

**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 licensee may possess a badge of a design approved by the board for use by a licensee.
- (3) The licensee shall wear the badge under Subsection (2) in a manner that prevents the accidental or inadvertent display of the badge to persons in the presence of the licensee.
- (4) The licensee may display the badge under Subsection (2) only if:
  - (a) 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;
  - (b) the licensee also displays the licensee's identification card described in Section 53-11-116.5, either:
    - (i) upon request, while acting as a bail enforcement agent; or
    - (ii) as necessary for the licensee to demonstrate authority while acting as a bail enforcement agent;
  - (c) the licensee is making a planned apprehension of a defendant, and the licensee is also wearing an article of clothing described in Subsection (4)(a) or Subsection (5);
  - (d) the licensee is making an apprehension that is unplanned and under exigent circumstances, and the licensee is not wearing clothing described in Subsection (4)(a) or Subsection (5); or
  - (e) the licensee is acting as a bail enforcement agent but is not engaged in a planned apprehension or in another situation that does not require that the agent be wearing clothing as described in Subsection (4)(a) or (5) in order to display the badge.
- (5) 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.
- (6) When a licensee is acting as a bail enforcement agent and interacts with a law enforcement officer, the licensee shall, at the first opportunity, identify him or herself to the law enforcement officer and shall provide identification as a bail enforcement agent.

Amended by Chapter 396, 2013 General Session