ALABAMA PRIVATE INVESTIGATION BOARD ADMINISTRATIVE CODE

CHAPTER 741-X-4 LICENSURE

TABLE OF CONTENTS

741-X-4-.01	**Qualifications Of Applicants For Licensure**
741-X-4-.01.01	**Investigator Apprentice**
741-X-4-.01.02	**Licensed Private Investigator Sponsorship**
741-X-4-.02	**Licensure By Examination**
741-X-4-.03	**Renewal Of License**
741-X-4-.04	**Change Of Name Or Address**
741-X-4-.05	**Lost License**
741-X-4-.06	**Verification Of Alabama License**
741-X-4-.07	**Fees**
741-X-4-.08	**Fingerprinting**
741-X-4-.09	**Exemptions From Licensure**

741-X-4-.01 Qualifications Of Applicants For Licensure.

(1) Each individual applicant shall meet the following criteria:

(a) Be at least 21 years of age.

(b) Has not been declared by any court of competent jurisdiction incompetent by reason of mental defect or disease (unless a court of competent jurisdiction has subsequently declared the applicant competent).

(c) Has not been convicted of a crime of moral turpitude (with the Board having final determination on the interpretation of moral turpitude).

(d) Has not been convicted of a felony crime.

(e) Has passed an examination by the Board designed to measure knowledge and competence in the investigation field;

(2) The applicant shall submit a completed application form and pay all required fees.

(3) Implementation for licensure shall begin on the effective date of the adoption of the rules and regulations. The initial licensure period shall be dated to begin on May 1, 2014.

(4) All licenses issued or renewed shall be valid for a period of two years from the date of issuance.

(5) Persons working as a private investigator, unless otherwise exempt, shall have a valid private investigator license.
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended:** Filed June 21, 2017; effective August 5, 2017.

741-X-4-.01.01 Investigator Apprentice.

Investigator Apprentice -- 34-25B-12.1

1. An individual may obtaina license as a private investigator apprentice while working under the supervision of a licensed privte invesigator.

2. An apprentice licnese must be 18 years of age.

3. A high school graduate who has earned a GED cetificate or has completed other equivalent eeucation as determined suitable by the Board.

4. Meet all requirements of subdivision (2) through (5), inclusive, of Section 34-25B-12.1

5. Once the application is receivedby the board from the apprentice, a thirty-day waiting period will begin before the apprentice is eligible to sit for the Albama Private Investigators Apprentice examiniation.

6.The board will require the apprentice applicant to take the apprentice examiniation not less than 120 days after the initial application, but not mandate to take it before the first 45 days.The application for an apprentice licensee can be taken anytime, however, it must be doen in the first 120 days to complete the apprecentice examination.

7. The apprentice will complete 40 hours of classroom trainingfundementals determined by the Board, and 260 field hours to be qualified for licensure.
Author: Claire H. Austin
Statutory Authority: Code of Ala., 1975, §34-B-1 through 34-25B-29.
History: New Rule: Published January 31, 2025; effective March 17, 2025.

741-X-4-.01.02 Licensed Private Investigator Sponsorship.

Licensed Private Investigator Sponsorship

Any licnesed private investigtor, with two years of experience, can sponsor, train, and supervise a private investigator apprentice.

1. Any sponsor must be certifed by the board and paya fee of $50 to the Board. This fee will cover up to five apprentices.

2. A sponsor will make an application for sponsorship and submit it to the board.

3. Supervision of a private investigator apprentice may be in person by telephone, or by other forms of eletronic communication and oversight.

4. A sponsor by rule may not act as a sponsor to more than five private investigator apprentices at one time.

5. A sponsor shall maintain records of training a complete documentation of hours that will be submitted to the Board. These may include an apprentice logbook, documented educational hours of classroom, ethics, and onsite and fieldwork hours.

6. The apprentice and sponsor are responsible for completing and turning in to the board including, but not limited to the date of activity, date of classroom, and hours. Additionally, the forms will include the type of service the apprentice is provided including classroom training, office training, field investigation, and any other information required by the Board.

7. Failure of the sponsor to maintain adequate records may result in disciplinary actions or revocation of his or her sponsor certification.
Author: Claire H. Austin
Statutory Authority: Code of Ala., 1975, §34-25B-1 through 34-25B-54.
History: New Rule: Published January 31, 2025; effective March 17, 2025.

741-X-4-.02 Licensure By Examination.

(1) The applicant for licensure by Examination shall pass an Examination approved by the Board designed to measure knowledge and competence in the investigation field and shall submit:

(a) A completed application

(b) Required fees

(2) Any applicant who seeks to qualify for a private investigators license must apply directly to the independent testing organization selected by the Board to prepare and grade such examination. Payment of any examination (or re-examination) fee shall be the responsibility of the applicant. The independent testing organization will notify each examinee of the results of the examination.

(3) Applicants for private investigator license must be on file with this office and approved prior to scheduling examination(s).
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended:** Filed June 21, 2017; effective August 5, 2017. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

Ed. Note: Previous rule .03 was renumbered .02 per certification filed May 11, 2018; effective June 25, 2018. Rule 741-X-4-.02 Licensure By Work Experience was **Repealed:** Filed June 21, 2017; effective August 5, 2017.

741-X-4-.03 Renewal Of License.

(1) Licensure periods: The private investigator license shall be valid for two years. The continuing education earning period is a two-year period of time in which at least sixteen (16) contact hours shall be accrued (eight (8) hours in each calendar year). This is the time period of the current license.

(2) The renewal of license shall be accomplished prior to expiration of the current license.

(3) Failure to renew prior to the expiration date of the current license will result in an additional late fee. Licenses may be renewed up to thirty (30) days after expiration date. Private investigators will not be permitted to work as a private investigator if their license has expired.

(4) Renewal notices may be mailed or transmitted electronically. Notice shall be sent to the applicant’s address of record sixty (60) days prior to the renewal date.

(5) To be eligible for renewal, the applicant shall:

(a) Hold a valid, active Alabama license;

(b) Submit a completed and signed renewal application and required fee(s);

(c) Meet continuing education requirements;

(d) Pass a review of criminal history for criminal convictions and civil fraud findings.

(6) The applicant is responsible to supply current mailing address records to the Board.

(7) Failure to receive the renewal application or notice shall not relieve the licensee of the responsibility of renewing the license by the expiration date.

(8) Any license not renewed within thirty (30) days following the expiration date shall lapse. Any individual who practices with a lapsed license shall be subject to penalties established under Chapter 741-X-6 – Disciplinary Actions.

(9) Renewal of License or Inactive Statu: A licensee of the Board, in writing may request for the Board to place his or her license on inactive status. During the time that the licensee cannot engage in the activities of a licensed investigator. While the licensee is inactive, they must continue to complete all continuing education and continuing education by the expireation date of the licensee. A licensee must submit in writing to the board a request to place his or her license as active.
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended:** Filed June 21, 2017; effective August 5, 2017. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018. **Amended:** Published January 31, 2025; effective March 17, 2025.

Ed. Note: Previous rule .04 was renumbered .03 per certification filed May 11, 2018; effective June 25, 2018.

741-X-4-.04 Change Of Name Or Address.

(1) The applicant or licensee shall notify the Board of any requested name change. Appropriate legal documents and fees shall be submitted prior to changing the name of the licensee on the license card.

(2) The applicant or licensee shall notify the Board in writing within thirty (30) days of any change in his or her address. The address of record is the address provided by the applicant or licensee.
Author: The Alabama Private Investigation Board

Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

Ed. Note: Previous rule .06 was renumbered .04 per certification filed May 11, 2018; effective June 25, 2018. Rule 741-X-4-.05 Reinstatement Of A Lapsed License was **Repealed:** Filed May 11, 2018; effective June 25, 2018.

741-X-4-.05 Lost License.

The licensee shall promptly report, in writing, the loss of a license card to the Board.
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

Ed. Note: Previous rule .07 was renumbered .05 per certification filed May 11, 2018; effective June 25, 2018.

741-X-4-.06 Verification Of Alabama License.

(1) Verification of licensure will be available by telephone and on a Board maintained web site.

(2) Upon receipt of a written request, the Board's designee shall provide written verification of Alabama license.
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

Ed. Note: Previous rule .08 was renumbered .06 per certification filed May 11, 2018; effective June 25, 2018.

741-X-4-.07 Fees.

(1) Fees and fines are not refundable.

(2) Fees are payable by certified check, cashier's check, corporate or business check, money order, or personal check.

(a) Counter checks are not an acceptable method of payment. Personal checks shall be imprinted with the name, address, and account number of the applicant or licensee.

(b) Personal checks by third parties are not acceptable.

(c) Applicants or licensees who submit personal checks returned due to insufficient funds may be prohibited from paying any future fees or fines by personal check.

(d) Statutory charges for returned checks shall be paid by the applicant or licensees within ten business days from receipt of notice to remit full payment pursuant to Code of Ala. 1975, Section 13A-9-13.01(b)(2) and pay the maximum fee allowed by Code of Ala. 1975, Section 8-8-15.

(3) Fines are payable by certified check, cashier's check, corporate or business check, or money order.

(4) The Board may allow payment of fees by electronic means.

(5) Payment, regardless of the method, that is not honored by the financial institution may result in disciplinary action and/or reporting to the appropriate legal authorities for possible prosecution.

(6) A license may not be issued until funds are received by the Board.

(7) The current schedule of fees and charges are included in the appendix.
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

Ed. Note: Previous rule .09 was renumbered .07 per certification filed May 11, 2018; effective June 25, 2018.

741-X-4-.08 Fingerprinting.

(1) An applicant shall furnish the Board with three (3) sets of classifiable fingerprints with his or her application for the purpose of allowing the Board to forward the fingerprints to the Alabama Law Enforcement Agency (ALEA) and Federal Bureau of Investigation (FBI) as required by the Alabama Private

Investigation Regulatory Act. An applicant shall be deemed to have furnished the Board with three (3) sets of classifiable fingerprints if he or she causes a private company or agency contracted by the State to electronically transmit the applicant's classifiable prints directly to the ALEA and FBI and to forward a classifiable hard copy of the applicant's fingerprints to the Board on standard ALEA/FBI applicant cards. The Board shall notify every applicant in writing of the name, address and telephone number of any company or agency contracted by the State to provide such a service. All private investigator applicants shall comply with the following requirements regarding the payment for the fingerprinting service:

(a) All sets of classifiable fingerprints required by this rule shall be furnished at the expense of the applicant;

(b) If the applicant chooses to request that the Board process the fingerprint cards, then the applicant shall submit with his or her application three (3) sets of classifiable fingerprints on cards provided by the Board for processing through the ALEA and FBI. The applicant shall pay to the Board all processing fees established by the ALEA and FBI.

(c) If the applicant chooses to use the services of a company or agency that has contracted with the state to provide electronic fingerprinting service, then the applicant shall make the arrangements for the processing of his or her fingerprints with the company or agency directly and shall be responsible for payment of any fees associated with processing of fingerprints to the respective agency.

(d) In the event the State no longer contracts with any company or agency to provide an electronic fingerprinting service, then the applicant shall submit three (3) classifiable ALEA and FBI fingerprint cards with his or her application and shall pay the Board all processing fees established by the ALEA and FBI.

(e) Applicants shall in all cases be responsible for paying application fees as established by the Board regardless of the manner of fingerprinting the applicant chooses.

(2) In the event an applicant furnishes unclassifiable fingerprints or fingerprints that are unclassifiable in nature to the Board, or the Alabama Law Enforcement Agency (ALEA) or Federal Bureau of Investigation (FBI), the Board may refuse to issue the requested license. For the purposes of this rule, "unclassifiable fingerprints" means that the electronic scan or the print of the person's fingerprints cannot be read, and therefore cannot be used to identify the person. Should an applicant's fingerprints be rejected by the ALEA or FBI, the applicant shall pay any fees assessed by the ABI or FBI for resubmission.

(3) In the event that the fingerprint card submitted by an applicant is rejected or otherwise unable to be processed by the Alabama Law Enforcement Agency (ALEA) and/or the Federal Bureau of Investigation (FBI), the applicant shall submit a new fingerprint card together with any additional fee(s) charged by the ABI and/or FBI for processing the new fingerprint card.
Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended:** Filed June 21, 2017; effective August 5, 2017. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

Ed. Note: Previous rule .10 was renumbered .08 per certification filed May 11, 2018; effective June 25, 2018.

741-X-4-.09 Exemptions From Licensure.

Nothing in these rules shall be construed as preventing or restricting the practice, services, or activities of the following:

(1) An employee of any business or entity that is not primarily engaged in the business of private investigation when that employee is performing duties related to his or her employment.

(2) An investigation of the internal affairs of a private business entity investigating a current or prospective employee.

(3) An employee of any business or entity that is not primarily engaged in the business of private investigation when that employee is working under a contract for his or her services that his or her employer signed with a third party.

(4) Any person or professional, including without limitation an attorney providing legal services, who is not primarily engaged in the business of private investigation, but who in conjunction with his or her business or profession may occasionally perform private investigation services.

(5) Any business or entity that is not primarily engaged in the business of private investigation.

(6) A consumer-reporting agency as defined by the Federal Fair Credit Reporting Act.

(7) Any certified public accountant authorized to engage in the practice of public accountancy in this state or any entity

licensed or otherwise permitted to engage in the practice of public accountancy in this state or the affiliated entities thereof.

(8)(a) An attorney-at-law in good standing and licensed to practice law;

(b) An employee (meeting the definition of employee by the IRS) of a single attorney or single law firm who is acting within the employee's scope of employment of the attorney or law firm; or

(c) A consultant, accident reconstructionist, or forensic scientist when the person is retained by an attorney, insurance company representative, or appointed by a court to serve as an expert witness or to investigate, or to make tests, conduct experiments, draw conclusions, render opinions or make diagnoses, where those services require the use of training or experience in a technical, scientific, or social science field.

(9) Any individual engaged in any of the following:

(a) Computer or digital forensic services.

(b) The acquisition, review, or analysis of digital or computer-based information for evidentiary or other purposes or to provide expert testimony before any court, Board, officer, or investigating committee.

(c) Network or system vulnerability testing, including network scans and risk assessment and analysis of computers connected to a network.

Author: The Alabama Private Investigation Board
Statutory Authority: Code of Ala. 1975, §§34-25B-1 through 34-25B-29.
History: New Rule: Filed March 7, 2014; effective April 11, 2014. **Amended:** Filed June 21, 2017; effective August 5, 2017. **Amended (Rule Number Only):** Filed May 11, 2018; effective June 25, 2018.

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