

58-63-304 Exemptions from licensure.

- (1) In addition to the exemptions from licensure in Section 58-1-307, an individual may engage in acts regulated under this chapter without being licensed under this chapter if the individual is:
 - (a) a peace officer employed by, or licensed as, a contract security company, as provided in Subsection (2); or
 - (b) employed by a contract security company for the sole purpose of operating or staffing security apparatus, including a magnetometer, magnetometer wand, x-ray viewing device, or other device approved by rule of the division.
- (2) A peace officer may only engage in off-duty employment as a security officer if:
 - (a) the law enforcement agency employing the peace officer has a written policy regarding peace officer employees working while off duty as a security officer and the written policy addresses the issue of financial responsibility;
 - (b) the agency's chief administrative officer, or that officer's designee, provides written authorization for an off-duty peace officer to work as a security officer; and
 - (c) the business or entity employing the off-duty peace officer to work as a security officer complies with state and federal income reporting and withholding requirements regarding the off-duty officer's wages.
- (3) In addition to the exemptions from licensure in Section 58-1-307, an individual holding a valid license as an armed private security officer under this chapter may also function as an unarmed private security officer without the additional license.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules approving security apparatus under Subsection (1)(b).

Amended by Chapter 436, 2013 General Session