

**CHAPTER 55B**  
**REGULATION OF BOUNTY HUNTERS**

**Authority**

N.J.S.A. 45:19-40.

**Source and Effective Date**

R.2007 d.78, effective March 5, 2007.  
See: 38 N.J.R. 4801(a), 39 N.J.R. 786(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 55B, Regulation of Bounty Hunters, expires on September 1, 2014. See: 46 N.J.R. 585(a).

**Chapter Historical Note**

Chapter 55B, Regulation of Bounty Hunters, was adopted as new rules by R.2007 d.78, effective March 5, 2007. See: Source and Effective Date.

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 55B, Regulation of Bounty Hunters, was scheduled to expire on March 5, 2014. See: 43 N.J.R. 1203(a).

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 13:55B-1.1 Purpose
- 13:55B-1.2 Scope and application
- 13:55B-1.3 Definitions

**SUBCHAPTER 2. LICENSING OF BOUNTY HUNTERS**

- 13:55B-2.1 Minimum qualifications to be a licensed bounty hunter
- 13:55B-2.2 Licensure required to be a licensed bounty hunter
- 13:55B-2.3 Application for a bounty hunter's license
- 13:55B-2.4 Issuance of a bounty hunter license and a bounty hunter identification card
- 13:55B-2.5 Completion of an approved bounty hunter training course required
- 13:55B-2.6 Renewal of bounty hunter license
- 13:55B-2.7 Denial, revocation, suspension of, or refusal to renew, a bounty hunter license

**SUBCHAPTER 3. BOUNTY HUNTER TRAINING COURSE**

- 13:55B-3.1 Bounty hunter training course

**SUBCHAPTER 4. REGISTRATION OF EMPLOYEES OF LICENSED BOUNTY HUNTERS**

- 13:55B-4.1 Employees of licensed bounty hunters
- 13:55B-4.2 Registration of employees with the Division of State Police
- 13:55B-4.3 Renewal of registration required every two years
- 13:55B-4.4 Disqualification of a prospective or current employee by the Superintendent
- 13:55B-4.5 Termination of employment

**SUBCHAPTER 5. BOUNTY HUNTER BADGES, UNIFORMS, IDENTIFICATION CARDS AND OTHER INSIGNIA**

- 13:55B-5.1 Badges and uniforms
- 13:55B-5.2 Identification cards
- 13:55B-5.3 Carrying and producing bounty hunter identification cards

**SUBCHAPTER 6. IMPLEMENTATION AND ADMINISTRATION OF THE BOUNTY HUNTER LICENSING ACT**

- 13:55B-6.1 Submission of applications, forms, other documents, and fees
- 13:55B-6.2 Inspection of licensed bounty hunter records
- 13:55B-6.3 Notice and hearings

**SUBCHAPTER 1. GENERAL PROVISIONS**

**13:55B-1.1 Purpose**

The rules of this chapter are promulgated by the Superintendent in order to implement the Bounty Hunter Licensing Act (Act), P.L. 2005, c. 376. The Act provides, among other things, that there be procedures for the licensing of bounty hunters, including owners and operators of companies engaged in performing the functions, activities or services of bounty hunters, and employees, agents, associates and subcontractors of those companies who perform any of the functions, activities or services of bounty hunters, as defined by the Act.

**13:55B-1.2 Scope and application**

(a) The rules of this chapter shall apply to all bounty hunters, as defined under N.J.A.C. 13:55B-1.3, and to all employees of bounty hunters whose functions are limited to clerical and administrative functions, or otherwise performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee.

(b) The rules of this chapter shall not be construed to confer upon bounty hunters any law enforcement powers, including the right to use force when apprehending suspects. Any bounty hunter who enters any premises or dwelling without license or privilege or who employs the use of unlawful force in engaging in or assisting in the apprehension, arrest, detention, confinement, surrender, securing or surveillance of any person who has violated the provisions of N.J.S.A. 2C:29-7 or has failed to appear in any court of law in this State or any other state, when so required by law, or has failed to answer any charge, subpoena or court ordered inquiry, when so required by law, shall, in addition to any other criminal penalties provided under law, be guilty of a crime of the fourth degree.

**13:55B-1.3 Definitions**

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Bounty hunter" means and includes any bail runner, bail recovery agent, bail enforcement agent, fugitive recovery agent, or any other person who, for fee, hire or reward: makes

any investigation or investigations as to the location or whereabouts of any person who has violated the provisions of N.J.S.A. 2C:29-7 or has failed to appear in any court of law in this State or any other state, when so required by law, or has failed to answer any charge, subpoena or court ordered inquiry, when so required by law; or engages in or assists in the apprehension, arrest, detention, confinement, surrender or securing of any such person; or keeps any such person under surveillance.

The term shall mean and include any person who owns or operates any agency, firm, association, corporation or other entity which is organized primarily for the purpose of engaging in any of the above enumerated activities, and to any employee, agent, associate or subcontractor of any such agency, firm, association, corporation or other entity who performs any of the functions, activities or services of a bounty hunter as described in this subsection.

The term shall not mean and include, and nothing in this chapter shall apply to, law enforcement officers of this State, or of any political subdivision of this State, while in the actual performance of their duties, nor to officers or employees of any law enforcement agency of the United States or of any state, territory or possession of the United States, while in the actual performance of their duties.

The term shall not mean and include, an employee of a licensed bounty hunter, whose functions are limited to clerical and administrative functions, or otherwise performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee.

"Law enforcement officer" means any person who is employed as a permanent full-time member of any Federal, state, county, or municipal law enforcement agency, department, or division of those governments who is statutorily empowered to act for the detection, investigation, arrest, conviction, detention, or rehabilitation of persons violating criminal laws and statutorily required to successfully complete a training course approved by, or certified as being substantially equivalent to such an approved course, by the Police Training Commission pursuant to P.L. 1961, c. 56 (N.J.S.A. 52:17B-66 et seq.).

"Superintendent" means the Superintendent of the Division of State Police in the Department of Law and Public Safety.

## SUBCHAPTER 2. LICENSING OF BOUNTY HUNTERS

### 13:55B-2.1 Minimum qualifications to be a licensed bounty hunter

(a) All persons seeking to be licensed as a bounty hunter shall:

1. Be at least 25 years of age;

2. Be a U.S. citizen, or a naturalized U.S. citizen; and
3. Have at least five years of experience in one of the following:

- i. Experience as a law enforcement officer and no longer be employed or attached in any capacity whatsoever to a law enforcement agency;

- ii. Experience working as a private detective, licensed under the Private Detective's Act of 1939, N.J.S.A. 45:19-8 et seq., or subsequent State law, or the laws of any other state; or

- iii. Investigative employment working for a private detective, licensed under the Private Detective's Act of 1939 or subsequent State law, or the laws of any other state.

(b) Notwithstanding the requirements of (a)3 above, any person who can document or demonstrate to the satisfaction of the Superintendent that they, for at least five years prior to February 1, 2007, have engaged in the business of or performed the functions, activities or services of a bounty hunter, or has held a business out to be that of a bounty hunter, and who meets the requirements set forth in (a)1 and 2 above, shall be deemed to have met the minimum requirements necessary to become a licensed bounty hunter if that person submits an application to the Superintendent before April 1, 2007, and if that person completes the bounty hunter training course in accordance with N.J.A.C. 13:55B-2.5.

### 13:55B-2.2 Licensure required to be a licensed bounty hunter

No person shall engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter after April 1, 2007, unless that person is licensed by the Superintendent as set forth in this chapter. Any person who engages in the business of, or performs, or offers to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, without first having received a license to do so, shall be guilty of a crime of the fourth degree.

### 13:55B-2.3 Application for a bounty hunter's license

(a) Any person wishing to engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, shall complete an application for a bounty hunter license on a form provided by and in a manner prescribed by the Superintendent. The application shall contain information required by the Bounty Hunter Licensing Act, any supporting documentation requested by the Superintendent, and the written approval of not less than five reputable citizens who have known the applicant for at least three years preceding the date of application and who shall certify that the applicant is a person of good moral character and behavior.

(b) Each application submitted by a person wishing to engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, shall contain the location of the applicant's proposed principal place of business and the location of any other places of business, that is, offices, sub-agencies, branches, home offices, to be utilized by the applicant.

(c) Each applicant seeking to engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, shall submit a non-refundable application fee of \$300.00 along with a completed application to the Superintendent.

(d) Each applicant seeking to engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, shall submit fingerprints and a written consent for a criminal history background check in a manner prescribed by the Superintendent. The person seeking the license shall bear the cost for the criminal history background check, including all costs of administering and processing the check, as required by N.J.A.C. 13:59.

(e) Any person wishing to engage in the business of, or perform, or offer to perform, the functions, activities or services of a bounty hunter, or advertise or hold a business out to be that of a bounty hunter, who makes a false statement in, or knowingly omits any material information from, an application as required by this chapter, shall be subject to civil and/or criminal penalties as specified by the Bounty Hunters Licensing Act.

#### **13:55B-2.4 Issuance of a bounty hunter license and a bounty hunter identification card**

(a) The Superintendent, after examination of the application and such further inquiry and investigations as the Superintendent shall deem proper as to the good character, competency, and integrity of the applicant, shall advise the applicant whether their application for a bounty hunter license has been approved or denied.

(b) If an application for a bounty hunter license is approved, the Superintendent shall issue a bounty hunter license and a bounty hunter identification card to the applicant which shall be valid for two years, except that an applicant who has applied for a bounty hunter license pursuant to N.J.A.C. 13:55B-2.1(b) shall be issued a temporary bounty hunter license and a temporary bounty hunter identification card valid for 90 days during which time the applicant must complete an approved bounty hunter training course as required by N.J.A.C. 13:55B-2.5.

#### **13:55B-2.5 Completion of an approved bounty hunter training course required**

(a) An applicant who has applied for a bounty hunter license pursuant to N.J.A.C. 13:55B-2.1(b) shall complete a bounty hunter training course in accordance N.J.A.C. 13:55B-3.1(a) and (b) within 90 days of receiving a temporary bounty hunter license and temporary bounty hunter identification card, unless granted an extension pursuant to (b) below.

(b) An applicant who has applied for a bounty hunter license pursuant to N.J.A.C. 13:55B-2.1(b) may request an extension of time, in writing, from the Superintendent, if he or she has not completed the required bounty hunter training course prior to the expiration of the temporary certificate of registration issued pursuant to N.J.A.C. 13:55B-2.4. Requests for extensions will be approved or denied on a case-by-case basis, depending upon the circumstances that prevent a person from completing the required bounty hunter training course in a timely manner.

(c) An applicant who has applied for a bounty hunter license pursuant to N.J.A.C. 13:55B-2.1(b) shall complete a bounty hunter training course established by the Superintendent. Upon completing the bounty hunter training course, the Superintendent shall issue a bounty hunter license and a bounty hunter identification card to the applicant, which shall be valid for two years.

(d) Any applicant who has applied for a bounty hunter license pursuant to N.J.A.C. 13:55B-2.1(b) who has not completed a bounty hunter training course in accordance N.J.A.C. 13:55B-3.1 within 90 days of receiving a temporary bounty hunter license and temporary bounty hunter identification card, and has not received an extension pursuant to (c) above, shall immediately cease performing the functions, activities or services of a bounty hunter or advertising or holding a business out to be that of a bounty hunter.

#### **13:55B-2.6 Renewal of bounty hunter license**

(a) A person holding a valid bounty hunter license who wishes to renew their license for an additional two-year period shall submit an application for renewal on a form provided by and in a manner prescribed by the Superintendent, no later than 60 days prior to the expiration of the current license.

(b) An applicant for renewal of a bounty hunter license shall submit to the Superintendent a non-refundable renewal fee of \$200.00.

(c) An applicant for renewal of a bounty hunter license shall re-submit fingerprints and a written consent for a criminal history background check in a manner prescribed by the Superintendent. The person seeking renewal shall bear the cost for the criminal history background check, including all costs of administering and processing the check, as required by N.J.A.C. 13:59.

**13:55B-2.7 Denial, revocation, suspension of, or refusal to renew, a bounty hunter license**

(a) The Superintendent may deny any initial application for a bounty hunter license, revoke or suspend any current license, or refuse to renew any license, for any of the following reasons:

1. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, has been convicted of any act or acts, which would be a first, second, third, or fourth degree crime under N.J.S.A. Title 2C, New Jersey Code of Criminal Justice or under the laws of any other state;

2. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, has been convicted of any crime or offense, in this or any other state, involving the unlawful use, possession, or sale, of a controlled dangerous substance as defined in N.J.S.A. 2C:35-2;

3. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, has been convicted of any crime or offense, in this or any other state, where certification would be contrary to the public interest, as determined by the Superintendent;

4. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, is alleged to have violated one of the provisions of N.J.S.A. 45:19-28 et seq., the Bounty Hunter Licensing Act;

5. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, has failed to comply with any of the rules in this chapter;

6. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, has knowingly made a false material statement or omitted information in an application or any other form required by the Superintendent under the rules in this chapter;

7. The person holding a bounty hunter license, applying for a license, or applying for renewal of a license, has demonstrated bad moral character, incompetence, or untrustworthiness; or

8. The Superintendent determines that good cause exists to deny, revoke, suspend, or refuse, renewal of a bounty hunter license in the interest of public safety.

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**SUBCHAPTER 3. BOUNTY HUNTER TRAINING COURSE**
**13:55B-3.1 Bounty hunter training course**

(a) An applicant who has applied for a bounty hunter license pursuant to N.J.A.C. 13:55B-2.1(b) must complete a bounty hunter training course established and administered by

the Superintendent within 90 days of receiving their temporary bounty hunter license and temporary bounty hunter identification card unless granted an extension pursuant to N.J.A.C. 13:55B-2.5(c).

(b) The training course shall include, but not be limited to, a minimum of two hours of instruction in each of the following general subject areas:

1. Constitutional law;
2. The criminal justice system;
3. Arrest, search, and seizure;
4. Limits on the use of force;
5. Ethics and professional conduct; and
6. Any other subject areas the Superintendent determines are necessary in the interest of public safety.

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**SUBCHAPTER 4. REGISTRATION OF EMPLOYEES OF LICENSED BOUNTY HUNTERS**
**13:55B-4.1 Employees of licensed bounty hunters**

(a) Under the Bounty Hunter Licensing Act, licensed bounty hunters may employ as many persons as the licensee may deem necessary to assist the licensee in the licensee's work and in the conduct of the licensee's business, provided that:

1. A person employed to perform any of the functions, activities or services of a bounty hunter as defined in N.J.A.C. 13:55B-1.3, is also licensed as a bounty hunter in accordance with N.J.A.C. 13:55B-2; and

2. A person employed solely for clerical, administrative or other functions, which will be performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, is registered with the Division of State Police in accordance with N.J.A.C. 13:55B-4.2 and has consented to a criminal history background check in accordance with (b) below.

(b) Any person seeking to be employed by a licensed bounty hunter for clerical, administrative or other functions, which will be performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, shall submit fingerprints and a written consent for a criminal history background check in a manner prescribed by the Superintendent. The employee shall bear the cost for the criminal history background check, including all costs of administering and processing the check, as required by N.J.A.C. 13:59.

(c) A licensed bounty hunter shall require that each employee executes and furnishes a signed and notarized "employee statement" on a form provided by and in a manner prescribed by the Superintendent. The employee statement shall set forth the employee's full name, residence, place and date of birth and such other information as the Superintendent shall require.

1. A person who makes a false statement in, or knowingly omits any material information, from an "employee statement" as required by this section, shall be subject to civil and/or criminal penalties as specified by the Bounty Hunters Licensing Act.

2. The "employee statement" will be retained in safekeeping by the employing licensed bounty hunter and shall be accessible to the Superintendent at all times.

#### **13:55B-4.2 Registration of employees with the Division of State Police**

(a) A licensed bounty hunter who wishes to employ a person for clerical, administrative or other functions, which will be performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, shall register that person with the Division of State Police on a form provided by and in a manner prescribed by the Superintendent. The registration form shall contain information required by the Bounty Hunter Licensing Act and any supporting documentation requested by the Superintendent.

(b) Each registration form submitted by a licensed bounty hunter who wishes to employ a person for clerical and administrative functions, or other functions performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, shall include the bounty hunter license number of the proposed employer and the location of the proposed principal place of business or location of any other places of business, that is, offices, sub-agencies, branches, home offices, where the registrant will be employed.

(c) A licensed bounty hunter who wishes to employ a person for clerical and administrative functions, or other functions performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, shall submit a non-refundable registration fee of \$25.00 along with each completed registration form submitted to the Superintendent.

(d) There shall be a presumption that a person is qualified to perform clerical and administrative functions, or other functions performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, unless otherwise determined by the Superintendent.

(e) A licensed bounty hunter shall not employ a person for clerical and administrative functions, or other functions performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, after April 1, 2007, unless that person is registered with the Division of State Police in accordance with this chapter.

#### **13:55B-4.3 Renewal of registration required every two years**

(a) A licensed bounty hunter who wishes to continue to employ a person for clerical, administrative or other functions, which will be performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, shall submit a renewal registration on a form provided by and in a manner prescribed by the Superintendent. A renewal registration form must be forwarded to the Superintendent no later than 60 days prior to the expiration of an employee's approved two-year registration period.

(b) A licensed bounty hunter who wishes to continue to employ a person for clerical, administrative or other functions, which will be performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, shall submit a non-refundable renewal registration fee of \$25.00 along with his or her completed re-registration form to the Superintendent.

#### **13:55B-4.4 Disqualification of a prospective or current employee by the Superintendent**

(a) The Superintendent, after examination of initial registration and renewal registration forms and such further inquiry and investigations as the Superintendent shall deem proper as to the good character, competency, and integrity of an employee, shall make a determination of whether a prospective or current employee is qualified to perform clerical and administrative functions, or other functions performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee.

(b) If it is determined that a prospective employee is not qualified or a current employee is no longer qualified to perform clerical and administrative functions, or other functions performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, the Superintendent shall notify the licensed bounty hunter who wishes to employ or employs a prospective or current employee to deny or terminate employment.

(c) The Superintendent may disqualify a prospective or current employee from employment by a licensed bounty hunter if it is determined that:

1. The prospective or current employee has been convicted of any act or acts which would be a first, second, third, or fourth degree crime under Title 2C, New Jersey Code of Criminal Justice or under the laws of any other state;
2. The prospective or current employee has been convicted of any offense, in this or any other state, involving the unlawful use, possession, or sale, of a controlled dangerous substance as defined in N.J.S.A. 2C:35-2;
3. The prospective or current employee has been convicted of any offense, in this or any other state, where employment by a licensed bounty hunter would be contrary to the public interest, as determined by the Superintendent;
4. The prospective or current employee is alleged to have violated one of the provisions of N.J.S.A. 45:19-28 et seq., the Bounty Hunter Licensing Act;
5. The prospective or current employee has failed to comply with any of the rules in this chapter;
6. The prospective or current employee has knowingly made a false material statement or omitted information in an "employee statement," registration form, or any other form required by the Superintendent under the rules in this chapter;
7. The prospective or current employee has demonstrated bad moral character, incompetence, or untrustworthiness; or
8. The Superintendent determines that good cause exists to deny, revoke, suspend, the employment of a prospective or current employee in the interest of public safety.

#### **13:55B-4.5 Termination of employment**

A licensed bounty hunter who employs a person for clerical, administrative or other functions, which will be performed exclusively at the licensee's principal place of business or other places of business, that is, offices, sub-agencies, branches, home offices, utilized by the licensee, pursuant to this chapter, is required to notify the Superintendent when a registered employee's employment is terminated. Such notification shall be in writing, within 10 days of the termination of employment, and shall state the nature of the termination, that is fired, resigned, quit, etc., and reasons for the termination.

### **SUBCHAPTER 5. BOUNTY HUNTER BADGES, UNIFORMS, IDENTIFICATION CARDS AND OTHER INSIGNIA**

#### **13:55B-5.1 Badges and uniforms**

(a) A licensed bounty hunter or employee of a licensed bounty hunter shall not use a title, badge, uniform, or other insignia, that is likely to be confused with that of any law en-

forcement officer of the Federal government, a state, or any political subdivision thereof.

(b) The use, exhibit, and display, of the Great Seal of the State of New Jersey by a licensed bounty hunter or employee of a licensed bounty hunter is strictly prohibited by N.J.S.A. 52:2-3.

#### **13:55B-5.2 Identification cards**

(a) A bounty hunter shall be responsible for safekeeping of the bounty hunter identification card and shall not lend, let, or allow, any other person to use, possess, exhibit, or display the card.

(b) No person shall duplicate or reproduce a bounty hunter identification card in any manner without the written approval of the Superintendent.

(c) If it is established that a bounty hunter identification card has been lost or destroyed, the Superintendent shall, upon payment of a non-refundable \$30.00 duplication fee, cause to be issued a duplicate identification card.

(d) A bounty hunter whose license has been revoked, suspended, or not renewed, shall immediately surrender the bounty hunter license and identification card to the Superintendent. Any person who fails to surrender an identification card and/or misuses an identification card, as described in (a) and (b) above or as described in the Bounty Hunter Licensing Act, shall be subject to civil and/or criminal penalties as specified in N.J.S.A. 45:19-28 et seq.

#### **13:55B-5.3 Carrying and producing bounty hunter identification cards**

A licensed bounty hunter shall carry their bounty hunter identification card whenever employed as, or performing the functions of, a bounty hunter and shall produce same upon request, except where doing so would compromise the bounty hunter's safety and/or assignment.

### **SUBCHAPTER 6. IMPLEMENTATION AND ADMINISTRATION OF THE BOUNTY HUNTER LICENSING ACT**

#### **13:55B-6.1 Submission of applications, forms, other documents, and fees**

(a) All applications, forms, other documents, and fees required by this chapter shall be forwarded to the headquarters of the Division of State Police in the Department of Law and Public Safety in a manner prescribed by the Superintendent which may include electronic submission.

(b) Unless otherwise prescribed by the Superintendent, applications, forms, and other documents shall be mailed to:

Superintendent  
Division of State Police  
PO Box 7068  
River Road  
West Trenton, NJ 08628-0068

**13:55B-6.2 Inspection of licensed bounty hunter records**

(a) For the purpose of investigating whether a person has engaged in, or is engaging in, any act or practice declared unlawful under this chapter or under the Bounty Hunter Licensing Act, or for the purpose of investigating the character, competency, integrity, or methods of operation of applicants, licensees or registrants therein, the Superintendent shall have the power to:

1. Inspect the principal place of business and/or the location of any other places of business, that is, offices, sub-agencies, branches, utilized by applicants, licensees or registrants, at any time and without notification;
2. Examine and impound any record, book, computer, electronic database, recording device, document, account, paper, or other tangible thing, which is connected with any investigation; and

3. Require that any applicant, licensee, or registrant make, on such forms as may be prescribed by the Superintendent, a statement or report, in writing, under oath, or otherwise, as to the facts and circumstances concerning any matter being investigated.

**13:55B-6.3 Notice and hearings**

(a) The Superintendent shall notify applicants, licensees or registrants, in writing, of any denial, revocation, suspension of, or refusal to renew licenses and registration cards and shall state the reasons for the action.

(b) The Superintendent shall afford applicants, licensees or registrants an opportunity to be heard thereon in person or by counsel. A request for such an opportunity to be heard shall be made in writing to the Superintendent within 15 days of the receipt of notice provided in (a) above.

(c) All hearings shall be held in accordance with the provisions of the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.