

BUSINESS OCCUPATIONS AND PROFESSIONS
TITLE 19. SECURITY GUARD AGENCIES AND SECURITY GUARD CERTIFICATION
SUBTITLE 3. SECURITY GUARD AGENCY LICENSES

Md. BUSINESS OCCUPATIONS AND PROFESSIONS Code Ann. § 19-304 (2014)

§ 19-304. Applications for licenses

(a) In general. --

(1) An applicant for a license shall:

- (i) submit to the Secretary an application on the form that the Secretary provides;
- (ii) submit the documents required under this section; and
- (iii) pay to the Secretary the fees required under subsection (b) of this section.

(2) If the applicant is a firm, the representative member shall complete the application form and otherwise be responsible for the firm's compliance with this section.

(b) Fees; fingerprints. --

(1) An applicant for a license shall pay to the Secretary an application fee of:

- (i) \$ 200, if the applicant is an individual; or
- (ii) \$ 375, if the applicant is a firm; and
- (iii) the fees authorized under subsection (c) of this section.

(2) (i) As part of the application for a license, the applicant shall submit to the Secretary the fingerprints required under subsection (c) of this section.

(ii) If the applicant is a firm, the applicant shall pay the cost of the fingerprint card record checks for each firm member.

(c) Criminal history records check. --

(1) The Department of State Police shall apply to the Central Repository for a State and national criminal history records check for each applicant.

(2) As part of the application for a criminal history records check, the Department of State Police shall submit to the Central Repository:

(i) two complete sets of the applicant's legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) the fee authorized under § 10-221(b) (7) of the Criminal Procedure Article for access to Maryland criminal history records; and

(iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(3) In accordance with §§ 10-201 through 10-235 of the Criminal Procedure Article, the Central Repository shall forward to the applicant and the Department of State Police a printed statement of the applicant's criminal history record information.

(4) Information obtained from the Central Repository under this section shall be:

(i) confidential and may not be disseminated; and

(ii) used only for the purpose authorized by this section.

(5) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10-223 of the Criminal Procedure Article.

(d) Contents of application form. --

(1) If the applicant is an individual, the application form provided by the Secretary shall require:

(i) the name of the applicant;

(ii) the age of the applicant;

(iii) the address of the applicant; and

(iv) the current and previous employment of the applicant.

(2) If the applicant is a firm, the application form provided by the Secretary shall require:

(i) a list of all of the firm members; and

(ii) for each firm member, the same information required regarding an individual applicant under paragraph (1) of this subsection.

(3) For all applicants, the application form shall require:

(i) the address of the applicant's proposed principal place of business and of each proposed branch office;

(ii) any trade or fictitious name that the applicant intends to use while conducting the business of the security guard agency;

(iii) the submission of a facsimile of any trademark that the applicant intends to use while conducting the business of the security guard agency; and

(iv) as the Secretary considers appropriate, any other information to assist in the evaluation of:

1. an individual applicant; or

2. if the applicant is a firm, any firm member.

(e) Willful false statements. -- The application form provided by the Secretary shall contain a statement advising the applicant that willfully making a false statement on an application is a misdemeanor, subject to a fine or imprisonment or both, as provided under §§ 19-605 and 19-607 of this title.

(f) Signatures; proof of membership. --

(1) If the applicant is an individual, the application form shall be signed, under oath, by the individual.

(2) If the applicant is a firm, the application form shall be signed, under oath, by the representative member, as the representative member, and shall provide proof to the Secretary that the representative member is a member of the firm.

(g) Character recommendations. --

(1) If the applicant is an individual, the application shall be accompanied by at least three names of individuals who can attest to the character of the applicant.

(2) If the applicant is a firm, the application shall be accompanied by at least three names of individuals who can attest to the character of each firm member.

(h) Proof of liability insurance. -- An applicant for a license who intends to employ at least five individuals as security guards shall submit with the application proof of commercial general liability insurance, including errors and omissions and completed operations with a \$ 1,000,000 total aggregate minimum, as required under § 19-504 of this title.

(i) Nonresident applicant. -- In addition to meeting the other requirements of this section, a nonresident applicant shall submit a consent and any related document, as required by § 19-505 of this title.

HISTORY: 1996, ch. 602, § 2; 2002, ch. 418, §§ 1, 3; ch. 517; 2003, ch. 21, § 7.