

# Regulatory Analysis Form

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(1) Agency

State Police - Municipal Police Officers' Education & Training Commission

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

(2) I.D. Number (Governor's Office Use)

17-75

IRRC Number: 2661

(3) Short Title

Retired Law Enforcement Officers Identification and Qualification Cards

(4) PA Code Cite

37 Pa. Code Chapter 221

(5) Agency Contacts & Telephone Numbers

Primary Contact: Syndi L. Guido (717) 772-0905

Secondary Contact: Major John Gallaher (717) 346-4086

(6) Type of Rulemaking (Check One)

- Proposed Rulemaking  
 Final Order Adopting Regulation  
 Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No  
 Yes: By the Attorney General  
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation adds Chapter 221 to Title 37. The new chapter provides for the issuance of identification and qualification cards for retired law enforcement officers, pursuant to 53 P.S. § 753.1 et seq. Specifically, the regulation provides for eligibility, requirements and contents of the "Retired Law Enforcement Identification Card," as well as issuance and replacement of the card. It also provides for the eligibility, issuance, and replacement of the qualification card, as well as its contents.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions. The Act of December 13, 2005, P.L. 432, No. 79, 53 P.S. § 753.7. There are no relevant court decisions.

## Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

Yes; the Act of December 13, 2005, P.L. 432, No. 79, 53 P.S. § 753.7.  
There are no deadlines for action.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

N/A

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

N/A

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Retired law enforcement officers formerly employed in Pennsylvania will be able to carry a concealed weapon interstate with an Identification Card and a Qualification Card.

## Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effect as completely as possible and approximate the number of people who will be adversely affected.)

N/A

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

Retired law enforcement officers who wish to carry a concealed firearm and certified law enforcement firearms instructors will need to comply with this regulation.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The proposed regulation has been discussed and voted upon at a public meeting of the Commission.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

- Law enforcement agency must bear cost of providing I.D. cards.
- Retired law enforcement officers are charged up to \$15.00 for I.D. card.
- Firearms instructors must pay \$2.00 for each qualification card.
- Retired law enforcement officers are charged up to \$5.00 for cost of obtaining confirmation number (CHRIA check, etc.) from Sheriff.

## Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

See (17)

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting or consulting procedures which may be required.

Will have to have full-time employee at MPOETC to create and maintain database of retired officers and firearms instructors necessary to carry out provisions of regulation.

### Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and cost associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings						
<b>COSTS:</b>						
Regulated Community		60,000	60,000	60,000	60,000	60,000
Local Government						
State Government		61,400	44,700	44,700	44,700	44,700
Total Costs		121,400	104,700	104,700	104,700	104,700
<b>REVENUE LOSSES:</b>						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

Regulated Community- Costs are for individual retired officers to obtain an identification card at a maximum cost of \$15 per card. This anticipates an estimate of 4,000 retired officers participating in the voluntary program.

State Government – Costs associated with converting a current position to an administrative assistant needed to establish and maintain two databases – one for participating retired officers and one for qualified firearms instructors. This employee will also serve as the point of contact for any inquiry regarding the implementation of this new program. It is estimated to be a full time work on the initial year (\$33,400), reduced to half time work in subsequent years once the program is in operation (\$16,700). In addition, the statute requires sheriffs to conduct a check of the Pennsylvania Instant Check System before issuing a qualification card. Each check costs the Department approximately \$12. With an estimated 4,000 applications, the cost to the Department would be \$48,000. However, the statute only authorizes the Department to collect \$5 for each records check or \$20,000. Consequently, the Department must absorb the additional \$28,000 cost of the check.

### Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY-3	FY-2	FY-1	Current FY
General Fund – Municipal Police Training	3,137,000	3,358,000	3,820,000	4,269,000
Motor License Fund – Municipal Police Training	3,509,000	3,846,000	3,846,000	4,269,000

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The costs are a reasonable means to effectuate the provisions of the Law Enforcement Officers' Safety Act of 2004 in the Commonwealth, which permits retired officers to carry a firearm interstate.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

None. The action proposed cannot be accomplished through any alternative method.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

On advice of counsel, the agency is not aware of any other methods to accomplish the amendments.

## Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

These regulations are not more stringent than federal standards. They are simply a means of effectuating the provisions of the Law Enforcement Officers Safety Act of 2004, 18 UCS § 926C, with respect to retired law enforcement officers.

(25) How does the regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

This regulation will not put the Commonwealth at any competitive disadvantage.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No.

## Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

Copies of qualification cards from both certified law enforcement firearm instructors and Sheriff must be maintained by the Commission, as well as copies of qualification cards confiscated by the Sheriff for those persons who are not issued unique approval numbers.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

N/A

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The changes will become effective upon final publication of the proposed regulation in the Pennsylvania Bulletin.

(31) Provide the schedule for continual review of the regulation.

Due to the unique nature of this regulation, it will be continuously reviewed, and updated if necessary, for its overall effectiveness and whether it is serving the greater interests of the citizens of the Commonwealth.



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P.R.M.5

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PA. CODE & BULLETIN

FACE SHEET FOR FILING DOCUMENTS WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

JAN 11 2008

DO NOT WRITE IN THIS SPACE.

Copy below is hereby approved as to form and legality. Attorney General

By Amy M. Elliott (Deputy Attorney General)

NOV 09 2007

Amc 2/29/08

DATE OF APPROVAL

Check if applicable Copy not approved. Objections attached.

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION (AGENCY)

DOCUMENT/FISCAL NOTE NO. 17-75

DATE OF ADOPTION

By Col. Jeffrey B. Miller

Colonel Jeffrey B. Miller

TITLE Commissioner

EXECUTIVE OFFICER CHAIRMAN OR SECRETARY

Copy below is hereby approved as to form and legality Executive or Independent Agency

By Andrew C. Clark

OCT 22 2007

DATE OF APPROVAL

(Deputy General Counsel) (Chief Counsel - Independent Agency) (Strike inapplicable title)

ACC 1-25-08

Check if applicable. No attorney General Approval or objection within 30 days after submission.

INDEPENDENT REGULATORY REFERENCE COMMISSION

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Title 37. Law

Part IV. Municipal Police Officers' Education and Training Commission

Subpart B. Retired Law Enforcement Identification and Qualification

Chapter 220. Retired Law Enforcement Officers Identification and Qualification Cards

221

## PROPOSED RULEMAKING

### MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

[37 PA. CODE CH. 221]

#### Retired Law Enforcement Officers Identification and Qualification Cards

##### Description and Purpose

Pursuant to the Retired Law Enforcement Identification Act, the Act of December 13, 2005, P.L. 432, No. 79, 53 P.S. § 753.7, the Municipal Police Officers' Education and Training Commission (Commission) is required to promulgate regulations necessary to carry out the provisions of the act. This proposed rulemaking provides for the eligibility, requirements, contents, issuance, and replacement of identification and qualification cards for retired Pennsylvania law enforcement officers.

##### Statutory Authority

This proposed rulemaking is authorized by the Act of December 13, 2005, P.L. 432, No. 79, 53 P.S. § 753.7.

##### Effect

This proposed rulemaking will affect former law enforcement officers who retired from Pennsylvania law enforcement agencies.

##### Effective Date/Sunset Date

These regulations will be continually monitored and updated as needed. Therefore, no sunset date has been set.

##### Regulatory Review

Under section 5(a) of the Regulatory Review Act, 71 P.S. §745.1 et seq., on March 14, 2008, the Commission submitted a copy of the proposed Annex and a copy of the Regulatory Analysis Form to the Independent Regulatory Commission (IRRC) and to the Chairperson of the House Judiciary Committee and the Senate Law and Justice Committee. A copy of these materials are available to the public upon written request.

Under Section 5(g) of the Act, IRRC may convey any comments, recommendations or objections to the proposed Annex within 30 days after the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Act specifies detailed

procedures for review, prior to final publication of the regulation, by the Commission, the General Assembly and the Governor of comments, recommendations or objections raised.

Contact Person/Public Comment

Interested persons wishing to comment are invited to submit all written comments within 30 days of the publication of this notice in the *Pennsylvania Bulletin*. Each written comment must include the name, address and telephone number of the interested party and a concise statement with sufficient detail on the subject. Written statements may be directed to Syndi L. Guido, Policy Director, Pennsylvania State Police, 1800 Elmerton Avenue, Harrisburg, Pennsylvania 17110, (717)772-0905. If you are a person with a disability and require an alternative format of this document (i.e. large print, audio tape, Braille) please contact Ms. Guido so that she may make the necessary arrangements.

**Annex A**

**Title 37. LAW**

**PART IV. MUNICIPAL POLICE OFFICERS' EDUCATION  
AND TRAINING COMMISSION**

**Subpart B. RETIRED LAW ENFORCEMENT IDENTIFICATION  
AND QUALIFICATION**

**CHAPTER 221. RETIRED LAW ENFORCEMENT OFFICERS  
IDENTIFICATION AND QUALIFICATION CARDS**

**Subchapter A. GENERAL PROVISIONS**

Sec.  
221.1            Purpose

221.2            Definitions

**Subchapter B. RETIRED LAW ENFORCEMENT IDENTIFICATION CARDS**

Sec.  
221.21           Eligibility

221.22           Identification Card Contents

221.23           Identification Card Issuance

221.24           Replacement; Change in Material Information

221.25           Challenge to Issuance of Identification Card

**Subchapter C. QUALIFICATION CARD**

Sec.  
221.31           Eligibility

221.32           Qualification Card Contents

221.33           Qualification Card Issuance

221.34           Replacement; change in Material Information

221.35           Challenge to Issuance of Identification Card

## Subchapter A. GENERAL PROVISIONS

### § 221.1 Purpose.

This chapter provides for the issuance of identification and qualification cards for retired law enforcement officers as provided for in section 7 of the act, 53 P.S. § 753.7 (relating to rules and regulations).

### § 221.2 Definitions.

The following words and terms, when used in this chapter, have the following meanings:

*Act*—The Retired Law Enforcement Identification Act (53 P.S. §§ 753.1 – 753.9).

*Certified law enforcement firearm instructor*—Any individual who possesses a current police firearms instructor rating from the National Rifle Association, the Pennsylvania State Police, the Municipal Police Officers' Education and Training Commission, the Deputy Sheriffs' Education and Training Board, the Federal Bureau of Investigation, the Smith & Wesson Academy, the Philadelphia Police Academy or the United States Secret Service or other certification approved by the Municipal Police Officers' Education and Training Commission.

*Commission*—The Municipal Police Officers' Education and Training Commission.

*Commonwealth's standards for training and qualification for active law enforcement officers to carry a firearm*—The standards established by the law enforcement agency from which an officer retired or by the Commission for training and qualification to carry a firearm of the same type as the concealed firearm, provided that the Commission does not charge a fee to certified law enforcement firearm instructors

and officers for the standards, whether access to the standards is given through the internet or some other form for publication.

Confirmation number—A unique approval number provided by the Pennsylvania State Police to the sheriff after a check of the applicant's criminal history record, juvenile delinquency record and mental health record.

Identification card—A retired law enforcement officer identification card authorized under section 4 of the act, 53 P.S. § 753.4 (relating to retired law enforcement identification card).

Qualification Card—A valid firearm training and qualification card authorized under 53 P.S. § 753.5 (regarding firearm training and qualification card). When carried with an identification card, a qualification card constitutes a Pennsylvania license to carry a firearm.

Retired Law Enforcement Officer or Officer—A qualified retired law enforcement officer as defined in 18 U.S.C. § 926C(c) (relating to carrying of concealed firearms by qualified retired law enforcement officers).

## **Subchapter B. RETIRED LAW ENFORCEMENT IDENTIFICATION CARDS**

### **§ 221.21 Eligibility.**

An identification card shall only be issued to an individual who meets the following conditions:

(1) Retired in good standing, for reasons other than mental instability, from service with a public agency as a law enforcement officer.

(2) Before retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest.

(3) Before retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency.

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency.

(5) Has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms during the most recent 12-month period.

(6) is not prohibited by Federal law from receiving a firearm.

**§ 221.22 Identification Card Contents.**

(a) Identification cards must be uniform throughout this Commonwealth and on a form prescribed by the Commission.

(b) The identification card must contain the following:

- (1) The caption "Retired Law Enforcement Identification Card."
- (2) The photograph of the retired law enforcement officer.
- (3) The name, address, date of birth, race, sex, height, weight, color of hair, color of eyes, and signature of the retired law enforcement officer.
- (4) The signature of the law enforcement officer issuing the identification card.

- (5) The name, telephone number and address of the law enforcement agency issuing the identification card.
- (6) The date the identification card was issued.
- (7) The statement that “this card does not give the retired law enforcement officer any police powers, including any authority to arrest.”
- (8) The statement that “the retired law enforcement officer must carry both the identification card and qualification card in order to carry a concealed firearm.”
- (9) Other information designated by the Commission.

**§ 221.23 Identification Card Issuance.**

- (a) A law enforcement agency shall provide each retired law enforcement officer with an identification card, within 60 days of the officer’s retirement.
- (b) If an officer has retired prior to the effective date of these regulations, upon request of the retired law enforcement officer, a law enforcement agency shall provide the officer with an identification card, within 60 days of the officer’s request.
- (c) A law enforcement agency may charge a reasonable fee, not to exceed \$15, for each identification card, or replacement card. The identification card shall not be issued until the retired law enforcement officer has paid the fee.



**§ 221.24 Replacement; change in material information.**

- (a) Replacement. If an identification card is lost, stolen, destroyed, mutilated or becomes illegible, the retired law enforcement officer may obtain a replacement identification card upon request to the issuing agency and payment of the required fee.
- (b) Error or change in information. If any information on an identification card has changed, or is in error, from the information originally set forth, the retired law enforcement officer shall obtain from the issuing agency, within 15 days of the change or discovery of the error, a new identification card.

**§ 221.25 Challenge to Issuance of Identification Card.**

The Commission shall have standing to contest issuance of any identification card subject to the provisions of sections 203.101 through 203.103 of this part.

**Subchapter C. QUALIFICATION CARDS**

**§ 221.31 Eligibility.**

A retired law enforcement officer shall be eligible for a qualification card if the retired law enforcement officer meets the following conditions:

- (a) Resides in the Commonwealth; or.
- (b) Is retired from a law enforcement agency from this Commonwealth or any political subdivision thereof; and
- (c) prior to each annual qualification, completes a Pennsylvania Retired Officer Concealed Carry Acknowledgement, on a form prescribed by the Commission, attesting to all of the following, subject to the penalties of Section 4904 of the Pennsylvania Crimes Code:

(1) That prior to retirement, the applicant was employed as a law enforcement officer for an aggregate of 15 years or more or retired from service with such agency after completing any applicable probationary period of service, due to a service-connected disability, as determined by the law enforcement agency;

(2) Whether the person intends to fire and carry a revolver, semi-automatic or automatic weapon;

(3) The law enforcement agency from which the applicant retired has issued him or her an identification card pursuant to 37 Pa. Code § 221.23;

(4) The applicant retired in good standing, specifying the agency, city, and state from which he or she retired;

(5) Whether the applicant retired for reasons of mental instability;

(6) The applicant is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance;

(7) The applicant will not carry a firearm while under the influence of alcohol or another intoxicating or hallucinatory drug or substance;

(8) The applicant is not prohibited by federal or Pennsylvania law from receiving or possessing a firearm;

(9) The applicant understands and acknowledges that the definition of a firearm does not include any machine gun, firearms silencer, destructive device, or prohibited offensive weapon;

(10) The applicant understands and acknowledges that he or she must meet Pennsylvania's standards of requalification for active law

enforcement officers to carry a firearm of the same type as his or her  
concealed weapon;

(11) The applicant understands and acknowledges that he or she must  
carry Pennsylvania's qualification card, along with the identification card  
issued by his or her retiring agency, when carrying the concealed weapon;

(12) The applicant understands and acknowledges that his or her  
certification expires 12 months from the date of issue and it is his or her  
responsibility to reapply if the applicant wants to continue to carry the  
weapon under this law;

(13) The applicant understands and acknowledges that this  
authorization applies only to the type of weapon with which he or she  
qualified;

(14) The applicant understands and acknowledges that that the State of  
Pennsylvania's certification does not give him or her any right whatsoever  
to exercise law enforcement authority or take police action under any  
circumstances;

(15) The applicant understands and acknowledges that that a  
background investigation is required and authorizes one to be conducted to  
determine if he or she has been convicted of any criminal offenses or has  
any mental health issues that would disqualify the applicant from  
possessing a concealed weapon; and

(16) The applicant has not been charged with nor convicted of any  
felony or misdemeanor or similar offenses in Pennsylvania or any other

state or federal law that would prohibit the applicant from possessing a firearm.

**§ 221.32 Qualification Card Contents.**

- (a) A qualification card shall be issued to indicate compliance with the Commonwealth's standards for training and qualification for active law enforcement officers to carry a firearm. The qualification cards must be uniform throughout this Commonwealth and on a form issued by the Commission.
- (b) The qualification card must contain the following:
  - (1) The caption "Retired Law Enforcement Officer Qualification Card."
  - (2) The name, address, date of birth, race, sex, height, weight, color of hair, color of eyes and signature of the retired law enforcement officer.
  - (3) The date of completion of the most recent firearms training and qualification by the retired law enforcement officer.
  - (4) An expiration date 12 months later than the date of completion of the most recent firearms training and qualification by the retired law enforcement officer.
  - (5) The name and signature of the certified law enforcement firearms instructor issuing the qualification card.
  - (6) The name and signature of a sheriff.

- (7) A confirmation number provided by the sheriff who signed the qualification card.
- (8) A statement that the retired law enforcement officer has a duty to surrender the qualification card when the officer becomes legally ineligible either under Federal or State law to receive, possess, use, manufacture, control, sell or transfer a firearm.
- (9) Any other information designated by the Commission.

**§ 221.33 Qualification card issuance.**

- (a) A retired law enforcement officer shall produce his identification card and another form of official/governmental identification, which includes a photograph of the officer, to the certified law enforcement firearm instructor prior to participating in firearms training and qualification.
- (b) A retired law enforcement officer may not participate in firearms training and qualification if the certified law enforcement firearm instructor determines that the officer presents a safety hazard to himself or others on the range or if the officer is not able to produce the two forms of identification required in subsection (a).
- (c) A retired law enforcement officer shall meet the firearms standards established by the law enforcement agency from which the officer retired or the guidelines established by the Commission to carry a firearm of the same type as the concealed firearm that they intend to carry. As part of firearms training, the certified law enforcement firearm instructor must

provide instruction on the use of force by a civilian under to 18 Pa.C.S.

Chapter 5 (related to general principles of justification).

(d) The certified law enforcement firearms instructor may issue a qualification

card to a retired law enforcement officer who has met the

Commonwealth's standards for training and qualification for active law

enforcement officers to carry a firearm.

(e) The certified law enforcement firearm instructor shall obtain the

qualification cards, for a fee of \$2 for each card, from the Commission.

(f) The certified law enforcement firearms instructor shall keep a record of

each qualification card issued, including the following:

(1) The name of the retired law enforcement officer to whom the

qualification card was issued.

(2) The make and model of the weapon(s) the retired law enforcement

officer qualified on.

(3) The type of ammunition utilized by the retired law enforcement

officer.

(4) the course of fire completed by the retired law enforcement officer.

(5) The date of qualification.

(g) Within 30 days of a retired law enforcement officer being issued a

qualification card, the certified law enforcement firearm instructor shall

provide the Commission with a copy of the record maintained under

subsection (f).

(h) Sheriffs.

- (1) Prior to signing the qualification card, in addition to other requirements contained in 53 P.S. § 753.5, the sheriff shall require the retired law enforcement officer to display his identification card and another form of official/governmental identification, which includes a photo of the retired law enforcement officer. The sheriff shall make a photocopy of both forms of identification.
- (2) The sheriff shall keep a record of the following:
  - (i) Each qualification card signed.
  - (ii) The name and address of the retired law enforcement officer appearing on the card.
  - (iii) The date the sheriff signed the card.
- (3) The sheriff shall confiscate the qualification card from any retired law enforcement officer who is not issued a unique approval number. Confiscated qualification cards shall be returned to the Commission.
- (4) The sheriff shall collect the expired qualification card from the retired law enforcement officer and return the card to the Commission.
- (5) Within 30 days of signing a qualification card, the sheriff shall provide the Commission with a copy of the record maintained pursuant to subparagraph (2).

**§ 221.34 Replacement; change in material information.**

- (a) Replacement. If a qualification card is lost, stolen, destroyed, mutilated or becomes illegible, the retired law enforcement officer may obtain a replacement qualification card upon request to the certified law enforcement firearm instructor and payment of the required fee.
- (b) Error or change in information. If any information on a qualification card has changed, or is in error, from the information originally set forth, the retired law enforcement officer shall obtain a new qualification card from the certified law enforcement firearm instructor, within 15 days of the change or discovery of the error.

**§ 221.35 Challenge to Issuance of Qualification Card.**

The Commission shall have standing to contest issuance of any identification card subject to the provisions of sections 203.101 through 203.103 of this part.





COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA STATE POLICE  
1800 ELMERTON AVENUE  
HARRISBURG, PENNSYLVANIA 17110

Syndi L. Guido  
Director  
Policy Office

E-Mail: [sguido@state.pa.us](mailto:sguido@state.pa.us)  
Telephone: (717) 772-0905  
FAX: (717) 705-1750

March 14, 2008

The Honorable Kim Kaufman  
Executive Director  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, Pennsylvania 17101

Re: Proposed Rulemaking, Identification Number 17-75  
Title 37. Law, Part IV. Municipal Police Officers'  
Education and Training Commission  
Subpart B. Retired Law Enforcement Identification and Qualification  
Chapter 220. Retired Law Enforcement Officers Identification and  
Qualification Cards

Dear Mr. Kaufman:

The Municipal Police Officers' Education and Training Commission is proposing regulations to implement the Retired Law Enforcement Identification Act. Pursuant to the Regulatory Review Act, I am providing you with the enclosed copy of the proposed rulemaking. Should the Commission require any assistance with its review of the proposed regulations, please let me know.

Sincerely,



Syndi L. Guido  
Policy Director

Enclosure

cc: Colonel Jeffrey B. Miller  
Major John Gallaher  
Barbara Christie, Chief Counsel  
Donna Cooper, Secretary of Planning and Policy  
Director of Legislative & Budget Analysis

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 17-75

SUBJECT: RETIRED LAW ENFORCEMENT OFFICERS' IDENTIFICATION AND QUALIFICATION CARDS

AGENCY: PA STATE POLICE

**TYPE OF REGULATION**

- X Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
- a. With Revisions                      b. Without Revisions

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 INDEPENDENT REGULATORY REVIEW COMMISSION

**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
3/14/08	<u>Jetta Harlman</u>	HOUSE COMMITTEE ON JUDICIARY
3/14/08	<u>Anna Squigiali</u>	MAJORITY CHAIRMAN <u>Caltagirone</u> Minority Chairman Marsico
3/14/08	<u>Cecilia M Boyer</u>	SENATE COMMITTEE ON LAW AND JUSTICE
3/14/08	<u>Rance Gaddis</u>	MAJORITY CHAIRMAN <u>Rafferty</u> Minority Chairman Logan
3/14/08	<u>Kathy Cooper</u>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
3/14/08	<u>Maya Garcia</u>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)