

Who must be certified?

Any person who is privately employed and required as a condition of employment to carry a lethal weapon must be certified. Examples of private employees are: security guards, armored truck guards, alarm response guards, night watchmen and private investigators. Governmental employees, such as police officers, are not required to have lethal weapon certification to perform their duties as a government employee. If a government employee has a second job (moonlighting) in which he or she is privately employed and must carry a lethal weapon, he or she must be certified even if the second job is located within the jurisdiction of his government employer.

What is a lethal weapon?

Any weapon calculated to produce death or serious bodily harm is considered a lethal weapon. The most common examples are: pistols, revolvers, batons, nightsticks, rifles and shotguns. A blackjack is considered a prohibited offensive weapon, and as such, cannot be carried by privately-employed agents.

Who administers the act and establishes standards?

The Pennsylvania State Police administers the Act and provides applications at all installations except turnpike and interstate stations. Also, applications are available online at www.lethalweapons.state.pa.us.

What is the purpose of lethal weapons certification?

Lethal weapons certification is evidence that the person to whom it is issued has complied with the Lethal Weapons Training Act. It is not a license to carry a firearm. Licenses to carry a firearm are issued by local authorities.

What are the requirements for certification?

- A. The applicant must be at least 18 years old and submit the required application.
- B. The applicant must pass a psychological evaluation, which is valid for 6 months.
- C. The applicant must pass a physical evaluation which is valid for 6 months and includes, but is not limited, to:
 - (1) **Neurological condition** – The applicant must be free from any debilitating condition, such as tremors, lack of coordination, convulsions, fainting episodes and similar conditions.
 - (2) **Cardiovascular condition** – The applicant must be able to withstand significant cardiovascular stress.
 - (3) **Intoxicants** – The applicant must be free from the addictive or excessive use of either alcohol or drugs.
 - (4) **Visual acuity** – The applicant must be free of any significant vision abnormality and have visual acuity of at least 20/70 uncorrected or 20/20 corrected in the stronger eye, correctable to at least 20/20; and 20/200 uncorrected or 20/40 corrected in the weaker eye. *Important – The uncorrected and corrected vision standards must be met for each eye.*
 - (5) **Audio acuity** – The applicant must be able to distinguish a normal whisper at a distance of 15 feet with each ear, independently.
- (6) **Other conditions** – The applicant must be free from any other significant physical defect or disorder which would, in the physician's opinion, impair the applicant's ability to handle a lethal weapon.

- D. The applicant cannot be convicted of or pled guilty or nolo contendere to any felony or a disqualifying criminal offense, including, but not limited to, the following crimes: murder, rape, aggravated assault, robbery, burglary (entering a building with the intent to commit a crime therein), kidnapping, voluntary manslaughter, involuntary deviate sexual intercourse, domestic violence, arson, recklessly endangering another person and terroristic threats.

NOTE: All disqualifying conditions are described in the PSP Lethal Weapons Application.

- E. Applicants must pay a fee of \$80.25 at the time of application (\$50 for the applicant fee plus \$30.25 for the FBI criminal record check). Upon successful completion of training, an additional fee of \$30 must be submitted to receive certification. All fees must be paid by certified check or money order made payable to the Commonwealth of Pennsylvania.
- F. The applicant must satisfy a training requirement, which includes completion of the established course or approval of a waiver of training.

How long does the certification process take?

If all required documents are received in a timely fashion (at approximately the same time) approval for training is issued in approximately 2 months.

How long is this required course?

The basic training initial certification course is 40 hours and the certification renewal course is 8 hours.

How long is the certification card valid?

The certification card is valid for 5 years, unless revoked or invalidated.

How does an applicant locate a school for training?

After an application is processed, and an approval letter to attend a school has been granted, applicants will be provided a list of all certified schools. **NOTE: Students will not be permitted to attend the course without submitting this approval letter from the Pennsylvania State Police upon reporting to class.**

How are waivers of the basic training course obtained?

The section of the application relating to waivers must be appropriately completed as follows:

- A. **Academic Waiver** – The director of a certified lethal weapons or municipal police training school must verify, by signature, that the applicant has successfully completed a formal course of instruction comparable to the academic course prescribed by the Commissioner. This course must have been completed within 5 years prior to receipt of the application by the Department.
- B. **Firearms Waiver** – The director of a certified lethal weapons or municipal police training school, or a certified police or lethal weapons firearms instructor must verify, by signature, that the applicant has successfully completed a formal combat firearms course of instruction comparable to the firearms course prescribed by the Commissioner. This course must have been completed within 1 year prior to receipt of the application by the Department. If verified by a firearms instructor, a copy of the instructor's certification must accompany the application.

Diplomas and certificates should not be attached to applications for the purpose of documenting equivalent training for a waiver. Only the signature procedure on the application will be used to request a waiver. An applicant who cannot meet the requirements outlined in the academic and/or firearms waiver section will be required to complete the section(s) applicable to obtain certification.

Who can apply for a waiver?

Anyone who has completed comparable training and can document the training with the necessary signatures may apply for a waiver. These waivers relate to basic training only. Only full-time municipal police officers are eligible for waivers when renewing their certification. Part-time municipal police officers may apply for waivers of the 40-hour basic course.

Who is responsible for reporting address changes?

The certified agent must report any change of address directly to Lethal Weapons Certification, Pennsylvania State Police, 8002 Bretz Drive, Harrisburg, PA 17112-9748. ***Failure to provide a change of address to the State Police may prevent a renewal notice from reaching you.***

What is an exemption from the provisions of the Act?

Legislative changes to the Act have created exemptions from the physical, psychological, application fee and training requirements for certain police officers under certain conditions as follows:

- **Active Pennsylvania State Police Officers:** No exemption will be granted.
- **Retired Pennsylvania State Police and Pennsylvania Municipal Police Officers:** Exempt from the physical testing requirement, the psychological testing requirement, the application fee

and the training requirement, provided the officer retired after at least 20 years of service and assumed the duties of a private agent within 3 years of retirement. If the officer waits more than 3 years from his or her date of retirement to apply for certification, he or she must comply with the physical and psychological testing requirements. If the officer retires with less service than 20 years, or at any length of service because of a disability, no exemption will be granted.

- **Active Pennsylvania Municipal Police Officers hired before June 18, 1974:** Exempt from the physical testing requirement, the psychological testing requirement and the application fee provided the officer is employed full-time by a municipal police department and has been so employed since before June 18, 1974.
- **Active Pennsylvania Municipal Police Officers hired on or after June 18, 1974:** Exempt from the application fee, and if he or she has completed physical and/or psychological examination(s) as a prerequisite to police employment, he or she will be exempted from the physical and psychological testing requirement, provided the officer is employed full-time by a municipal police department.
- **Active sheriffs and deputy sheriffs who work in a law enforcement capacity other than administrative duties and county detectives** may be exempt from the physical testing requirement, the psychological testing requirement and the application fee provided the officer is employed full-time.
- **Active or retired part-time Pennsylvania municipal police officers, federal or other police officers (campus police, Capitol police, any officers from another state, etc):** NO exemption will be granted.

What is the penalty for violating the Act?

An individual carrying a lethal weapon incidental to employment without certification may be convicted of a misdemeanor offense with a prison term not to exceed one year, or a fine not to exceed \$1,000 or both.

An agent who is certified, but does not have his or her certification in his or her possession while carrying a lethal weapon incidental to employment, may be convicted of a summary offense with a fine not to exceed \$50.

Who can enforce this law?

Any Pennsylvania State Police or local police officer may enforce the provisions of this law.

When must a certification card be renewed?

A certification card must be renewed before it expires, as expired cards cannot be renewed. If the card expires, the applicant must go through the entire initial application process again, including the 40-hour training program.

What is the procedure for renewal?

To renew a certification, a renewal application must be completed and forwarded to the address on the form along with a \$30 fee. Approval for training will be sent with a list of schools offering the training.

When the 8-hour renewal course is completed, and the grades for the renewal course are transmitted to the State Police by the certified training school, applicants will receive a new certification card.

HACC, Central Pennsylvania's Community College

Senator Jeffrey E. Piccola Law Enforcement Complex

Lethal Weapons Training ACT 235

Important Facts About the Lethal Weapons Training Act

Where should questions concerning the Act be directed?

All questions concerning the Act should be directed to:

Lethal Weapons Certification
Pennsylvania State Police
8002 Bretz Drive
Harrisburg, PA 17112-9748
Telephone: (717) 346-7762
<http://www.lethalweapons.state.pa.us>

HACC, Central Pennsylvania's Community College, does not discriminate in admission or employment on the basis of race, color, religion, political affiliation or belief, age, sex, national origin, ancestry, non-job-related disability, place of birth, General Education Development Certificate (GED), marital status, sexual orientation, or veteran status. Inquiries concerning affirmative action should be directed to the office of Human Resources, Whitaker Hall 126, Harrisburg Area Community College, One HACC Drive, Harrisburg, PA 17110, telephone 717-780-2367. For information regarding services, activities and facilities that are accessible to and usable by persons with disabilities, contact Marguerite MacDonald, Director, Learning Support Services at 717-780-2456.