



Utah Bail Bond Recovery Newsletter

November 2010

Utah Bureau of Criminal Identification, 3888 West 5400 South, Salt Lake City, UT 84118
Publicsafety.utah.gov (801) 965-4445

IMPORTANT UPDATES

- 1 Application Changes
- 2 Verification of Bail Bond Recovery Work
- 3 Renewal Firearms Course
- 4 Administrative Rule Update
- 5 Bail Bond Recovery Agency
- 6 Disqualifying Offense Time Periods
- 7 Badges and Approved Clothing
- 8 In-Service Training

Application Changes

Initial and renewal bail bond recovery license applications have been updated. The purpose is to simplify and standardize the application process. Please take time to look over the new applications. You can access the applications on BCI's website: <http://publicsafety.utah.gov/bci/bail.html> or obtain a copy at BCI.

Verification of Bail Bond Recovery Work

A new verification of hour's document has been placed on BCI's website and has been attached with this newsletter: <http://publicsafety.utah.gov/bci/forms.html#Bail>. Please use the new form when documenting your hours of experience. The verification of hours form **MUST** be notarized. As needed, additional pages can be photocopied, along with any additional documents you feel is beneficial in recording your hours of experience.

Renewal Firearms Course

Firearm courses are no longer required upon each renewal. There is no statutory mandate for which to require ongoing firearms training. Upon initial application, 16 hours of firearms training is required per U.C.A. 53-11-108 (5) for those who plan to carry a firearm as a licensee. With each renewal, a valid Utah concealed firearm permit is all that is required in order to maintain the firearms authorization. Renewal firearm courses are still an elective option for obtaining hours for licensure and are highly recommended.

Administrative Rule Update

Please take time to review the updated administrative rules regarding the regulation of bail bond recovery and enforcement agents. The updated rules went into effect on October 22, 2010. A copy of the administrative rules has been attached to this newsletter, and once published, will be posted on BCI's website.

Bail Bond Recovery Agency

Licensees who intend on employing/sponsoring other licensees in bail bond recovery, **MUST** obtain the bail bond recovery agency license. Applicants must apply for and meet the qualifications for licensure as a bail enforcement agent and be approved by the Bail Bond Recovery Licensure Board. If you are a bail enforcement agent who intends on operating a bail bond recovery agency, a current copy of your workers compensation insurance **MUST** also accompany the application.

Disqualifying Time Periods

Unlike the concealed firearm statute, there are no mitigating factors or disqualifying time periods regarding bail bond recovery. If an applicant or licensee is convicted of a disqualifying criminal offense, the conviction must be dismissed or expunged prior to obtaining licensure.

Badges and Approved Clothing

U.C.A. 53-11-121 False representation as a licensee -- Badge --Identifying clothing.

(1) A licensee under this chapter may not wear a uniform, or use a title or identification card other than the one issued under this chapter, or make any statement that would lead a reasonable person to believe the licensee is connected in any way with the federal government or any state or local governmental entity, unless the licensee has received authorization in writing by one of those governmental authorities to do so.

(2) (a) A licensee may possess, wear, and display a badge of a design approved by the board for use by a licensee.

(b) The licensee may wear or display the badge under Subsection (2)(a) only if the licensee is also at the same time wearing an article of clothing that conspicuously displays on the chest and back of the article of clothing lettering that clearly identifies the licensee as a bail enforcement or recovery agent.

(3) A licensee may wear a jacket of a distinctive design or style that bears a printed, embroidered, or otherwise permanently attached symbol, emblem, or insignia that:

- (a) clearly identifies the wearer as a bail enforcement or recovery agent; and
- (b) is approved by the board.

On May 25, 2010 the Bail Bond Recovery Licensure Board approved the design of the badge and lettering on clothing. Any deviation from the design of the badge or clothing and use outside statutory authority may result in criminal prosecution.

53-11-124 Penalties, any violation of this chapter is a class A misdemeanor, unless the circumstances of the violation amount to an offense subject to a greater criminal penalty under Title 76, Utah Criminal Code.

The badge SHALL look identical to the one pictured on BCI's website. If you are a bail enforcement agent, then the badge shall display the lettering "Bail Enforcement Agent" along with your license number. Bail recovery agents shall display the lettering "Bail Recovery Agent" along with your license number.

BAIL RECOVERY APPRENTICES ARE NOT COVERED UNDER THE NEW LAW, THEREFORE ARE NOT ALLOWED TO USE OR DISPLAY A BADGE!

The approved clothing and authorized lettering/dimensions are:

- The article of clothing **MUST** have contrasting colors. Meaning: the shirt one color and the lettering in a contrasting color.
- The front of the approved clothing cannot have lettering smaller than 1/2"
- The back of the approved clothing cannot have lettering smaller than 2"

The Bail Bond Recovery Licensure Board did not specify the type of clothing which is approved i.e. shirt, jacket, coat, etc. Therefore, as long as the clothing is within the parameters set forth by the Board, and the use is in accordance with state statute, as a licensee you have discretion on the type of clothing to use.

In-Service Training

R722-310-9 (1)(a) Four of the eight hours of continuing classroom instruction as required by U.C.A. 53-11-111(2) shall be provided by the bureau (BCI).

(b) The course provided by the bureau shall provide updates on Utah law, administrative changes, and other pertinent information designed to enhance the licensee's knowledge of bail recovery.

(2) The remaining four hours of continuing classroom instruction required under Subsection 53-11-111(2) are left to the discretion of the licensee.

In-Service dates for 2011: January 10th, April 18th, July 11th, and September 26th

- To register by phone or email contact: Whitney Thomsen at 801-965-4738 or wthomsen@utah.gov

THANK YOU AND BE SAFE