
By: Delegate Boston

Introduced and read first time: February 26, 1996

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **False Alarms - Penalties**

3 FOR the purpose of requiring a law enforcement agency to issue a civil citation to an
4 alarm user if a certain number of false alarms are actually responded to by the fire
5 department or law enforcement agency; requiring a civil citation to include a fine of
6 a certain amount; designating the money from the fines for the law enforcement
7 agency or fire department that responded to the false alarm; requiring an alarm
8 user, after a certain number of false alarms, to have the alarm system recertified;
9 requiring the recertification and a fee to be submitted within a certain period of
10 time; providing that failure to comply with the recertification requirements will
11 result in certain actions; and generally relating to false alarms.

12 BY repealing and reenacting, with amendments,
13 Article 27 - Crimes and Punishments
14 Section 156C
15 Annotated Code of Maryland
16 (1992 Replacement Volume and 1995 Supplement)

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

19 **Article 27 - Crimes and Punishments**

20 156C.

21 (a) Except for alarm systems activated by acts of God, weather conditions, or
22 causes beyond the control of the alarm user, an alarm system that is negligently or
23 accidentally activated as the result of faulty, malfunctioning, or improperly installed or
24 maintained equipment shall be subject to the provisions of subsections (b) [and (c)]
25 THROUGH (D) of this section.

26 (b) A law enforcement agency or fire department [may] SHALL issue a civil
27 citation to an alarm user if the number of false alarms to which any law enforcement
28 agency or fire department actually responds exceeds[:

29 (1) 3 responses within a 30-day period; or

2

1 (2) 8 or more responses within a 12-month period] 2 RESPONSES IN A
2 12-MONTH PERIOD.

3 (c) (1) The civil citation shall include [a fine of]:

4 [(1) \$30 for each initial false alarm; and

5 (2) \$30 for each additional false alarm]

6 (I) NO FINES FOR THE FIRST OR SECOND RESPONSE TO A FALSE
7 ALARM;

8 (II) A FINE OF \$50 FOR THE THIRD OR FOURTH RESPONSE TO A
9 FALSE ALARM;

10 (III) A FINE OF \$100 FOR THE FIFTH RESPONSE TO A FALSE ALARM;
11 AND

12 (IV) A FINE OF \$150 FOR THE SIXTH RESPONSE TO A FALSE ALARM.

13 (2) MONEY COLLECTED FROM FINES PURSUANT TO THIS SUBSECTION,
14 SHALL BE DESIGNATED FOR THE LAW ENFORCEMENT AGENCY OR FIRE
15 DEPARTMENT THAT ACTUALLY RESPONDED TO THE FALSE ALARM.

16 (D) (1) AFTER AN ALARM USER'S ALARM SYSTEM HAS SIX OR MORE FALSE
17 ALARMS IN A 12-MONTH PERIOD, THE ALARM USER SHALL HAVE THE SYSTEM
18 RECERTIFIED BY A LICENSED BURGLAR AND ALARM CONTRACTOR.

19 (2) THE RECERTIFICATION, ALONG WITH A \$25 RECERTIFICATION FEE,
20 SHALL BE SUBMITTED TO THE LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT
21 WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE THAT RECERTIFICATION IS
22 NECESSARY.

23 (3) FAILURE TO HAVE AN ALARM SYSTEM RECERTIFIED SHALL BE
24 GROUNDS FOR:

25 (I) PLACING THE ALARM USER'S SYSTEM ON A NONRESPONSE
26 STATUS;

27 (II) REVOCATION OR SUSPENSION OF THE PERMIT; OR

28 (III) OTHER ADVERSE ACTION.

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