techniques;
 8. An instructor's certificate from any certifying agency, association, company, or organization showing the applicant is qualified to instruct individuals on active shooter trainings; and/or
 9. Any letters of recommendation from any previous employers, government agencies, or other qualified individuals or entities that attest to the applicant's ability to provide trainings pursuant to T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e).
- (j) The name and qualifications of any instructor whom the applicant intends to appoint to assist in the implementation of the training program.
- (3) Each applicant for certification as a trainer must be at least twenty-one (21) years of age and meet the qualifications for a registration card set forth in T.C.A. § 62-35-117. The one (1) year of supervisory experience required by T.C.A. § 62-35-126(a)(2) may consist wholly or partially of teaching the subject of security guard and patrol service.
 - (4) A trainer shall notify the Commissioner in writing within ten (10) days of any material change in information furnished in connection with an application for certification.
 - (5) If the Commissioner determines that an applicant for certification as a trainer is qualified to conduct only one (1) type of training permitted by this rule, the Commissioner shall limit the terms of the trainer's certificate accordingly.
 - (6) Any instructor assisting in the implementation of a training program shall be under the supervision and control of the certified trainer by which he was appointed. The certified trainer shall be accountable for the performance of each instructor appointed.
 - (7) Any certified trainer appointing an instructor shall at the time of such appointment submit to the Commissioner documentation that the instructor meets the requirements of T.C.A. § 62-35-126(c).
 - (8) If a certified trainer appoints an instructor to assist in any training, the instructor must be under the direct supervision of the certified trainer. The instructor shall not provide any training that the certified trainer is not certified to provide to security guards/officers, unless the instructor has been separately and independently approved by the Commissioner to provide said training. A certified trainer will be responsible and accountable for the actions of his or her instructor.
 - (9) The nonrefundable fee for certification as a trainer shall be one hundred and sixty dollars (\$160.00). The certification shall expire two (2) years after the date of issuance, and shall be renewable upon payment of the renewal fee.
 - (10) The nonrefundable, nonprorateable fee for timely renewal of certification as a certified trainer is one hundred and sixty dollars (\$160.00). "Timely renewal" means that all documentation and fees required for renewal have been received by the Department of Commerce and Insurance prior to the expiration of that certified trainer certification.

(Rule 0780-05-02-.11, continued)

- (11) A certified trainer's certificate, or a copy thereof, shall be conspicuously displayed at the trainer's business address.
- (12) When a security guard/officer has successfully completed training for a less than lethal weapon listed in this rule, the trainer shall provide the security guard/officer with a card on which the trainer has certified that the security guard/officer has successfully completed the appropriate training required to carry the weapon.
- (13) No certified trainer may conduct online training for security guards or security guard applicants for the purpose of meeting the requirements of the Act unless the training has been approved of by the Commissioner to be provided in an online format.
- (14) Any training requirements in T.C.A. § 62-35-118 that are related to the classroom firearm training, using a silhouette target course, or active shooter training shall be completed in person and shall not be conducted in whole or in part in an online setting. Notwithstanding this requirement, a trainer may use a computer or other electronic means to administer any written examinations required for these trainings or electronic media to assist in providing in person training. Any additional trainings related to these requirements that exceeds the statutory minimum training requirements may be completed in whole or in part online or remotely at the discretion of the trainer.
- (15) Any certified trainer who wants to add any of the classifications listed in (2)(g) to his or her certification must complete an application to add the classification(s) to his or her certification, submit proof of his or her qualifications to provide training in each classification the trainer is applying to add to his or her certification, and pay a nonrefundable fee of twenty-five dollars (\$25.00) dollars.

Authority: T.C.A. §§ 62-35-118, 62-35-118(a), 62-35-126, 62-35-129, and 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988. Amendment filed July 19, 1990; effective September 2, 1990. Amendment filed January 30, 1997; effective April 15, 1997. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.12 TRAINING RECORDS.

- (1) A certified trainer shall maintain accurate records of all students enrolled in any training program administered by the trainer. The records shall include all information and ratings considered by the certified trainer in determining whether a student has successfully completed the training program.
- (2) The records required to be kept under paragraph (1) above shall be maintained for a period of at least three (3) years after the student's completion of the training program. Such records shall be made available to the Commissioner at any reasonable time upon request.
- (3) All training forms must contain the original signature of the certified trainer or such other likeness of the legal signature as the Commissioner may deem acceptable. Electronic signatures may be accepted only if they are in a format that cannot be edited or modified after being placed on the training form by the certified trainer.

Authority: T.C.A. §§ 62-35-118 and 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed January 30, 1997; effective April 15, 1997. Amendment filed February 28, 2001; effective May 14, 2001. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.13 MONITORING OF TRAINING PROGRAMS.

As a condition of licensure, a certified trainer agrees to periodic monitoring of his/her training program by the Commissioner of Commerce and Insurance or the Commissioner's designee for the purpose of evaluating the program content, instructor performance, or any other relevant aspect of the administration and conduct of such training program. The certified trainer shall provide the Department with training program dates, times, and locations upon the request of the Department.

Authority: T.C.A. § 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed February 28, 2001; effective May 14, 2001.

0780-05-02-.14 WITHDRAWAL OF CERTIFICATION.

- (1) The Commissioner may withdraw the certification of a trainer if, after reasonable notice and opportunity for hearing, the Commissioner finds that such trainer:
 - (a) Has violated any provision of the Act or this chapter;
 - (b) Has become certified through fraud or misrepresentation;
 - (c) Has falsified any statement or record required to be submitted or kept hereunder;
 - (d) Has been convicted by a court of competent jurisdiction of a felony or a misdemeanor, if the Commissioner finds that such conviction reflects unfavorably on the trainer's fitness for certification; or
 - (e) Is demonstrably incompetent to conduct the training required by the Act.
- (2) If an individual wishes to terminate his status as a certified trainer, he shall notify the Commissioner in writing. The notice shall include the effective date of the desired termination, and shall be accompanied by the certified trainer's original certificate.
- (3) A withdrawal of certification under this rule shall not affect the creditability of any hours of training satisfactorily completed by a student prior to the effective date of such withdrawal.

Authority: T.C.A. § 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988.

0780-05-02-.15 AUTHORIZED WEAPONS.

- (1) Firearms - The holder of a valid armed security guard/officer registration card may carry a firearm in the performance of duties only if:
 - (a) The security guard has qualified pursuant to T.C.A. § 62-35-118(b)(2) in the use of such firearm. The security guard must be qualified by a certified trainer for each firearm used in the security guard's employment;
 - (b) The firearm is a standard .38 special, .32 auto, .357 magnum, .357 SIG, .380 auto, 9mm, 10mm, .40 S&W, .45 ACP or GAP caliber revolver or semiautomatic pistol, standard 12 gauge shotgun, or other firearm approved by the Commissioner; and
 - (c) No security guard/officer shall carry a firearm on their person while acting in the role of a security guard/officer regardless of whether or not such individual possesses a handgun carry permit issued by the Department of Safety or is otherwise able to lawfully carry a firearm as a private citizen, unless the security guard is properly registered and certified to carry the firearm pursuant to the Act.

(Rule 0780-05-02-.15, continued)

- (2) Other Weapons - A security guard/officer may carry a baton, a stun gun or a chemical spray only if:
 - (a) The security guard/officer has successfully completed the appropriate training for the use of the weapon as established by this rule;
 - (b) The security guard/officer carries on his or her person a card signed by a trainer certified by the Commissioner to conduct such training to the effect that the security guard/officer has successfully completed the training required to carry the weapon which was administered by the trainer.
 - (c) The security guard/officer has obtained authorization from the contract security company or proprietary security organization which employs the security guard/officer.
- (3) Prior to carrying a baton, a security guard/officer shall complete a minimum of four (4) hours of training administered by a trainer who has been certified by the Commissioner to train security guards/officers in the use of the baton. Such training shall consist of instruction in the proper use of a baton and the liabilities associated with the use of the baton.
- (4) Prior to carrying chemical spray, a security guard/officer shall complete a minimum of four (4) hours of training administered by a trainer who has been certified by the Commissioner to train security guards/officers in the use of chemical spray. Such training shall consist of instruction in the proper use of chemical spray and the liabilities associated with the use of chemical spray.
- (5) Prior to carrying a stun gun, a security guard/officer shall complete a minimum of four (4) hours of training administered by a trainer who has been certified by the Commissioner to train security guards/officers in the use of stun guns. Such training shall consist of instruction in the proper use of a stun gun and the liabilities associated with the use of the stun gun.
- (6) A security guard/officer may not possess any type of weapon that is not provided for by this rule while acting as a security guard/officer.

Authority: T.C.A. §§ 62-35-129 and 62-35-134. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988. Amendment filed April 16, 1992; effective May 31, 1992. Amendment filed January 30, 1997; effective April 15, 1997. Amendment filed February 28, 2001; effective May 14, 2001. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.16 CHANGES OF ADDRESS.

- (1) A licensee, certified trainer, or proprietary security organization which has filed a notice under § 62-35-123 of the Act shall notify the Commissioner in writing within ten (10) days of any change of business address.
- (2) A registrant shall notify the Commissioner in writing within ten (10) days of any change in residential address.

Authority: T.C.A. §§ 62-35-123 and 62-35-129. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed July 19, 1990; effective September 2, 1990. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.17 NOTIFICATION OF TERMINATION.

A licensee or proprietary security organization shall notify the Commissioner in writing within ten (10) days of the death or termination of an employee/registrant for any occurrence which could reasonably be expected to affect the employee/registrant's right to hold a certificate of registration under this chapter.

Authority: T.C.A. §§ 62-35-124 and 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed July 19, 1990; effective September 2, 1990.

0780-05-02-.18 INVESTIGATIONS AND COMPLAINTS.

- (1) The Commissioner may investigate any person engaged, or suspected of engaging, in any business or activity regulated under the Act.
- (2) Upon receipt of any written complaint against a licensee, registrant, certified trainer, or proprietary security organization which has filed a notice under T.C.A. § 62-35-123 of the Act, the Commissioner shall promptly transmit a copy of such complaint to the accused party. Such party shall, within twenty (20) days, file a written answer to the complaint with the Commissioner.
- (3) Every licensee and proprietary security organization shall maintain a copy of its roster of security guard(s)/officer(s) and/or exempt individuals providing security or patrol services. Every licensee and proprietary security organization shall provide such roster upon request of the Commissioner or his or her designees upon request. Failure to immediately furnish a copy of the requested roster is a violation of T.C.A. § 62-35-130(a)(11) and any other related provisions under the Act.
- (4) Any licensee, registrant, or other individual, partnership, company, corporation, or entity required to comply with T.C.A. § 62-35-142 shall maintain a copy of its guard roster and provide such guard roster upon request of the Commissioner or his/her designees. Failure to immediately furnish a copy of the requested roster is a violation of T.C.A. § 62-35-130(a)(11) and any other related provisions under the Act.

Authority: T.C.A. §§ 62-35-129, 62-35-130, and 62-35-142. **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.19 PROHIBITED REPRESENTATIONS.

No licensee, registrant, certified trainer, or proprietary security organization shall represent that it (he/she), or any aspect of its (his/her) business or activity, has been recommended or endorsed by the commissioner.

Authority: T.C.A. § 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988.

0780-05-02-.20 SURRENDER OF LICENSE OR REGISTRATION CARD.

Any license or registration card which is revoked or suspended by the commissioner pursuant to § 62-35-130 of the Act shall be surrendered to the commissioner within ten (10) days of the effective date of the revocation or suspension.

Authority: T.C.A. § 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988.

0780-05-02-.21 COPY FEE.

Upon request, any person not entitled under § 62-35-133 of the Act to a free copy thereof and of any rules promulgated thereunder may obtain a copy from the commissioner for a fee of five dollars (\$5.00).

Authority: T.C.A. § 62-35-129(b). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988.

0780-05-02-.22 RESERVED.

Authority: T.C.A. §§ 62-35-129(b) and Public Acts of 1987, Chapter No. 436, Section 38(a). **Administrative History:** Original rule filed November 17, 1987; effective January 1, 1988. Amendment filed October 21, 1988; effective December 5, 1988. Amendment filed February 28, 2001; effective May 14, 2001.

0780-05-02-.23 FEES.

(1) Contract Security Company:

- (a) An application for a contract security company shall be accompanied by a nonrefundable, nonproratable application fee of three hundred dollars (\$300.00) plus any fingerprint processing fees set by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation.
- (b) The Commissioner shall issue a contract security company certification in a form prescribed by the Commissioner upon successful completion of all licensing requirements and upon receipt of a nonrefundable, nonproratable certification fee in accordance with the following schedule:

Number of security guards employed by the company:	Amount of fee:
0 - 49	\$125.00
50+	\$425.00

- (c) The fee for the timely renewal of a contract security company certification is:

Number of security guards employed by the company:	Amount of fee:
0 - 49	\$300.00
50+	\$600.00

"Timely renewal" means all documents and fees required for renewal have been received by the Department of Commerce and Insurance prior to the expiration date of the company certification.

- (d) The penalty for the late renewal of a contract security company certification shall be in the amount of one hundred dollars (\$100.00) for each month which elapses during the three (3) month late renewal period. The penalty for late renewal is nonrefundable and cannot be prorated for portions of any month. Any company which does not submit complete renewal documentation and fees within three (3) months of the company certification expiration must reapply.

(2) Certified Trainer:

(Rule 0780-05-02-.23, continued)

- (a) An application for a certified trainer's license shall be accompanied by a nonrefundable, nonproratable application fee in the amount of one hundred dollars (\$100.00) plus any fingerprint processing fees set by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation.
 - (b) The Commissioner shall issue a certified trainer's license in a form prescribed by the Commissioner upon successful completion of all licensing requirements and upon receipt of a nonrefundable, nonproratable licensing fee in the amount of fifty dollars (\$50.00).
 - (c) The fee for the timely renewal of a trainer certification is one hundred fifty dollars (\$150.00). "Timely renewal" means all documents and fees required for renewal have been received by the Department of Commerce and Insurance prior to the expiration date of the certified trainer's license.
 - (d) The penalty for the late renewal of a certified trainer's license shall be in the amount of fifty dollars (\$50.00) for each month which elapses during the three (3) month late renewal period. The penalty for late renewal is nonrefundable and cannot be prorated for portions of any month. Any certified trainer who does not submit complete renewal documentation and fees within three (3) months of the certified trainer's license expiration must reapply.
- (3) Security Guard:
- (a) Armed Security Guard:
 - 1. An application for an armed security guard registration shall be accompanied by a nonrefundable, nonproratable application fee in the amount of one hundred dollars (\$100.00) plus any fingerprint processing fees set by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation.
 - 2. The Commissioner shall issue an armed guard registration in a form prescribed by the Commissioner upon successful completion of the registration requirements and upon receipt of a nonrefundable, nonproratable registration fee in the amount of thirty dollars (\$30.00).
 - 3. The nonrefundable, nonproratable fee for timely renewal of an armed security guard is eighty-five dollars (\$85.00). "Timely renewal" means that all documentation and fees required for renewal have been received by the Department of Commerce and Insurance prior to the expiration of the armed security guard registration.
 - 4. The penalty for late renewal of an armed security guard shall be in the amount twenty dollars (\$20.00) for each month which elapses during the three (3) month late renewal period. The penalty is nonrefundable and will not be prorated for portions of a month. Any armed security guard who does not submit all required documentation and fees within three (3) months of the armed security guard expiration must reapply.
 - 5. The fee for a conditional armed guard registration is fifteen (\$15.00).
 - (b) Unarmed Security Guard:
 - 1. An application for an unarmed security guard shall be accompanied by a nonrefundable, nonproratable application fee in the amount of seventy-five

(Rule 0780-05-02-.23, continued)

dollars (\$75.00) plus any fingerprint processing fees set by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation.

2. The Commissioner shall issue an unarmed guard registration in a form prescribed by the Commissioner upon successful completion of the registration requirements and upon receipt of a nonrefundable, nonproratable registration fee in the amount of twenty dollars (\$20.00).
3. The nonrefundable, nonproratable fee for timely renewal of an unarmed security guard is seventy dollars (\$70.00). "Timely renewal" means that all documentation and fees required for renewal have been received by the Department of Commerce and Insurance prior to the expiration of that unarmed security guard registration.
4. The penalty fee for late renewal of either an armed or unarmed security guard shall be in the amount twenty dollars (\$20.00) for each month which elapses during the three (3) month late renewal period. The penalty is nonrefundable and will not be prorated for portions of a month. Any security guard who does not submit all required documentation and fees within three (3) months of the security guard expiration must reapply.

(c) Changing Guard Status:

1. Individuals who wish to change registration status from an unarmed guard to an armed guard or from an armed guard to an unarmed guard are required to complete a new application and pay all applicable application and licensing fees.

(d) Adding Classifications to a Registration Card:

1. To add classifications to a security guard registration card regarding the trainings listed in T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e), a security guard/officer must:
2. Indicate on the security guard/officer's initial or any renewal application that the applicant intends to add these classifications to his or her registration card, timely complete the necessary trainings, and provide proof of these trainings to the Commissioner; or
3. Complete an application to add these classifications to his or her registration card, timely complete the necessary trainings, provide proof of these trainings to the Commissioner, and pay a nonrefundable twenty-five dollar (\$25.00) application fee. Upon approval, the security guard/officer will be issued a new card showing the added classifications. The application fee to add these classifications shall be per application, regardless of whether the application is to add one or more classifications to a single registration card.

(4) Proprietary Security Organizations:

- (a) A proprietary security organization that has a license or permit for on-premises consumption from the Tennessee Alcoholic Beverage Commission or a beer board shall submit an application to the Commissioner and pay a nonrefundable fee of one hundred dollars (\$100).
- (b) All other proprietary security organization registrations are exempt from the requirements to pay any fees, complete registration renewals, and the provisions related to registration expiration.

(Rule 0780-05-02-.23, continued)

- (c) Registration as a proprietary security organization that has a license or permit for on-premises consumption from the Alcoholic Beverage Commission or a beer board shall expire two years from the date it is granted.
 - (d) The fee for timely renewal of a proprietary security organization registration is one hundred dollars (\$100.00). "Timely renewal" means that all documentation and fees required for renewal have been received by the Department of Commerce and Insurance prior to the expiration of the registration.
 - (e) The penalty fee for late renewal of a proprietary security organization registration shall be in the amount of twenty dollars (\$20.00) for each month which elapses during the three (3) month late renewal period. The penalty is nonrefundable and will not be prorated for portions of a month. Any proprietary security organization that does not submit all required documentation and fees within three (3) months of the registration expiration must complete a new registration application.
 - (f) A proprietary security organization that is already registered with the Commissioner without completing the requirements listed above under subsection (4)(a) must submit an application to the Commissioner for a new registration to comply with the requirements of this section.
- (5) The fee for a duplicate certification, license or registration is twenty-five dollars (\$25.00).

Authority: T.C.A. §§ 62-35-122, 62-35-123, 62-35-126, and 62-35-129. **Administrative History:** Original rule filed July 19, 1990; effective September 2, 1990. Amendment filed December 14, 1990; effective January 28, 1991. Amendment filed April 16, 1992; effective May 31, 1992. Amendment filed January 30, 1997; effective April 15, 1997. Amendment filed October 14, 1998; effective December 28, 1998. Amendment filed February 28, 2001; effective May 14, 2001. Amendments filed March 21, 2025; effective June 19, 2025.

0780-05-02-.24 COMPLETION OF TRAINING.

- (1) Any security guard/officer who is either (1) employed by a proprietary security organization that holds a license or permit for on-premises consumption from the Tennessee Alcoholic Beverage Commission or a beer board; or (2) employed by a contract security company for the purposes of performing security guard and patrol services at a commercial establishment that holds a license or permit for on-premises consumption from the Tennessee Alcoholic Beverage Commission or a beer board; must submit an application to the Commissioner prior to providing services at this establishment to indicate that the security guard/officer will or has completed the necessary requirements to be qualified to work at this establishment and complete the necessary training described in T.C.A. § 62-35-118(a)(2)(B) within fifteen (15) days of providing services at this establishment.
- (2) Any armed security guard/officer who is employed or contracted to provide security or patrol services at a public school, public charter school, private school, or church-related school must submit an application to the Commissioner prior to providing services at such school to indicate that the security guard/officer will complete or has completed the necessary requirements to be qualified to provide services at a school and complete the necessary training described in T.C.A. § 62-35-118 prior to providing any security or patrol services in or at the school. An armed security guard may submit an application prior to completing any or all required trainings, however, the armed security guard shall not provide security or patrol services prior to completing all required trainings.

(Rule 0780-05-02-.24, continued)

- (3) Approval or denial of completed training listed in T.C.A. §§ 62-35-118(a)(2)(B) or 62-35-118(e) shall be at the discretion of the Commissioner. Acceptable forms of this training may include:

(a) De-escalation training:

1. A properly completed training form from a certified trainer who is approved by the Commissioner to provide this training evidencing the applicant's completion of a de-escalation training that is no less than one (1) hour in duration;
2. A certificate or transcript from a nationally recognized organization evidencing the applicant's completion of a de-escalation training that is no less than one (1) hour in duration;
3. A certificate or transcript from a local, state, or federal law enforcement agency or other government agency evidencing the applicant's completion of a de-escalation training that is no less than one (1) hour in duration; or
4. Any other documentation approved by the Commissioner to prove an applicant's completion of a de-escalation training that is no less than one (1) hour in duration.

(b) Proper and safe restraint training:

1. A properly completed training form from a certified trainer who is approved by the Commissioner to provide this training evidencing the applicant's completion of a proper and safe restraint training that is no less than one (1) hour in duration;
2. A certificate or transcript from a nationally recognized organization evidencing the applicant's completion of a proper and safe restraint training that is no less than one (1) hour in duration;
3. A certificate or transcript from a local, state, or federal law enforcement agency or other government agency evidencing the applicant's completion of a proper and safe restraint training that is no less than one (1) hour in duration; or
4. Any other documentation approved by the Commissioner to prove an applicant's completion of a proper and safe restraint training that is no less than one (1) hour in duration.

(c) First aid training:

1. A properly completed training form from a certified trainer who is approved by the Commissioner to provide this training evidencing the applicant's completion of a first aid training that is no less than one (1) hour in duration;
2. A certificate or transcript from a nationally recognized organization evidencing the applicant's completion of a first aid training that is no less than one (1) hour in duration;
3. A certificate or transcript from a local, state, or federal law enforcement agency, hospital, emergency services agency, or other government agency evidencing the applicant's completion of a first aid training that is no less than one (1) hour in duration; or

(Rule 0780-05-02-.24, continued)

4. Any other documentation approved by the Commissioner to prove an applicant's completion of a first aid training that is no less than one (1) hour in duration.
- (d) Cardiopulmonary resuscitation (CPR) training:
1. A properly completed training form from a certified trainer who is approved by the Commissioner to provide this training evidencing the applicant's completion of a CPR training that is no less than one (1) hour in duration;
 2. A certificate or transcript from a nationally recognized organization evidencing the applicant's completion of a CPR training that is no less than one (1) hour in duration;
 3. A certificate or transcript from a local, state, or federal law enforcement agency, hospital, emergency services agency, or other government agency evidencing the applicant's completion of a CPR training that is no less than one (1) hour in duration; or
 4. Any other documentation approved by the Commissioner to prove an applicant's completion of a CPR training that is no less than one (1) hour in duration.
- (e) Active shooter training:
1. A properly completed training form from a certified trainer who is approved by the Commissioner to provide this training evidencing the applicant's completion of active shooter training that is no less than eight (8) hours in duration;
 2. A certificate or transcript from a nationally recognized organization evidencing the applicant's completion of active shooter training that is no less than eight (8) hours in duration;
 3. A certificate or transcript from a local, state, or federal law enforcement agency, hospital, emergency services agency, or other government agency evidencing the applicant's completion of active shooter training that is no less than eight (8) hours in duration;
 4. Any other documentation approved by the Commissioner to prove an applicant's completion of active shooter training that is no less than eight (8) hours in duration; or
 5. A combination of completed active shooter trainings as evidenced by the types of acceptable trainings above that are in total at least eight (8) hours in duration.
- (4) Any guard/officer or applicant who holds an active certification in de-escalation, proper and safe restraint, first aid and/or CPR from a nationally recognized organization and is in good standing with this certification by the certifying organization may submit proof of the active certification with any application by the guard or applicant, even if the certification training was more than one (1) year from the date of the application.
- (5) Notwithstanding subsection (d) above, any trainings listed in subsection (c) must be completed within one (1) year of the date of the guard/officer's or applicant's application.
- (6) If the Commissioner does not approve of an applicant or security guard/officer's completed trainings required by T.C.A. §§ 62-35-118(a)(2)(B) and/or 62-35-118(e) but otherwise approves the application or renewal thereof submitted by an applicant or security guard, then the applicant or guard/officer shall immediately cease performing services as a security

(Rule 0780-05-02-.24, continued)

guard at a location or post requiring the training required for the location. If the applicant or security guard/officer otherwise holds an active registration card without these additional classifications, then the individual may continue to provide services as a security guard/officer on posts where the guard/officer is not required to have these additional trainings.

- (7) Proof of refresher trainings related to the classifications listed in T.C.A. §§ 62-35-118(a)(2)(B) and 62-35-118(e) shall meet the criteria listed in (b) of this rule.

Authority: T.C.A. §§ 62-35-103, 62-35-115, 62-35-118, 62-35-119, 62-35-122, and 62-35-129.

Administrative History: Original rule filed December 14, 1990. Repeal filed September 23, 2024; effective December 22, 2024. New rule filed March 21, 2025; effective June 19, 2025.

0780-05-02-.25 SPECIAL EVENT PERMIT.

- (1) Any licensed Tennessee Contract Security Company that seeks to qualify for a special event permit as defined by T.C.A. § 62-35-105(d) shall submit an application to the Commissioner on a prescribed form. The application shall include:
- (a) Names of temporary security officers;
 - (b) Addresses of temporary security officers;
 - (c) Birth dates of temporary security officers;
 - (d) Social security numbers of temporary security officers;
 - (e) Whether the temporary security officer is licensed in another jurisdiction, and if so, which state and license number; and
 - (f) Identity, location, and date of special event for which the temporary security officers are to be employed.
- (2) The nonrefundable fee shall be one thousand dollars (\$1,000.00) per special event. The special event permit shall expire on the end date as indicated on the printed permit.
- (3) The Commissioner reserves the right to limit, deny, and/or revoke any special event permit granted to a licensed Tennessee Contract Security Company, in accordance with T.C.A. §§ 62-35-105(g) and 62-35-130.
- (4) Applications for a special event permit shall be submitted at least five (5) days prior to the start date of the special event.
- (5) As a condition of approval, the licensed Tennessee Contract Security Company affirms that each individual named on the application submitted in accordance with paragraph (1) will be identifiable by uniform as security officers employed under the special event license.
- (6) As a condition of approval, the licensed Tennessee Contract Security Company affirms that each individual named on the application submitted in accordance with paragraph (1) has not worked more than ten (10) days in the current calendar year as a temporary security officer.
- (7) Any licensed Tennessee Contract Security Company approved for a special event permit shall maintain accurate records for all persons employed as temporary security officers for a period of one (1) calendar year from the last day of the special event. The records shall include the name, date of birth, social security number, and number of days the individual

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has been employed as a temporary security officer during the current calendar year pursuant to T.C.A. § 62-35-105(d).

Authority: T.C.A. §§ 62-35-105, 62-35-129, and 62-35-130. **Administrative History:** Original rule filed April 25, 2018; effective July 24, 2018.