

1 HB509
2 176243-1
3 By Representatives Whorton (I) and Davis
4 RFD: Boards, Agencies and Commissions
5 First Read: 07-APR-16

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8 SYNOPSIS: Under existing law, the Electronic Security
9 Board of Licensure licenses installers of alarm
10 systems and electronic access control systems and
11 traditional locksmiths.

12 This bill would further define locksmith to
13 specify the types of services performed by a
14 locksmith and the exclusions from the definitions.

15 This bill would specify that the term does
16 not include a person or business entity licensed by
17 the board to install or service electronic access
18 control systems.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 Relating to the Electronic Security Board of
25 Licensure; to amend Section 34-1A-1 of the Code of Alabama
26 1975, to define locksmith and provide exclusions from the
27 definition.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 34-1A-1 of the Code of Alabama
3 1975, is amended to read as follows:

4 "§34-1A-1.

5 "For the purpose of this chapter, the following
6 terms shall have the following meanings unless the context
7 clearly indicates otherwise:

8 "(1) ALARM MONITORING COMPANY. Any person, company,
9 corporation, partnership, or business, or a representative or
10 agency thereof, authorized to provide alarm monitoring
11 services for alarm systems or other similar electronic
12 security systems whether the systems are maintained on
13 commercial business property, public property, or individual
14 residential property.

15 "(2) ALARM SYSTEM. Burglar alarms, security cameras,
16 or other electrical or electronic device used to prevent or
17 detect burglary, theft, shoplifting, pilferage, and other
18 similar losses. The term does not include any fire detection,
19 fire alarm, or fire communication system.

20 "(3) ALARM SYSTEM INSTALLER. A person or business
21 entity that offers to undertake, represents itself as being
22 able to undertake, or does undertake the installation,
23 service, or monitoring, of alarm systems for the public for
24 any type of compensation.

25 "(4) ALARM VERIFICATION. A reasonable attempt by an
26 alarm monitoring company to contact the alarm site or alarm
27 user by telephone or other electronic means to determine

1 whether an alarm signal is valid prior to requesting law
2 enforcement to be dispatched to the location and, if the
3 initial attempted contact is not made, a second reasonable
4 attempt to make a contact utilizing a different telephone
5 number or electronic address or number.

6 "(5) BURGLAR ALARM. An assembly of equipment and
7 devices, or a single device such as a solid-state unit which
8 plugs directly into an AC line, designed to detect an
9 unauthorized intrusion or an attempted robbery at a protected
10 premises or signal public police or private guards to respond,
11 or both.

12 "(6) CLOSED CIRCUIT TELEVISION SYSTEM (CCTV). A
13 combination of electronic equipment and devices designed and
14 arranged for the viewing, monitoring, or recording of video
15 signals transmitted from transmitters, such as cameras, to
16 receivers, such as monitors, digital video recorders, and
17 network video recorders (NVR) through a closed cable or other
18 video signal transmission method.

19 "(7) ELECTRONIC ACCESS CONTROL SYSTEM. A system that
20 is powered by the building's primary power source and is used
21 as a process to grant or deny an individual access to a
22 specific area or object based upon his or her possession of an
23 item, a code, or physical characteristic.

24 "(8) INSTALLATION. The initial placement of
25 equipment or the extension, modification, or alteration of
26 equipment after initial placement.

1 "(9) a. LOCKSMITH. ~~A person or business entity that~~
2 ~~offers to undertake, represents itself as being able to~~
3 ~~undertake, or does undertake the installation or service of~~
4 ~~locks for motor vehicles or for residential or commercial use.~~
5 ~~The term does not include a person whose financial~~
6 ~~compensation from services as a locksmith for the installation~~
7 ~~or service of locks for residential use does not exceed five~~
8 ~~hundred dollars (\$500) annually and who does not advertise for~~
9 ~~his or her services as a locksmith. A person or business~~
10 ~~entity in a commercial, residential, or automotive setting~~
11 ~~that does any of the following for compensation or other~~
12 ~~consideration:~~

13 "1. Repairs locks.

14 "2. Rebuilds locks.

15 "3. Rekeys locks.

16 "4. Services locks.

17 "5. Adjusts locks.

18 "6. Installs locks or mechanical locking devices.

19 "7. Installs or services egress controls devices.

20 "8. Services or installs vaults and safety deposit
21 boxes, including those services performed by safe technicians.

22 "9. Creates or copies transponder keys and any other
23 automotive keys and electronic operating devices connected to
24 motor vehicles.

25 "10. Creates or copies key fobs, proximity keys,
26 smart keys, door and ignition key devices, or successive
27 electronic and other high security key technology.

1 "11. Uses any method to bypass a locking mechanism
2 of any kind in the commercial or residential or automotive
3 setting, including, but not limited to, shimmiing a lock,
4 picking and popping a lock, or any other method to bypass a
5 locking mechanism.

6 "b. The term locksmith does not include any of the
7 following:

8 "1. A person whose activities are limited to making
9 a duplicate key of an existing key.

10 "2. An individual or business entity that does not
11 advertise services to the public as providing locksmith
12 services.

13 "3. Individuals or business entities that are
14 currently licensed by the board to install or service
15 electronic access control systems provided any lock being
16 serviced or installed has electronic access control
17 capabilities.

18 "4. Police, fire, medical or other government or
19 emergency personnel performing activities within the scope of
20 their official duties.

21 "(10) MONITORING STATION. A location where alarm
22 signals are received as a part of an alarm system and then
23 relayed via operator to law enforcement officials.

24 "(11) SERVICE. Necessary repair in order to return
25 the system to operational condition."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.