

SENATE BILL 501

Unofficial Copy  
E4

1998 Regular Session  
8r1742

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

Introduced and read first time: February 6, 1998

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Frederick County - Alarm System ~~Registration~~ Regulation**

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, and authorize~~  
8 the designated county enforcement agency to keep certain records and inform  
9 certain persons of a pattern of false alarms; providing that certain provisions  
10 relating to alarm systems do not apply in Frederick County under certain  
11 circumstances; defining certain terms; and generally relating to ~~registration~~  
12 regulation of alarm systems in Frederick County.

13 BY adding to  
14 Article 25 - County Commissioners  
15 Section 221A  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 1997 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article 27 - Crimes and Punishments  
20 Section 156C  
21 Annotated Code of Maryland  
22 (1996 Replacement Volume and 1997 Supplement)

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

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**Article 25 - County Commissioners**

2 221A.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (2) "ALARM SYSTEM CONTRACTOR" MEANS:

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

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

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

13 (II) "ALARM USER" INCLUDES THE OWNER OR LESSEE OF AN  
14 ALARM SYSTEM.

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

19 (II) "FALSE ALARM" INCLUDES:

20 1. NEGLIGENTLY OR ACCIDENTALLY ACTIVATED SIGNALS;

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

23 3. SIGNALS THAT ARE PURPOSELY ACTIVATED TO SUMMON  
24 A LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT IN A NONEMERGENCY  
25 SITUATION.

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

27 1. SIGNALS ACTIVATED BY UNUSUALLY SEVERE WEATHER  
28 CONDITIONS OR OTHER CAUSES BEYOND THE CONTROL OF THE ALARM USER OR  
29 ALARM SYSTEM CONTRACTOR; OR

30 2. SIGNALS ACTIVATED DURING THE INITIAL 60-DAY  
31 PERIOD FOLLOWING NEW INSTALLATION.

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

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

3                                   2.       AN ALARM SYSTEM CONTRACTOR OR AN EMPLOYEE OF  
4 AN ALARM SYSTEM CONTRACTOR RESPONDS.

5                                   (V)     IF ACCESS TO THE BUILDING IS NOT PROVIDED TO THE ALARM  
6 SYSTEM CONTRACTOR, AND THE CONTRACTOR DOES NOT RESPOND TO AN ALARM  
7 SYSTEM THAT IS ACTIVATED A SECOND TIME WITHIN A 12-HOUR PERIOD WHEN THE  
8 PREMISES ARE UNOCCUPIED, EACH SUBSEQUENT ALARM SHALL BE COUNTED AS A  
9 FALSE ALARM.

10       (B)     THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MAY  
11 ADOPT REGULATIONS FOR:

12                   (1)     REGISTERING ALARM SYSTEM CONTRACTORS OPERATING IN THE  
13 COUNTY;

14                   (2)     REGISTERING ALARM USERS IN THE COUNTY;

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

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

19                   (5)     PROVIDING EXEMPTIONS FROM THE ISSUANCE OF CIVIL CITATIONS  
20 AND PENALTIES FOR FALSE ALARMS;

21                   (6)     AUTHORIZING THE DESIGNATED COUNTY ENFORCEMENT AGENCY  
22 TO MAINTAIN A RECORD OF THE ALARM SYSTEM CONTRACTOR, MONITORING  
23 SERVICE, AND MANUFACTURER OF EACH SECURITY SYSTEM IN OPERATION IN THE  
24 COUNTY; AND

25                   (7)     AUTHORIZING THE DESIGNATED COUNTY ENFORCEMENT AGENCY,  
26 IF IT FINDS A PATTERN OF FALSE ALARMS ATTRIBUTED TO A PARTICULAR  
27 MANUFACTURER'S MODEL OR TO INSTALLATION BY A PARTICULAR ALARM SYSTEM  
28 CONTRACTOR, TO INFORM:

29                                   (I)     THE MANUFACTURER OF THE MODEL OR THE ALARM SYSTEM  
30 CONTRACTOR THAT INSTALLED THE ALARM SYSTEM; AND

31                                   (II)    THE APPROPRIATE STATE OR NATIONAL LICENSING AGENCY  
32 OR THE CERTIFICATION STANDARDS ENTITY.

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**Article 27 - Crimes and Punishments**

2 156C.

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

8 (B) Except for alarm systems activated by acts of God, weather conditions, or  
9 causes beyond the control of the alarm user, an alarm system that is negligently or  
10 accidentally activated as the result of faulty, malfunctioning, or improperly installed  
11 or maintained equipment shall be subject to the provisions of subsections (b) and (c) of  
12 this section.

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

- 16 (1) 3 responses within a 30-day period; or  
17 (2) 8 or more responses within a 12-month period.

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

- 19 (1) \$30 for each initial false alarm; and  
20 (2) \$30 for each additional false alarm.

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