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Hearing Date: 7/28/2020

Today's Date: 8/3/2020

Agency: Ohio Department of Public Safety, Private Investigator Security Guard Services.

Rule Number(s): 4501:7-1-01 to 4501:7-1-23

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Exhibit A was added into the record at the public hearing on July 28, 2020 which consisted of several emails from Nick Garver forwarded to the Ohio Department of Public Safety from JCARR through the Rule Watch Ohio mechanism on June 29, 2020.

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Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

Nick Garver- I will reference proposed rule numbers. 4501:7-1-01K this requirement to use PISGS form is a burden when executing contracts at a moment's notice. We have them embedded in our contracts to be in compliance 100% of the time. This will create opportunities for failure by requiring more documents employees may forget. If we get a waiver that substantially complies with the intent, it should be acceptable.

Nick Garver- 4501:7-1-02E. I am good with the addition but I think there should be a change considered. If a misdemeanor disqualifies for 1 year and a felony for 3 years, why is there no time limit on simple rule violations? Rules are inferior to laws, they should have a lesser consequence or "look back time" otherwise you essentially say breaking a rule is worse than felony.

Nick Garver- 4501:7-1-02F. Again on this addition, it is fine to add it but if you are going to have a lookback clock on misdemeanors and felonies, there should be a time limit for how long this is a disqualifier, otherwise the rule basically condones criminal acts and forbids rule violations.

Nick Garver- 4501:7-1-03A1, requiring a new license due to a change in Class seems like an opportunity to charge more for no reason. If you have a Class D driver license, you don't get a whole new license number if you upgrade or downgrade a license - you pay for the new card and move on if you qualify for the new license. Why can you transfer a license for far less?

Nick Garver- 4501:7-1-03A2. Requiring an entire new license because a license expires seems overboard. Charge a late fee and move on. If it lapses an entire cycle then maybe scrap the license. Sometimes small business owners are owner operators. If they get hospitalized or life requires them out of state during renewal, they should not have to re-apply. A fee, fine.

Nick Garver- 4501:7-1-10C. Ok with the change but an addition needs to be made. We all know for sure that PISGS has the capability to quickly issue electronic ID cards due to this COVID. That needs to continue and should be codified here. If they want to fine licensees for a guard carrying a gun too soon, we need to get a temp ID card ASAP while waiting for snail mail card.

Nick Garver- 4501:7-1-11A. Hire date, ok. Record of days worked, ok (schedule). Termination dates, ok. Commissions ok. Waivers, fine. Payroll record showing date and hours per day - we cannot control what third party payroll software or companies can track. I have never seen a payroll record showing hours per individual day ever. Need to have a future start date for this.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s).
If no comments were incorporated, explain why not.

4501:7-1-01(K)- Change not recommended. This provision is to keep uniformity across the industry creating consistency in documentation for PISGS review. Additionally, many licensees are reluctant to turn over contract to PISGS due to public records laws.

4501:7-1-02(E) and 4501:7-1-02(F) – Change not recommended. The general assembly did not provide a specific lookback period on good reputation for integrity as it did for disqualifying offenses in ORC 4749.03. Rule -02 provides factors for the Department may consider when determining whether an applicant has a good reputation for integrity.

4501:7-1-03(A)(1)- Change not recommended. A change in class of license is a change in requirements for said license.

4501:7-1-03(A)(2)- Change not recommended. The licensing of these business is what provides public safety in the form of regulatory compliance. The PISGS section works with licensees to avoid actual expiration, but it is still the responsibility of the licensee to renew. PISGS is lenient with the actual expiration while working with licensees.

4501:7-1-10(C)- Change not recommended at this time. Once the COVID emergency subsides, PISGS will be further looking into the viability of electronic ID Cards, however this change cannot be rushed to avoid making mistakes that could lead to fraud.

4501:7-1-11(A)- A change was made in this rule to remove the words “per day” from paragraph (A)(7) to accommodate the concern listed in the comment.