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**By: Delegates Boston and Hubbard**

Introduced and read first time: February 19, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Security Systems Services - Licensing and Registration - Businesses and Employees**

3 FOR the purpose of requiring the registration with the Secretary of the State Police of  
4 certain individuals who perform certain security services or have access to certain  
5 information about security systems; establishing a certain fund to be used for certain  
6 purposes; requiring an applicant for a certain license to obtain certain insurance in  
7 order to obtain a license; authorizing temporary licenses and registrations under  
8 certain circumstances; establishing certain requirements for registration of certain  
9 individuals; authorizing the Secretary to adopt certain regulations; providing for the  
10 denial, suspension, or revocation of certain registrations under certain  
11 circumstances; defining a certain term; extending the time by which a person who is  
12 engaged in the business of providing security systems services is required to obtain  
13 a license or registration; and generally relating to licensing and registration of  
14 persons providing security systems services.

15 BY repealing and reenacting, with amendments,

16 Article - Business Occupations and Professions  
17 Section 18-101 through 18-301, 18-303, 18-305, 18-307, 18-308, 18-310, and  
18 18-401  
19 Annotated Code of Maryland  
20 (1995 Replacement Volume and 1995 Supplement)

21 BY repealing and reenacting, without amendments,

22 Article - Business Occupations and Professions  
23 Section 18-302, 18-304, 18-306, 18-309, 18-311, and 18-501 through 18-601  
24 Annotated Code of Maryland  
25 (1995 Replacement Volume and 1995 Supplement)

26 BY adding to

27 Article - Business Occupations and Professions  
28 Section 18-3A-01 through 18-3A-11, inclusive, to be under the new subtitle  
29 "Subtitle 3A. Registration"  
30 Annotated Code of Maryland  
31 (1995 Replacement Volume and 1995 Supplement)

2

1 BY repealing and reenacting, with amendments,  
2 Chapter 362 of the Acts of the General Assembly of 1994, as amended by Chapter  
3 105 of the Acts of the General Assembly of 1995  
4 Section 2

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Business Occupations and Professions**

8 18-101.

9 (a) In this title the following words have the meanings indicated.

10 (B) "CIRCUMVENTIAL INFORMATION" MEANS INFORMATION, INCLUDING  
11 PASSCODES, THAT ALLOWS AN INDIVIDUAL TO ALTER THE OPERATION OF A  
12 SECURITY SYSTEM.

13 [(b)] (C) "License" means a license issued by the Secretary or the Secretary's  
14 designee to engage in the business of providing security systems services for  
15 compensation.

16 [(c)] (D) "Providing security systems services" means providing, on the premises  
17 of a person's residential or commercial property, the service of:

- 18 (1) surveying the property for purposes of installing a security system;
- 19 (2) physically installing, maintaining, or repairing a security system for the  
20 customer; or
- 21 (3) responding to a distress call or an alarm sounding from a security system.

22 [(d)] (E) "Security systems technician" means a person who personally provides  
23 security systems services.

24 [(e)] (F) "Secretary" means the Secretary of the State Police or the Secretary's  
25 designee.

26 18-102.

27 (a) This title does not apply to an officer or employee of any unit of the United  
28 States, of any state, or of any county, municipal corporation, or other political subdivision  
29 of any state, while performing a duty of the office or employment.

30 (b) (1) This title does not supersede any local law or ordinance in the State that  
31 establishes standards or qualifications for electricians or for electrical work involved in  
32 the installation of security systems or security alarms.

33 (2) This title does not authorize an individual to perform electrical work  
34 that otherwise requires an electrician's license under any State or local law or ordinance.

35 (3) THIS TITLE SUPERSEDES ANY LOCAL LAW OR ORDINANCE IN THE  
36 STATE THAT ESTABLISHES STANDARDS OR QUALIFICATIONS FOR SECURITY

3

1 SYSTEMS TECHNICIANS OR OTHER INDIVIDUALS WHO HAVE ACCESS TO  
2 CIRCUMVENTIAL INFORMATION.

3 (c) (1) [This] THE LICENSING REQUIREMENTS OF THIS title [does] DO not  
4 apply to [an] A MASTER electrician who:

5 [(1)] (I) currently is licensed in that occupation under State or local law;  
6 and

7 [(2)] (II) is acting only within the scope of that occupation.

8 (2) A MASTER ELECTRICIAN MAY NOT:

9 (I) PERSONALLY PROVIDE SECURITY SYSTEMS SERVICES UNLESS  
10 THE MASTER ELECTRICIAN IS REGISTERED AS A SECURITY SYSTEMS TECHNICIAN;  
11 OR

12 (II) OBTAIN ACCESS TO CIRCUMVENTIAL INFORMATION UNLESS  
13 THE MASTER ELECTRICIAN IS REGISTERED AS AN INDIVIDUAL WITH ACCESS TO  
14 CIRCUMVENTIAL INFORMATION.

15 (d) This title does not apply to a person who sells security systems by means of a  
16 catalog or brochure for future delivery, provided that the person does not:

17 (1) enter the premises of the customer's property; OR

18 (2) HAVE ACCESS TO CIRCUMVENTIAL INFORMATION.

19 18-201.

20 Subject to the provisions of this title, the Secretary is responsible for:

21 (1) the licensing [of a security systems technician] and [the] regulation of  
22 [those] persons who provide security systems services in the State; AND

23 (2) THE REGISTRATION OF SECURITY SYSTEMS TECHNICIANS AND  
24 OTHER INDIVIDUALS WHO HAVE ACCESS TO CIRCUMVENTIAL INFORMATION.

25 18-202.

26 (a) In addition to any powers set forth elsewhere, the Secretary may:

27 (1) adopt regulations to carry out this title;

28 (2) use any member of the Department of State Police, as necessary, to  
29 carry out and enforce this title; and

30 (3) make inquiries and conduct an investigation regarding any applicant for  
31 a license OR FOR REGISTRATION.

32 (b) In addition to any duties set forth elsewhere, the Secretary shall:

33 (1) adopt regulations that set standards for the licensure of [a] PERSONS  
34 WHO PROVIDE security systems [technician] SERVICES;

4

1 (2) ADOPT REGULATIONS THAT SET STANDARDS FOR THE  
2 REGISTRATION OF SECURITY SYSTEMS TECHNICIANS AND OTHER INDIVIDUALS  
3 WHO HAVE ACCESS TO CIRCUMVENTIAL INFORMATION; and

4 [(2)] (3) keep a roster of individuals [licensed] REGISTERED as security  
5 systems technicians OR AS INDIVIDUALS WHO HAVE ACCESS TO CIRCUMVENTIAL  
6 INFORMATION.

7 18-203.

8 The Secretary and all members of the Department of State Police:

9 (1) shall treat as confidential any information obtained through an  
10 investigation of an applicant for a license OR FOR REGISTRATION under this title; and

11 (2) unless required by a court order, may not divulge to a person who is not  
12 a member of the Department of State Police any information obtained through an  
13 investigation of an applicant for a license OR FOR REGISTRATION under this title.

14 18-204.

15 (A) THERE IS A SECURITY SYSTEMS FUND.

16 (B) (1) The Secretary shall pay all money collected under this title[ into the  
17 General Fund of the State] TO THE COMPTROLLER OF THE STATE.

18 (2) THE COMPTROLLER SHALL DISTRIBUTE THE MONEY TO THE  
19 SECURITY SYSTEMS FUND.

20 (C) (1) THE FUND SHALL BE USED EXCLUSIVELY TO COVER THE ACTUAL  
21 DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY  
22 DUTIES OF THE SECRETARY AS PROVIDED BY THE PROVISIONS OF THIS TITLE.

23 (2) (I) THE FUND IS A CONTINUING, NONLAPSING FUND, NOT SUBJECT  
24 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

25 (II) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE  
26 TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL  
27 REMAIN IN THE FUND TO BE USED FOR THE PURPOSES SPECIFIED IN THIS SECTION.

28 (D) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
29 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1215 OF THE STATE GOVERNMENT  
30 ARTICLE.

31 18-301.

32 [(a)] Except as otherwise provided in this title, a person [shall be licensed by the  
33 Secretary as a security systems technician before the person ] may NOT engage in the  
34 business of providing security systems services in the State UNLESS THE PERSON  
35 OBTAINS A LICENSE AND MEETS THE REQUIREMENTS OF § 18-401 OF THIS TITLE.

36 [(b) A person who sells security systems at the protected premises or the premises  
37 to be protected but does not install, maintain, or repair those systems:

38 (1) is not required to be licensed under this title; but

5

1 (2) is required to:

2 (i) register with the Secretary once every 2 years;

3 (ii) provide the information the Secretary requires; and

4 (iii) pay a fee of \$15.]

5 18-302.

6 (a) To qualify for a license, an applicant shall:

7 (1) be at least 18 years old; and

8 (2) be of good moral character.

9 (b) The applicant shall meet any other requirements that the Secretary establishes  
10 for license applicants.

11 18-303.

12 (a) An applicant for a license shall:

13 (1) submit to the Secretary an application on the form that the Secretary  
14 provides;

15 (2) submit the documents required by this section; and

16 (3) pay to the Secretary an application fee of \$150.

17 (b) The application form provided by the Secretary shall contain a statement  
18 advising the applicant that willfully making a false statement on an application is a  
19 misdemeanor, subject to a fine or imprisonment or both, as provided under § 18-504 of  
20 this title.

21 (c) (1) The application shall be accompanied by at least two written  
22 recommendations for the applicant.

23 (2) Each recommendation shall be signed, under oath, by a reputable citizen  
24 of the State.

25 (d) An applicant for a license shall submit with the application a set of  
26 fingerprints of the applicant.

27 (e) An applicant for a license shall submit with the application:

28 (1) a copy of [a bond in accordance with] ANY BOND MEETING the  
29 requirements of § 18-401 of this title; OR

30 (2) PROOF OF INSURANCE MEETING THE REQUIREMENTS OF § 18-401 OF  
31 THIS TITLE.

32 (f) The Secretary may waive the requirements of subsections (a)(2) and (3), (c),  
33 and (d) of this section and issue a license to an applicant who:

34 (1) provides adequate evidence that the applicant:

6

1 (i) is licensed to engage in the business of providing security systems  
2 services in another state; and

3 (ii) became licensed in the other state:

4 1. after meeting qualifications that are at least equivalent to  
5 those required in this State; and

6 2. after submitting to a State and national criminal record  
7 check; and

8 (2) pays to the Secretary a processing fee of [~~\$15~~] \$150.

9 18-304.

10 Except for a license issued under § 18-303(f) of this subtitle, before issuing a  
11 license, the Secretary shall conduct a State and national criminal record check for each  
12 applicant who applies for a license.

13 18-305.

14 (a) The Secretary shall issue a license AND A WALL CERTIFICATE to each  
15 applicant who meets the requirements of this title.

16 (b) The Secretary shall include on each license AND WALL CERTIFICATE that the  
17 Secretary issues:

18 (1) the full name of the licensee;

19 (2) the current address of the licensee;

20 (3) the date of issuance of the license; AND

21 (4) the date on which the license expires[; and

22 (5) a picture of the licensee].

23 18-306.

24 While a license is in effect, it authorizes the licensee to engage in the business of  
25 providing security systems services.

26 18-307.

27 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
28 license expires on the first April 1 that comes:

29 (1) after the effective date of the license; and

30 (2) in an even-numbered year.

31 (b) At least [1 month] 90 DAYS before a license expires, the Secretary shall mail  
32 to the licensee, at the last known address of the licensee:

33 (1) a renewal application form; and

34 (2) a notice that states:

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1 (i) the date on which the current license expires;

2 (ii) the date by which the Secretary must receive the renewal  
3 application for the renewal to be issued and mailed before the license expires; and

4 (iii) the amount of the renewal fee.

5 (c) Before the license expires, the licensee periodically may renew it for an  
6 additional 2-year term, if the licensee:

7 (1) otherwise is entitled to be licensed;

8 (2) pays to the Secretary a renewal fee of \$100 [or the fee provided in  
9 subsection (e) of this section, if applicable]; and

10 (3) submits to the Secretary:

11 (i) a renewal application on the form that the Secretary provides; and

12 (ii) satisfactory evidence of compliance with any other requirements  
13 set under this section for license renewal.

14 (d) Except as provided in subsection (e) of this section, [before renewing a  
15 license,] the Secretary shall conduct a State and national criminal record check for each  
16 licensee who applies for a renewal of a license.

17 (e) The Secretary may waive the State and national criminal record check  
18 required under subsection (d) of this section for a licensee who was issued a license under  
19 § 18-303(f) of this subtitle if the licensee:

20 (1) provides adequate evidence that:

21 (i) the license of the licensee issued by another state was renewed by  
22 that other state within 30 days of the expiration date of the license issued under this  
23 subtitle; and

24 (ii) the renewal occurred after the licensee submitted to a state and  
25 national criminal record check; and

26 (2) pays to the Secretary a processing fee of [\$15] \$100.

27 (F) IF THE STATE AND NATIONAL CRIMINAL RECORD CHECK REQUIRED  
28 UNDER SUBSECTION (D) OF THIS SECTION IS NOT COMPLETED BEFORE A LICENSE  
29 EXPIRES, THE SECRETARY SHALL ISSUE A TEMPORARY LICENSE TO A LICENSEE  
30 WHO OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION.

31 (G) A TEMPORARY LICENSE ISSUED UNDER SUBSECTION (F) OF THIS SECTION  
32 SHALL EXPIRE AT THE EARLIER OF:

33 (1) (I) THE COMPLETION OF THE STATE AND NATIONAL CRIMINAL  
34 RECORD CHECK OF THE LICENSEE; AND

35 (II) THE RENEWAL OR THE DENIAL OF THE RENEWAL OF THE  
36 LICENSE; OR

8

1 (2) 6 MONTHS.

2 [(f)] (H) The Secretary shall renew the license of each licensee whomeets the  
3 requirements of this section.

4 18-308.

5 (a) Each licensee shall display the [license] WALL CERTIFICATE conspicuously  
6 in the office or place of business of the licensee.

7 (b) [ Each licensee shall record the license with the Secretary of State.

8 (c)] Each licensee shall give the Secretary written notice of any change of address  
9 within 10 BUSINESS days after the change.

10 (C) A PERSON WHO ENGAGES IN THE BUSINESS OF PROVIDING SECURITY  
11 SYSTEMS SERVICES SHALL PROVIDE THE SECRETARY WITH A LIST OF ALL  
12 EMPLOYEES WHO:

13 (1) ARE SECURITY SYSTEMS TECHNICIANS; OR

14 (2) HAVE ACCESS TO CIRCUMVENTIAL INFORMATION.

15 18-309.

16 Subject to the hearing provisions of § 18-310 of this subtitle, the Secretary may deny  
17 a license to any applicant, reprimand any licensee, or suspend or revoke a license if the  
18 applicant or licensee:

19 (1) fraudulently or deceptively obtains or attempts to obtain a license for  
20 the applicant or licensee or for another;

21 (2) fraudulently or deceptively uses a license;

22 (3) has a similar license denied, suspended, or revoked in another  
23 jurisdiction;

24 (4) pleads guilty or nolo contendere to or is convicted of a felony, theft  
25 offense, or crime of moral turpitude;

26 (5) aids an individual to obtain or to attempt to obtain fraudulently or  
27 deceptively licensure under this title as a security systems technician;

28 (6) while not licensed, willfully engages in a business providing security  
29 systems services;

30 (7) while not licensed, willfully advertises as a security systems technician;

31 (8) willfully makes a false statement or misrepresentation in any renewal  
32 application or in any other document that the Secretary requires to be submitted; or

33 (9) violates any other provision of this title.



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1 18-310.

2 (a) Before the Secretary takes any final action under § 18-309 of this subtitle, the  
3 Secretary shall give the person against whom the action is contemplated an opportunity  
4 for a hearing before the Secretary.

5 (b) The Secretary shall give notice and hold the hearing in accordance with Title  
6 10, Subtitle 2 of the State Government Article.

7 (c) The hearing notice to be given to the individual shall be sent by certified mail  
8 to the last known address of the individual at least 10 BUSINESS days before the hearing.

9 (d) The Secretary may administer oaths in connection with any proceeding under  
10 this section.

11 (e) The person may be represented at the hearing by counsel.

12 (f) If, after due notice, the person against whom the action is contemplated fails  
13 or refuses to appear, nevertheless the Secretary may hear and determine the matter.

14 18-311.

15 Any person aggrieved by a final decision of the Secretary in a contested case, as  
16 defined in § 10-202 of the State Government Article, may take an appeal as allowed in  
17 Title 10, Subtitle 2 of the State Government Article.

18 SUBTITLE 3A. REGISTRATION.

19 18-3A-01.

20 EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE:

21 (1) AN INDIVIDUAL MAY NOT PERSONALLY PROVIDE SECURITY  
22 SYSTEMS SERVICES UNLESS THE INDIVIDUAL IS REGISTERED AS A SECURITY  
23 SYSTEMS TECHNICIAN;

24 (2) A PERSON LICENSED UNDER THIS TITLE MAY NOT EMPLOY OR  
25 CONTRACT WITH AN INDIVIDUAL WITH ACCESS TO CIRCUMVENTIONAL INFORMATION  
26 UNLESS THE INDIVIDUAL IS REGISTERED AS AN INDIVIDUAL WITH ACCESS TO  
27 CIRCUMVENTIONAL INFORMATION;

28 (3) NEITHER A LICENSEE NOR A REGISTRANT MAY PROVIDE ACCESS TO  
29 CIRCUMVENTIONAL INFORMATION TO AN INDIVIDUAL WHO IS NOT REGISTERED  
30 UNDER THIS SUBTITLE; AND

31 (4) AN EMPLOYEE OF A PERSON LICENSED UNDER THIS TITLE MAY NOT  
32 OBTAIN ACCESS TO CIRCUMVENTIONAL INFORMATION UNLESS THE EMPLOYEE IS  
33 REGISTERED AS AN INDIVIDUAL WITH ACCESS TO CIRCUMVENTIONAL INFORMATION.

34 18-3A-02.

35 (A) TO QUALIFY FOR REGISTRATION AS A SECURITY SYSTEMS TECHNICIAN  
36 OR OTHER INDIVIDUAL WHO HAS ACCESS TO CIRCUMVENTIONAL INFORMATION, AN  
37 APPLICANT SHALL:

10

1 (1) BE AT LEAST 18 YEARS OLD; AND

2 (2) BE OF GOOD MORAL CHARACTER.

3 (B) IN ADDITION TO ANY OTHER REQUIREMENTS, AN APPLICANT FOR  
4 REGISTRATION AS A SECURITY SYSTEMS TECHNICIAN SHALL MEET ANY TRAINING  
5 REQUIREMENTS THAT THE SECRETARY ESTABLISHES BY REGULATION.

6 18-3A-03.

7 (A) AN APPLICANT FOR REGISTRATION SHALL:

8 (1) SUBMIT TO THE SECRETARY AN APPLICATION ON THE FORM THAT  
9 THE SECRETARY PROVIDES;

10 (2) SUBMIT THE DOCUMENTS REQUIRED BY THIS SECTION; AND

11 (3) PAY TO THE SECRETARY:

12 (I) AN APPLICATION FEE OF \$15 OR AN AMOUNT THE SECRETARY  
13 DETERMINES BASED ON ACTUAL PROCESSING COSTS; AND

14 (II) THE COST OF ANY BACKGROUND CHECKS.

15 (B) THE APPLICATION FORM PROVIDED BY THE SECRETARY SHALL CONTAIN  
16 A STATEMENT ADVISING THE APPLICANT THAT WILLFULLY MAKING A FALSE  
17 STATEMENT ON AN APPLICATION IS A MISDEMEANOR, SUBJECT TO A FINE OR  
18 IMPRISONMENT OR BOTH, AS PROVIDED UNDER § 18-504 OF THIS TITLE.

19 (C) (1) THE APPLICATION SHALL BE ACCOMPANIED BY AT LEAST TWO  
20 WRITTEN RECOMMENDATIONS FOR THE APPLICANT.

21 (2) EACH RECOMMENDATION SHALL BE SIGNED, UNDER OATH, BY A  
22 REPUTABLE CITIZEN OF THE STATE.

23 (D) AN APPLICANT FOR REGISTRATION SHALL SUBMIT WITH THE  
24 APPLICATION TWO SETS OF FINGERPRINTS OF THE APPLICANT.

25 (E) THE SECRETARY MAY WAIVE THE REQUIREMENTS OF THIS SECTION AND  
26 REGISTER AN APPLICANT WHO:

27 (1) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:

28 (I) IS LICENSED IN ANOTHER STATE TO ENGAGE IN THE BUSINESS  
29 OF PROVIDING SECURITY SYSTEMS SERVICES OR REGISTERED IN ANOTHER STATE  
30 AS A SECURITY SYSTEMS TECHNICIAN OR OTHER INDIVIDUAL WHO HAS ACCESS TO  
31 CIRCUMVENTIONAL INFORMATION; AND

32 (II) BECAME LICENSED OR REGISTERED IN THE OTHER STATE:

33 1. AFTER MEETING QUALIFICATIONS THAT ARE AT LEAST  
34 EQUIVALENT TO THOSE REQUIRED IN THIS STATE; AND

35 2. AFTER SUBMITTING TO A STATE AND NATIONAL  
36 CRIMINAL RECORD CHECK; AND

11

1 (2) PAYS TO THE SECRETARY A PROCESSING FEE OF \$15 OR AN AMOUNT  
2 THE SECRETARY DETERMINES BASED ON ACTUAL PROCESSING COSTS.

3 18-3A-04.

4 (A) EXCEPT FOR REGISTRATION UNDER § 18-3A-03(E) OF THIS SUBTITLE, THE  
5 SECRETARY SHALL CONDUCT A STATE AND NATIONAL CRIMINAL RECORD CHECK  
6 OF AN APPLICANT BEFORE REGISTERING THE APPLICANT.

7 (B) AN APPLICANT SHALL PAY TO THE SECRETARY THE COST OF ANY  
8 BACKGROUND CHECKS BEFORE THE APPLICANT MAY BE REGISTERED.

9 18-3A-05.

10 (A) THE SECRETARY SHALL REGISTER EACH APPLICANT WHO MEETS THE  
11 REQUIREMENTS OF THIS SUBTITLE.

12 (B) THE SECRETARY SHALL INCLUDE ON EACH REGISTRATION THAT THE  
13 SECRETARY ISSUES:

14 (1) THE FULL NAME OF THE REGISTRANT;

15 (2) THE CURRENT ADDRESS OF THE REGISTRANT;

16 (3) THE DATE OF ISSUANCE OF THE REGISTRATION; AND

17 (4) THE DATE ON WHICH THE REGISTRATION EXPIRES.

18 (C) THE SECRETARY SHALL ISSUE TO EACH REGISTRANT A POCKET PHOTO  
19 IDENTIFICATION CARD WITH:

20 (1) THE REGISTRANT'S PICTURE; AND

21 (2) THE EXPIRATION DATE OF THE REGISTRANT'S REGISTRATION.

22 (D) EACH REGISTRANT SHALL GIVE THE SECRETARY WRITTEN NOTICE OF  
23 ANY CHANGE OF ADDRESS WITHIN 10 BUSINESS DAYS AFTER THE CHANGE.

24 18-3A-06.

25 (A) WHILE AN INDIVIDUAL IS REGISTERED AS A SECURITY SYSTEMS  
26 TECHNICIAN, THE INDIVIDUAL IS AUTHORIZED TO PERSONALLY PROVIDE  
27 SECURITY SYSTEMS SERVICES.

28 (B) WHILE AN INDIVIDUAL IS REGISTERED AS AN INDIVIDUAL WHO HAS  
29 ACCESS TO CIRCUMVENTIAL INFORMATION, THE INDIVIDUAL IS AUTHORIZED TO  
30 HAVE ACCESS TO CIRCUMVENTIAL INFORMATION.

31 18-3A-07.

32 (A) UNLESS A REGISTRATION IS RENEWED FOR A 3-YEAR TERM AS  
33 PROVIDED IN THIS SECTION, THE REGISTRATION EXPIRES 3 YEARS AFTER THE  
34 EFFECTIVE DATE OF THE REGISTRATION.

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1 (B) AT LEAST 90 DAYS BEFORE A REGISTRATION EXPIRES, THE SECRETARY  
2 SHALL MAIL TO THE REGISTRANT, AT THE LAST KNOWN ADDRESS OF THE  
3 REGISTRANT:

4 (1) A RENEWAL APPLICATION FORM; AND

5 (2) A NOTICE THAT STATES:

6 (I) THE DATE ON WHICH THE CURRENT REGISTRATION EXPIRES;

7 (II) THE DATE BY WHICH THE SECRETARY MUST RECEIVE THE  
8 RENEWAL APPLICATION FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE  
9 THE REGISTRATION EXPIRES; AND

10 (III) THE AMOUNT OF THE RENEWAL FEE.

11 (C) BEFORE THE REGISTRATION EXPIRES, THE REGISTRANT PERIODICALLY  
12 MAY RENEW IT FOR AN ADDITIONAL 3-YEAR TERM, IF THE REGISTRANT:

13 (1) OTHERWISE IS ENTITLED TO REGISTER;

14 (2) PAYS TO THE SECRETARY A RENEWAL FEE OF \$15; AND

15 (3) SUBMITS TO THE SECRETARY:

16 (I) A RENEWAL APPLICATION ON THE FORM THAT THE  
17 SECRETARY PROVIDES; AND

18 (II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY OTHER  
19 REQUIREMENTS UNDER THIS SECTION FOR RENEWAL OF REGISTRATION.

20 (D) EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, THE  
21 SECRETARY SHALL CONDUCT A STATE AND NATIONAL CRIMINAL RECORD CHECK  
22 FOR EACH REGISTRANT WHO APPLIES FOR A RENEWAL OF A REGISTRATION.

23 (E) THE SECRETARY MAY WAIVE THE STATE AND NATIONAL CRIMINAL  
24 RECORD CHECK REQUIRED UNDER SUBSECTION (D) OF THIS SECTION FOR A  
25 REGISTRANT WHO WAS REGISTERED UNDER § 18-3A-03(E) OF THIS SUBTITLE IF THE  
26 REGISTRANT:

27 (1) PROVIDES ADEQUATE EVIDENCE THAT:

28 (I) THE REGISTRANT'S LICENSE OR REGISTRATION ISSUED BY  
29 ANOTHER STATE WAS RENEWED BY THAT OTHER STATE WITHIN 30 DAYS OF THE  
30 EXPIRATION DATE OF THE LICENSE OR REGISTRATION ISSUED UNDER THIS TITLE;  
31 AND

32 (II) THE RENEWAL OCCURRED AFTER THE REGISTRANT  
33 SUBMITTED TO A STATE AND NATIONAL CRIMINAL RECORD CHECK; AND

34 (2) PAYS TO THE SECRETARY A PROCESSING FEE OF \$15.

35 (F) IF THE STATE AND NATIONAL CRIMINAL RECORD CHECK REQUIRED  
36 UNDER SUBSECTION (D) OF THIS SECTION IS NOT COMPLETED BEFORE A  
37 REGISTRATION EXPIRES, THE SECRETARY SHALL ISSUE A TEMPORARY

13

1 REGISTRATION TO A REGISTRANT WHO OTHERWISE MEETS THE REQUIREMENTS OF  
2 THIS SECTION.

3 (G) A TEMPORARY REGISTRATION ISSUED UNDER SUBSECTION (F) OF THIS  
4 SECTION SHALL EXPIRE AT THE EARLIER OF:

5 (1) (I) THE COMPLETION OF THE STATE AND NATIONAL CRIMINAL  
6 RECORD CHECK OF THE REGISTRANT; AND

7 (II) THE RENEWAL OR THE DENIAL OF THE RENEWAL OF THE  
8 REGISTRATION; OR

9 (2) 6 MONTHS.

10 (H) THE SECRETARY SHALL RENEW THE REGISTRATION OF EACH  
11 REGISTRANT WHO MEETS THE REQUIREMENTS OF THIS SECTION.

12 18-3A-08.

13 (A) THE SECRETARY SHALL TEMPORARILY REGISTER ANY INDIVIDUAL WHO  
14 DOES NOT HAVE THE TRAINING REQUIRED UNDER § 18-3A-02(B) OF THIS SUBTITLE  
15 BUT OTHERWISE MEETS THE REQUIREMENTS FOR REGISTRATION UNDER THIS  
16 TITLE.

17 (B) TEMPORARY REGISTRATION OF A REGISTRANT UNDER THIS SECTION  
18 SHALL EXPIRE AT THE EARLIER OF:

19 (1) ACQUISITION BY THE REGISTRANT OF THE TRAINING REQUIRED  
20 UNDER § 18-3A-02(B) OF THIS SUBTITLE; OR

21 (2) 6 MONTHS.

22 (C) AN APPLICANT OBTAINING TEMPORARY REGISTRATION UNDER THIS  
23 SECTION:

24 (1) SHALL RECEIVE A TEMPORARY REGISTRATION POCKET PHOTO  
25 IDENTIFICATION CARD WITH THE APPLICANT'S PICTURE; AND

26 (2) SHALL WORK UNDER THE SUPERVISION OF AN INDIVIDUAL WHO  
27 HAS MET THE REQUIREMENTS OF §§ 18-3A-02, 18-3A-03, AND 18-3A-04 OF THIS  
28 SUBTITLE AND IS REGISTERED UNDER § 18-3A-05 OF THIS SUBTITLE.

29 18-3A-09.

30 SUBJECT TO THE HEARING PROVISIONS OF § 18-3A-10 OF THIS SUBTITLE, THE  
31 SECRETARY MAY DENY REGISTRATION TO ANY APPLICANT, REPRIMAND ANY  
32 REGISTRANT, OR SUSPEND OR REVOKE A REGISTRATION IF THE APPLICANT OR  
33 REGISTRANT:

34 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO  
35 OBTAIN A REGISTRATION FOR THE APPLICANT OR REGISTRANT OR FOR ANOTHER;

36 (2) FRAUDULENTLY OR DECEPTIVELY USES A REGISTRATION;

14

1 (3) HAS A SIMILAR LICENSE OR REGISTRATION DENIED, SUSPENDED,  
2 OR REVOKED IN ANOTHER JURISDICTION;

3 (4) PLEADS GUILTY OR NOLO CONTENDERE TO OR IS CONVICTED OF A  
4 FELONY, THEFT OFFENSE, OR CRIME OF MORAL TURPITUDE;

5 (5) AIDS AN INDIVIDUAL TO OBTAIN OR TO ATTEMPT TO OBTAIN  
6 FRAUDULENTLY OR DECEPTIVELY REGISTRATION UNDER THIS TITLE;

7 (6) WHILE NOT REGISTERED AS A SECURITY SYSTEMS TECHNICIAN,  
8 WILLFULLY ENGAGES IN PERSONALLY PROVIDING SECURITY SYSTEMS SERVICES;

9 (7) WHILE NOT REGISTERED AS A SECURITY SYSTEMS TECHNICIAN,  
10 WILLFULLY ADVERTISES AS A SECURITY SYSTEMS TECHNICIAN;

11 (8) WILLFULLY MAKES A FALSE STATEMENT OR MISREPRESENTATION  
12 IN ANY RENEWAL APPLICATION OR IN ANY OTHER DOCUMENT THAT THE  
13 SECRETARY REQUIRES TO BE SUBMITTED; OR

14 (9) VIOLATES ANY OTHER PROVISION OF THIS TITLE.

15 18-3A-10.

16 (A) BEFORE THE SECRETARY TAKES ANY FINAL ACTION UNDER § 18-3A-09 OF  
17 THIS SUBTITLE, THE SECRETARY SHALL GIVE THE PERSON AGAINST WHOM THE  
18 ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE  
19 SECRETARY.

20 (B) THE SECRETARY SHALL GIVE NOTICE AND HOLD THE HEARING IN  
21 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

22 (C) THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE SENT  
23 BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL AT LEAST  
24 10 BUSINESS DAYS BEFORE THE HEARING.

25 (D) THE SECRETARY MAY ADMINISTER OATHS IN CONNECTION WITH ANY  
26 PROCEEDING UNDER THIS SECTION.

27 (E) THE PERSON MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

28 (F) IF, AFTER DUE NOTICE, THE PERSON AGAINST WHOM THE ACTION IS  
29 CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE SECRETARY  
30 MAY HEAR AND DETERMINE THE MATTER.

31 18-3A-11.

32 ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE SECRETARY IN A  
33 CONTESTED CASE, AS DEFINED IN § 10-202 OF THE STATE GOVERNMENT ARTICLE,  
34 MAY TAKE AN APPEAL AS ALLOWED IN TITLE 10, SUBTITLE 2 OF THE STATE  
35 GOVERNMENT ARTICLE.

36 18-401.

37 (a) IN ORDER TO OBTAIN A LICENSE, A PERSON WHO PROVIDES SECURITY  
38 SYSTEMS SERVICES SHALL:

15

1 (1) EXECUTE A BLANKET BOND AS PROVIDED IN SUBSECTION (C) OF  
2 THIS SECTION; OR

3 (2) MAINTAIN GENERAL LIABILITY INSURANCE AS PROVIDED IN  
4 SUBSECTION (D) OF THIS SECTION.

5 (B) THE SECRETARY MAY NOT ISSUE OR RENEW A LICENSE UNLESS THE  
6 APPLICANT OR LICENSEE SUBMITS PROOF OF COMPLIANCE WITH SUBSECTION (A)  
7 OF THIS SECTION.

8 (C) (1) [An employer shall execute a] THE blanket bond [covering]  
9 REQUIRED BY SUBSECTION (A)(1) OF THIS SECTION SHALL COVER all employees who  
10 are:

11 (I) [licensed ] REGISTERED as security systems technicians OR AS  
12 OTHER INDIVIDUALS WHO HAVE ACCESS TO CIRCUMVENTIAL INFORMATION;

13 (II) [or] applicants for [a license] REGISTRATION; and

14 (III) any electrician with whom the employer contracts to provide  
15 security systems services.

16 (2) The BLANKET bond shall be used for the benefit of any person injured  
17 by any wrongful [act] ACT, of a security systems technician OR OTHER INDIVIDUAL  
18 WHO HAS ACCESS TO CIRCUMVENTIAL INFORMATION, that is willful or malicious.

19 (3) The applicant for a license shall submit a copy of the BLANKET bond to  
20 the Secretary with the license application.

21 [(b) (1)] (4) (I) The amount of the BLANKET bond [required under subsection  
22 (a) of this section] shall be at least \$100,000.

23 [(2)] (II) The total liability of the surety to all insured persons under the  
24 BLANKET bond may not exceed the sum of the BLANKET bond.

25 [(c) (1)] (5) (I) If an employer's BLANKET bond is cancelled, forfeited, or  
26 terminated by the surety, the surety shall immediately notify the Secretary.

27 [(2)] (II) If a surety fails to notify the Secretary as required by this  
28 [subsection] PARAGRAPH, the BLANKET bond shall continue in effect until the notice is  
29 given to the Secretary.

30 (D) (1) GENERAL LIABILITY INSURANCE REQUIRED BY SUBSECTION (A)(2)  
31 OF THIS SECTION SHALL BE IN THE AMOUNT OF AT LEAST \$250,000.

32 (2) AN APPLICANT FOR A LICENSE SHALL SUBMIT PROOF OF  
33 INSURANCE MEETING THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION  
34 TO THE SECRETARY WITH THE LICENSE APPLICATION.

35 (3) IF THE GENERAL LIABILITY INSURANCE REQUIRED UNDER THIS  
36 SECTION IS CANCELED, THE INSURER SHALL NOTIFY THE SECRETARY WITHIN 10  
37 BUSINESS DAYS AFTER THE DATE OF CANCELLATION.

16

1 [(d)] (E) In addition to § 18-504 of this title, a court of competent jurisdiction  
2 may enjoin the operation of any employer who violates the requirements of this section.

3 18-501.

4 A person may not engage, attempt to engage, or offer to engage in a business of  
5 providing security systems services in the State unless licensed by the Secretary.

6 18-502.

7 Unless authorized under this title to engage in the business of providing security  
8 systems services, a person may not represent to the public, by use of the title "security  
9 systems technician", by description of services, methods, or procedures, or otherwise, that  
10 the person is authorized to engage in the business of providing security systems services in  
11 the State.

12 18-503.

13 A person may not willfully make a false statement on any application form or other  
14 document submitted to the Secretary under this title.

15 18-504.

16 A person who violates any provision of this title is guilty of a misdemeanor and on  
17 conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year  
18 or both.

19 18-601.

20 This title may be cited as the "Maryland Security Systems Technicians Act".

21 **Chapter 362 of the Acts of 1994, as amended by Chapter 105 of the Acts of 1995**

22 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the  
23 provisions of this Act, an individual or person who is engaged in the business of providing  
24 security system services shall not be subject to the provisions of this Act or required to  
25 obtain a license OR REGISTRATION under this Act until [June 1, 1996] JUNE 1, 1997.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 1996.