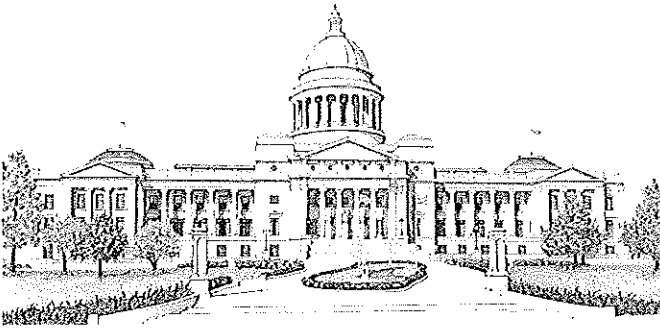


ARKANSAS REGISTER

Transmittal Sheet

* Use only for FINAL and EMERGENCY RULES



Secretary of State
Mark Martin
 State Capitol, Suite 026
 Little Rock, Arkansas 72201-1094
 (501) 682-3527
www.sos.arkansas.gov



For Office
 Use Only:

Effective Date _____ Code Number _____

Name of Agency Commission on Law Enforcement Standards and Training

Department _____

Contact Sue Albritton E-mail sue.albritton@arkansas.gov Phone 870-574-1810

Statutory Authority for Promulgating Rules 25-15-218

Rule Title: Certification of Canines and Canine Certifying Officials

Intended Effective Date
 (Check One)

☐ Emergency (ACA 25-15-204)

☒ 30 Days After Filing (ACA 25-15-204)

☐ Other _____
 (Must be more than 30 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislatice Council

Adopted by State Agency

Date

7/25/13-7/27/13

Aug 29, 2013

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Sue Albritton sue.albritton@arkansas.gov

Jul 25, 2013

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
 In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


 Signature

870-574-1810

Phone Number

sue.albritton@arkansas.gov

E-mail Address

Administrative Assistant

Title

Jul 25, 2013

Date

1028. CERTIFICATION OF LAW ENFORCEMENT CANINES

- (1) A canine used as a law enforcement tool in the State of Arkansas must be certified by a Law Enforcement Certifying Official in accordance with Canine Certification Requirements approved by CLEST.
- (2) All Law Enforcement Canines shall meet or exceed the minimum standards approved by CLEST.
- (3) Law Enforcement Canine Certifications shall expire one (1) year after the date of issue.
- (4) Law Enforcement Canines that are used for the sole purpose of tracking shall not be required to obtain CLEST certification.
- (5) All Law Enforcement Canines currently active in Arkansas shall be certified within eighteen (18) months of the effective date of this regulation.
- (6) A Certified Law Enforcement Canine must be recertified each year and each time it is assigned to a new Law Enforcement Officer.

1029. DECERTIFICATION OF LAW ENFORCEMENT CANINES

- (1) Law Enforcement Canine Certificates issued by the Commission remain the property of CLEST and the Commission shall have the power to revoke or recall any certificate for the following reasons:
 - (a) The Law Enforcement Canine is found to be a danger to the public.
 - (b) The Law Enforcement Canine is no longer in use by a Law Enforcement Agency.
- (2) The Law Enforcement Agency utilizing the Law Enforcement Canine shall have the right to a hearing before the Commission prior to a final decision to decertify a Law Enforcement Canine.

1030. CERTIFICATION OF LAW ENFORCEMENT CANINE CERTIFYING OFFICIAL

- (1) In order to certify Law Enforcement Canines in the State of Arkansas, a person must be certified by CLEST as a Law Enforcement Canine Certifying Official.
- (2) A person may be certified as a Dual Purpose Certifying Official or a Single Purpose Certifying Official.
 - (a) A Dual Purpose Certification will be issued to a person who is trained to certify Law Enforcement Canines in narcotics/explosives and patrol work.

- (b) A Single Purpose Certification will be issued to a person who is trained to certify Law Enforcement Canines in narcotics/explosives work only.
 - (c) A Dual Purpose Certifying Official may certify a Single Purpose Canine, but a Single Purpose Certifying Official may not certify a Dual Purpose Canine.
- (3) A person desiring to become a Law Enforcement Canine Certifying Official must submit an application to the Commission.
 - (4) An applicant for Law Enforcement Canine Certifying Official Certification must be a Certified Law Enforcement or Corrections Officer in the State of Arkansas.
 - (5) Applicants who are certified as Law Enforcement or Corrections Officers must have completed a CLEST approved Instructor Development Course.
 - (6) Applicants must have five (5) years of experience as a Dual or Single Purpose Canine Officer to qualify as a Certifying Official in that respective field.
 - (7) All applicants for Law Enforcement Canine Certifying Official Certification must pass a written examination approved and administered by CLEST.
 - (8) All Applicants must conduct the certification process for each Law Enforcement Canine in accordance Arkansas Certifications Requirements approved by CLEST.

1031. DECERTIFICATION OF LAW ENFORCEMENT CANINE CERTIFYING OFFICIALS

Decertification of Law Enforcement Canine Certifying Officials will be handled in accordance with rules set forth in Regulation 1010 regarding decertification of Law Enforcement Officers.

SUMMARY OF NEW RULE

The proposed new rule of the Commission includes establishing Certification of Law Enforcement Canines and Canine Certifying Officials.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Commission on Law Enforcement Standards and Training

DIVISION: N/A

PERSON COMPLETING THIS STATEMENT: Ken Jones

TELEPHONE NO. 870-574-1810

FAX NO. 870-574-2706

EMAIL: ken.jones@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE:

Certification of Law Enforcement Canines and Canine Certifying Officials

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X _____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X _____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain. N/A

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program. N/A

CURRENT FISCAL YEAR		NEXT FISCAL YEAR	
General Revenue		General Revenue	
Federal Funds		Federal Funds	
Cash Funds		Cash Funds	
Special Revenue		Special Revenue	
Other (Identify)		Other (Identify)	
Total	0		0

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected. N/A

CURRENT FISCAL YEAR	NEXT FISCAL YEAR
\$ N/A	\$ N/A

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

CURRENT FISCAL YEAR	NEXT FISCAL YEAR
\$ N/A	\$ N/A