

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 740
Department or Agency: Alabama Board of Polygraph Examiners
Rule No.: 740-X-3-.16
Rule Title: Continuing Education
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Brian J. Williams
Brian J. Williams

Date

Tuesday, May 6, 2025

REC'D & FILED
MAY 6, 2025
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF POLYGRAPH EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Polygraph Examiners

RULE NO. & TITLE: 740-X-3-.16 Continuing Education

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:  
Continued Education Exemption

TIME, PLACE AND MANNER OF PRESENTING VIEWS:  
905 Bob Wallace Avenue, Huntsville, Alabama 35801  
bjwhuntsville@gmail.com  
Comments and questions can be sent to the above listed addresses

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
Friday, July 4, 2025

CONTACT PERSON AT AGENCY:  
Brian J. Williams

*Brian J. Williams*

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Brian J. Williams

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

Continuing Education.

(A) Effective October 1, 1993, every licensed polygraph examiner seeking annual renewal of a license shall, as a prerequisite for renewal of such license, report with the license renewal form satisfactory evidence of having completed at least twelve (12) credit hours of qualified continuing education in the subject areas of polygraph examinations, and/or related field. No polygraph examiner shall be required to complete any credit hours of continuing education during the calendar year in which he or she first becomes licensed.

~~(a)~~ (1) Seminars, conferences, courses and classes sponsored by national, regional, state and local polygraph associations and those sponsored by individuals nationally recognized as experts in the profession may be accepted as meeting the requirements of this rule.

~~(b)~~ (2) University or college courses, provided that:

~~1.~~ (a) For credit courses, each semester hour credit shall equal fifteen (15) continuing education credit hours, and each quarter hour credit equal ten (10) continuing education credit hours.

~~2.~~ (b) For noncredit short courses, continuing education credit shall equal actual time in class.

~~(c)~~ (3) Serving in capacity as an intern sponsor during the year licensing period. (5 hours per intern)

~~(d)~~ (4) Presentation of a related industry paper for a seminar or publication. (5 hours per paper)

~~(e)~~ (5) Continuing education credit shall be allowed for service as an instructor, discussion leader, or speaker at any program for which participants are eligible to receive continuing education credit. Credit for such service will be awarded on the first presentation only, unless a program has been substantially revised. The amount of credit awarded shall not exceed three (3) times the number of class hours; provided, however, that credit hours awarded under this paragraph shall not exceed fifty percent (50%) of the total number of credit hours required by this chapter within any reporting period.

~~(f)~~ (6) At the time each examiner submits a request to renew his license for the following year, a copy of the diploma, certificate, or other documentation confirming instruction and attendance shall be submitted.

~~(g)~~ (7) No license shall be renewed without proof of continuing education as required herein.

~~(h)~~ (8) Any false or incorrect information submitted hereunder shall be grounds for revocation of any license granted.

~~(i)~~ (9) If any continuing education credit hours claimed in a statement submitted by a licensee pursuant to paragraph (f) of this rule are disapproved, the Board shall notify such licensee of the reason for the disapproval. The Board may allow a specified period of time for correction of the deficiencies noted.

~~(j)~~ (10) The Board may, upon written request, extend the time within which licensees must comply with the requirements of this chapter for reasons of poor health, military service or other reasonable and just causes.

~~(k)~~ (11) Any licensee who requests or is granted an extension of time under this rule shall remain subject to paragraphs ~~(f)~~, ~~(g)~~, ~~(h)~~ and ~~(i)~~ (6), (7), (8) and (9), and shall note such extension on any report required thereunder.

(B) Any licensed polygraph examiner who attains the age of sixty-five (65) may apply for exemption from the yearly continued education requirements beginning the year in which they reach the age of sixty-five (65), who has maintained an active State of Alabama Polygraph Examiners License a minimum of ten (10) consecutive years prior to attaining the age of sixty-five (65), and whose Alabama Polygraph License is currently in good standing. Application shall be made to the Board, in writing, with supporting information and documents detailing the licensee's eligibility. The application will be considered and answered, in writing, by the Board at the next scheduled Board Meeting, unless the Board is unable to reach a decision based on information presented.

**Author:** Polygraph Examiners Board

**Statutory Authority:** Code of Ala. 1975, §§34-25-5(a), 41-22-4.

**History:** Filed November 6, 1991. Amended: Published ;  
effective .

**Penalty:** N/A