

therefor has engaged in conduct reflecting adversely on professional qualification. Such conduct is hereby defined as, without being limited to:

- (1) The use of controlled substances or alcohol to the extent defined by s. RL 3.10 (2) (b);
- (2) Conviction of any of the offenses named in s. RL 3.10 (2) (c), or conviction of any other misdemeanor or ordinance violation if the offense is directly and demonstrably related to fitness to hold a license;
- (3) The operation of a branch, divisional or departmental office under a different name than that of the agency's principal office in this state, unless the branch, division or department has received a separate license;
- (4) The use, wearing or display of a badge, shield, star or identification card contrary to s. RL 3.24;
- (5) Pretending to be a peace officer;
- (6) False or misleading advertising;
- (7) Advising any person to engage in an illegal act or course of conduct;
- (8) Any violation of regulations duly promulgated by the department relative to proficiency in the care, handling and use of firearms and other dangerous weapons;
- (9) Employing any person who engages in any act or course of conduct for which the department may revoke the license of a private detective, if the circumstances are such that the licensee knows or should know that such person is engaging or has engaged in such act or course of conduct.
- (10) Failure to maintain the bond or liability policy submitted with a license application.
- (11) Neglect, failure or refusal to render professional services to any person solely because of that person's age, race, color, handicap, sex, creed, national origin or ancestry.

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74.

RL 3.33 Automatic suspension of private detective licenses upon revocation of agency license. (1) Revocation of an agency license shall automatically suspend the license of every private detective employed by the agency at the time of the revocation of the agency's license.

(2) A private detective whose license is suspended by the department pursuant to sub. (1) may apply for reinstatement of his license upon his employment by another agency, provided that he was not a party to the act or course of conduct which caused the revocation of the agency license of his former employer.

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74.

Firearms and Other Dangerous Weapons

RL 3.40 Policy. (1) No principal or employe of any agency shall carry on, about or near his person any firearm or other dangerous weapon when he is on duty, unless:

- (a) The circumstances or conditions of his work give rise to a substantial need for his being so armed; and

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(b) He is currently certified under s. RL 3.41 as being proficient in the care, handling and use of such weapon.

(2) No principal or employe of any agency shall carry on, about or near his person any concealed firearm or other dangerous weapon at a time when he is on duty unless:

(a) That person is a peace officer as defined in section 939.22 (22), Wis. Stats.; and

(b) The circumstances or conditions of his work give rise to a substantial need for his being so armed; and

(c) He is currently certified under s. RL 3.41 as being proficient in the care, handling and use of such weapon.

(3) The department shall, within 30 business days of receipt of a certificate of proficiency required under s. RL 3.41, notify the person filing the certificate if the certificate fails to meet requirements in that section.

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74; am. (2) (a), Register, September, 1977, No. 261, eff. 10-1-77; cr. (3), Register, November, 1986, No. 371, eff. 12-1-86.

RL 3.41 Certification of proficiency. (1) Proficiency in the care, handling and use of a weapon shall be certified as to any principal or employe of an agency before assignment with the weapon and at least annually thereafter.

(2) Certification may be made by any person competent to attest to the proficiency of the principal or employe in question. It shall be notarized, and shall include, at least:

(a) A full and complete description of each type of weapon in whose care, handling and use the principal or employe is proficient;

(b) Statements to the effect that the principal or employe understands safety rules, range rules, and the procedures for the care and cleaning of each type of weapon with which he is proficient, and that he understands the legal limits on the use of such weapon;

(c) Proof that the principal or employe has met the minimum marksmanship standards set forth in the 1976 Wisconsin Law Enforcement Firearms Manual, published by the Training and Standards Bureau, Division of Law Enforcement Services, Wisconsin Department of Justice, State Capitol, Madison, Wisconsin 53702. The above-mentioned standard, which is hereby incorporated by reference, is available at the address above and at the offices of this department, the secretary of state and the revisor of statutes.

(3) A copy of each certificate in the care, handling and use of a weapon shall be filed with the department as soon as possible after issuance of the certificate.

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74; am. (2) (c), Register, September, 1977, No. 261, eff. 10-1-77.

RL 3.42 Reporting. If any principal or employe of any agency is responsible for the accidental or intentional discharge of any firearm (other than in target practice, competition, or licensed hunting), or the accidental or intentional use of deadly force by any means, he shall as soon as possible notify the appropriate law enforcement agencies and inform his Register, November, 1986, No. 371

supervisor of the incident. His supervisor, or another person assigned by the agency, shall investigate the incident as soon as possible, and shall make a signed, written report of the incident, identifying all persons involved in the incident, the investigator, and the agency, and fully describing the circumstances of the incident. One copy of the report shall be filed with the department, and another with the local law enforcement agency, as soon as possible after the investigation is completed.

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74.

RL 3.43 Violations of this subchapter to be causes for license revocation. A proven violation of s. RL 3.40, 3.41, or 3.42 shall be cause for the revocation of the license of the agency, the employe (if a private detective) or both, under s. 3.32 (8) or (9).

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74.