
By: **Senators Derr and Ferguson (Frederick County Senators)**

Introduced and read first time: February 6, 1998

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Alarm System Registration**

3 FOR the purpose of authorizing the Board of County Commissioners of Frederick
4 County to adopt regulations to register alarm system contractors and alarm
5 users, provide penalties for certain violations, provide for the issuance of civil
6 citations for certain violations, and provide exemptions from the issuance of
7 certain civil citations and penalties under certain circumstances; providing that
8 certain provisions relating to alarm systems do not apply in Frederick County
9 under certain circumstances; defining certain terms; and generally relating to
10 registration of alarm systems in Frederick County.

11 BY adding to
12 Article 25 - County Commissioners
13 Section 221A
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1997 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article 27 - Crimes and Punishments
18 Section 156C
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 1997 Supplement)

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

23 **Article 25 - County Commissioners**

24 221A.

25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
26 INDICATED.

27 (2) "ALARM SYSTEM CONTRACTOR" MEANS:

1 (I) A PERSON ENGAGED IN INSTALLING, MAINTAINING,
2 MONITORING, ALTERING, OR SERVICING ALARM SYSTEMS; OR

3 (II) AN AGENCY THAT FURNISHES THE SERVICES OF A PERSON
4 ENGAGED IN INSTALLING, MAINTAINING, MONITORING, ALTERING, OR SERVICING
5 ALARM SYSTEMS.

6 (3) (I) "ALARM USER" MEANS A PERSON IN CONTROL OF AN ALARM
7 SYSTEM WITHIN, ON, OR AROUND ANY BUILDING, STRUCTURE, FACILITY, OR SITE.

8 (II) "ALARM USER" INCLUDES THE OWNER OR LESSEE OF AN
9 ALARM SYSTEM.

10 (4) (I) "FALSE ALARM" MEANS ANY REQUEST FOR IMMEDIATE
11 ASSISTANCE BY A LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT, REGARDLESS
12 OF CAUSE, THAT IS NOT IN RESPONSE TO AN ACTUAL EMERGENCY SITUATION OR
13 THREATENED SUGGESTED CRIMINAL ACTIVITY.

14 (II) "FALSE ALARM" INCLUDES:

15 1. NEGLIGENTLY OR ACCIDENTALLY ACTIVATED SIGNALS;

16 2. SIGNALS THAT ARE THE RESULT OF FAULTY,
17 MALFUNCTIONING, OR IMPROPERLY INSTALLED OR MAINTAINED EQUIPMENT; AND

18 3. SIGNALS THAT ARE PURPOSELY ACTIVATED TO SUMMON
19 A LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT IN A NONEMERGENCY
20 SITUATION.

21 (III) "FALSE ALARM" DOES NOT INCLUDE:

22 1. SIGNALS ACTIVATED BY UNUSUALLY SEVERE WEATHER
23 CONDITIONS OR OTHER CAUSES BEYOND THE CONTROL OF THE ALARM USER OR
24 ALARM SYSTEM CONTRACTOR; OR

25 2. SIGNALS ACTIVATED DURING THE INITIAL 60-DAY
26 PERIOD FOLLOWING NEW INSTALLATION.

27 (IV) AN ALARM SYSTEM THAT IS ACTIVATED A SECOND TIME
28 WITHIN A 12-HOUR PERIOD WHEN THE PREMISES ARE UNOCCUPIED SHALL BE
29 DEEMED A FALSE ALARM IF:

30 1. ACCESS TO THE BUILDING IS PROVIDED TO THE ALARM
31 SYSTEM CONTRACTOR; AND

32 2. AN ALARM SYSTEM CONTRACTOR OR AN EMPLOYEE OF
33 AN ALARM SYSTEM CONTRACTOR RESPONDS.

34 (V) IF ACCESS TO THE BUILDING IS NOT PROVIDED TO THE ALARM
35 SYSTEM CONTRACTOR, AND THE CONTRACTOR DOES NOT RESPOND TO AN ALARM
36 SYSTEM THAT IS ACTIVATED A SECOND TIME WITHIN A 12-HOUR PERIOD WHEN THE

1 PREMISES ARE UNOCCUPIED, EACH SUBSEQUENT ALARM SHALL BE COUNTED AS A
2 FALSE ALARM.

3 (B) THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MAY
4 ADOPT REGULATIONS FOR:

5 (1) REGISTERING ALARM SYSTEM CONTRACTORS OPERATING IN THE
6 COUNTY;

7 (2) REGISTERING ALARM USERS IN THE COUNTY;

8 (3) PROVIDING PENALTIES FOR FAILURE TO REGISTER AS AN ALARM
9 SYSTEM CONTRACTOR OR ALARM USER;

10 (4) PROVIDING CIVIL CITATIONS AND PENALTIES FOR FALSE ALARMS,
11 NOTWITHSTANDING THE PROVISIONS IN ARTICLE 27, § 156C OF THE CODE; AND

12 (5) PROVIDING EXEMPTIONS FROM THE ISSUANCE OF CIVIL CITATIONS
13 AND PENALTIES FOR FALSE ALARMS.

14 **Article 27 - Crimes and Punishments**

15 156C.

16 (a) THIS SECTION DOES NOT APPLY IN FREDERICK COUNTY IF THE BOARD OF
17 COUNTY COMMISSIONERS OF FREDERICK COUNTY ADOPTS REGULATIONS UNDER
18 ARTICLE 25, § 221A OF THE CODE PROVIDING FOR THE REGISTRATION OF ALARM
19 SYSTEM CONTRACTORS AND ALARM USERS AND THE ISSUANCE OF CIVIL CITATIONS
20 AND PENALTIES FOR VIOLATIONS OF THE REGULATIONS.

21 (B) 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
24 or maintained equipment shall be subject to the provisions of subsections (b) and (c) of
25 this section.

26 [(b)] (C) A law enforcement agency or fire department may 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

30 (2) 8 or more responses within a 12-month period.

31 [(c)] (D) The civil citation shall include a fine of:

32 (1) \$30 for each initial false alarm; and

33 (2) \$30 for each additional false alarm.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.