**Section 1240.600 Application for Licensure – Fingerprint Vendor**

a) An applicant for licensure as a fingerprint vendor shall submit an application, on forms supplied by the Division, that shall include the following:

1) verification that the applicant is at least 18 years of age.

2) one of the following:

A) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division. Applicants shall not take fingerprints of themselves for processing;

B) Out-of-state residents unable to utilize the ISP electronic fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP at 20 Ill. Adm. Code 1215.50; or

C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer.

3) certification issued by ISP that the applicant has successfully completed a fingerprint vendor training course conducted or authorized by ISP.

4) proof of at least $1,000,000 of general liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer. A fingerprint vendor employed by a licensed fingerprint vendor agency may provide proof that his or her actions as a fingerprint vendor are covered by the liability insurance of his or her employer.

5) the required fees specified in Section 1240.570.

6) certification issued by ISP that the applicant's fingerprinting equipment and software meets all specifications of ISP if the applicant is not employed by a fingerprint vendor agency or is not required to obtain a fingerprint vendor agency license. Compliance with the ISP fingerprinting equipment and software specifications is a continuing requirement for licensure and shall be provided to Division personnel upon request.

7) proof that the applicant maintains an office location in Illinois and attestation that the applicant will operate from that location when providing fingerprint services unless authorized to provide services from a location other than the stated office location.

8) all other information the Division deems relevant to determine the applicant's qualifications under the Act and this Part.

b) Failure to maintain general liability insurance and failure to provide the Division with written proof of the insurance, upon request, shall result in cancellation of the license without a hearing.

c) In addition to any other requirements, an applicant for licensure shall meet the following:

1) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction;

2) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except when the applicant is a registered sex offender;

3) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent;

4) Is not suffering from dependence on alcohol or from narcotic addiction or dependence;

5) Has not been dishonorably discharged from the armed forces of the United States;

6) Submits his or her fingerprints, in accordance with the provisions of the Act and this Part, including but not limited to the payment of any required fees;

7) Has not violated any provision of the Act or this Part;

8) Pays all required licensure fees.

d) A person licensed as a fingerprint vendor or any employee of a licensed fingerprint vendor agency may not possess or carry a firearm in the course of providing fingerprinting services. This subsection shall not apply to an active duty sworn peace officer acting within the scope of his or her duties.

e) The Division shall not grant or authorize the issuance of a firearm control card to a fingerprint vendor or any employee of a licensed fingerprint vendor agency unless the person is authorized to carry a firearm under the Act or authorized in accordance with Section 1240.530(h).

f) Upon certification of the applicant's fingerprinting equipment by ISP as provided in subsection (a)(6) or in Section 1240.610(c), an unlicensed person may operate the fingerprinting equipment and otherwise take and submit fingerprints provided that the unlicensed person submits to the Division an application for licensure as a fingerprint vendor within 30 days after the ISP certification. In addition, the unlicensed person must have successfully completed a fingerprint vendor training course conducted or authorized by ISP. In the event the Division denies the application, the applicant shall cease operating the fingerprinting equipment and otherwise taking or submitting fingerprints.

(Source: Amended at 43 Ill. Reg. 7111, effective June 21, 2019)