

5N-1.130 Firearms.

(1) A Class “D” Security Officer licensee who also holds a valid Class “G” Statewide Firearm license shall not carry a firearm while on duty unless doing so is authorized by her or his employer as being required by and in connection with those duties.

(a) A Class “D” Security Officer licensee performing armed duties authorized by her or his employer is not required to disarm:

1. when carrying a firearm outside the client's property line provided that the carrying of the firearm is in connection with the security duties performed for the client and is within a half-mile radius of the client’s property; or

2. when traveling from one armed site to another armed site, provided the site-to-site transfer is directed by her or his employing agency and the employing agency does not require the licensee to disarm; or

3. when traveling directly to and from home to reach and leave a client’s site at which armed security services have been requested by the client, provided that the licensee is in uniform, notwithstanding Section 493.6115(4), Florida Statutes, and has written direction or approval from her or his employing agency; or

4. while performing tasks during duty hours such as refueling an agency-owned vehicle, purchasing carryout food or beverage, or taking a restroom break, provided such activities are carried out within a two-mile radius of the licensee’s assigned duty post or the licensee is traveling armed as stated in subsection (3); or

5. while rendering emergency humanitarian assistance or providing assistance to a law enforcement officer when requested by that law enforcement officer;

6. unless expressly required to do so required by law or her or his employer. In such

circumstances, unless the firearm is being transferred to another security officer, which shall require a clearing barrel to facilitate transfer, the firearm shall be securely encased in a glove compartment, gun case, or closed box or container that requires a lid to be opened for access.

(b) A Class “D” Security Officer performing armed duties authorized by her or his employer shall not leave a firearm unsecured while performing armed security duties, including those outlined in subparagraphs (1)(a) 1. – 5.

(2) As used in this section, a “Field Supervisor” means and includes an individual who holds a valid Class “M” or “MB” manager license and a valid Class “G” Statewide Firearm license, or a valid Class “D” Security Officer license and a valid Class “G” Statewide Firearm license, who is assigned by her or his employer to work full time in overseeing other security officers on multiple sites, and who has the authority to relieve security officers from duty or initiate disciplinary action.

(a) A Field Supervisor shall not carry a firearm while performing regulated duties unless doing so is authorized in writing by her or his employer and is required by and in connection with those duties which include commonly recognized supervisory tasks or management of operational needs during her or his duty shift.

(b) A Field Supervisor who is performing armed duties in uniform authorized by her or his employer is not required to disarm:

1. while supervising licensed employees in the performance of regulated duties at multiple sites at which armed and unarmed services are being provided to various clients, or when required to immediately assume and perform regulated duties at an armed site, unless she or he is directed by his employer to assume and perform regulated duties at an unarmed site; or

2. when traveling in an agency-owned vehicle among sites at which armed and unarmed

services are being provided to various clients, unless a client has specifically stated it does not want the licensee to be armed on that client's site. In such circumstances, the employing agency shall establish written protocols that honor the interests of each client; or

3. when conducting an on-site evaluation as part of a threat assessment performed for a current client or when a threat assessment has been requested by a prospective client. A "threat assessment" means and includes any survey or assessment conducted by a security agency, with the written permission of a property owner or representative, for the purpose of evaluating the property owner's security needs; or

4. when meeting with a client or a prospective client unless the client or prospective client has specifically stated it does not want the licensee to be armed during the meeting. In such circumstances, the employing agency shall establish written protocols that honor the interests of each client;

5. unless expressly required to do so by law or her or his employer. In such circumstances, the firearm shall be securely encased in a glove compartment, gun case, or closed box or container that requires a lid to be opened for access.

(c) A Field Supervisor who is performing armed duties in uniform authorized by her or his employer shall not leave a firearm unsecured while performing armed security duties, including those outlined in subparagraphs (2)(b)1. – 4.

(3) No licensee shall wear or carry a firearm while running personal errands or taking care of personal business either for herself or himself or for any other person.

Rulemaking Authority 493.6103 FS. Law Implemented 493.6103, 493.6115, 493.6301, 493.6303

FS. History-New