

53-9-107 Classification of licenses -- License required to act.

- (1) Every person applying for a license under this chapter shall indicate on the application which of the following licenses the applicant is applying for:
 - (a) an agency license shall be issued to an applicant who meets the agency requirements of Sections 53-9-108 and 53-9-109;
 - (b) a registrant license shall be issued to an applicant who meets the registrant requirements of Sections 53-9-108 and 53-9-110; or
 - (c) an apprentice license shall be issued to an applicant who meets the apprentice requirements of Sections 53-9-108 and 53-9-110.
- (2) Unless licensed under this chapter, a person may not:
 - (a) act or assume to act as, or represent himself to be:
 - (i) a licensee; or
 - (ii) a private investigator or private detective as defined in Subsection 53-9-102(16) or conduct any investigation as provided in Subsection 53-9-102(16); or
 - (b) falsely represent to be employed by or for an independent contractor for an agency.
- (3) A licensed registrant, as defined in Section 53-9-102, may only work as an employee of, or as an independent contractor for, an agency licensed under this chapter, and may not:
 - (a) advertise the licensed registrant's services or conduct investigations for the general public; or
 - (b) employ other private investigators or hire them as independent contractors.
- (4)
 - (a) A licensed apprentice, as defined in Section 53-9-102, may only work under the direct supervision and guidance of an agency licensed under this chapter, and may not:
 - (i) advertise the licensed apprentice's services or conduct investigations for the general public;
 - (ii) employ other private investigators; or
 - (iii) obtain information from the Utah State Tax Commission Motor Vehicle Division or Driver License Division within the Department of Public Safety, except the apprentice may utilize information from these agencies for a legitimate business need and under the direct supervision and guidance of a licensed agency.
 - (b) A registrant or apprentice whose license has been suspended or revoked shall immediately notify the agency which supervises the registrant or apprentice of the action.

Amended by Chapter 432, 2011 General Session