

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 1305
Economic Matters

(Delegate Hubbard, *et al.*)

Burglary and Robbery Alarm Systems - Response Verification - Requirements

This bill requires an alarm system contractor to attempt to verify within two minutes, in a specified manner, that an activated signal from a burglary or robbery alarm system requires a law enforcement response to an emergency situation. The contractor is required to call the alarm user at the site of the system with the activated signal and, if no contact is made with the alarm user at the site, call the telephone number of the backup individual authorized by the user to cancel a response.

Fiscal Summary

State Effect: None.

Local Effect: The bill could have a beneficial effect on local law enforcement units to the extent that it may reduce the incidence of false alarms. Any additional responsibilities for local law enforcement units (such as additional record keeping) could be handled with existing budgeted resources. Any additional revenue resulting from the issuance of civil citations is not expected to be significant.

Small Business Effect: Minimal.

Analysis

Bill Summary: An alarm system contractor is not required to contact an alarm user who has obtained a written exemption from the local law enforcement unit. Each local law enforcement unit may (1) establish exemption standards; (2) issue a written exemption, signed by the local chief law enforcement officer or designee, to each alarm user who

meets the established standards; and (3) maintain a list of the alarm users to whom an exemption is issued.

A law enforcement unit may issue a civil citation to a contractor for the failure to attempt to make the required verification. A civil citation must assess a penalty of up to \$500 for each such failure. The law enforcement unit must take into consideration a contractor's attempts to comply with these provisions when determining the amount of the penalty issued.

These provisions do not apply to activated signals from the following alarm systems:

- duress alarms;
- hold-up alarms;
- fire alarms; or
- personal emergency response systems that do not require a law enforcement response.

Current Law: An alarm system that is activated more than once within a 12-hour period when a premises with an alarm system is unoccupied and that is not in response to an actual emergency situation or threatened suggested criminal activity constitutes one false alarm if access to the building is provided to the alarm system contractor and an alarm system contractor or an employee of an alarm system contractor responds to the activated alarm system.

A law enforcement unit or fire department may issue a civil citation to an alarm user for the negligent or accidental activation of an alarm system as a result of faulty, malfunctioning, or improperly installed or maintained equipment or for a false alarm if the number of activations or false alarms to which the law enforcement unit or fire department responds exceeds three responses within a 30-day period or eight responses within a 12-month period. A civil citation must assess a penalty of \$30 for each negligent or accidental activation or false alarm.

These provisions do not apply to alarm systems activated by weather conditions or causes beyond the control of the alarm user. Three counties are allowed an exemption if, by regulation, the county provides for the registration of alarm system contractors and alarm users, the issuance of civil citations, and penalties for a violation of a regulation. Frederick, Calvert, and Washington counties have such provisions. The Washington County provisions are separate from the county code and provide that a master electrician may install such an alarm system.

The Baltimore City Police Department currently enforces provisions relating to false alarms under Article 19, § 8-1 of the Baltimore City Code. Last year the department responded to 23,933 alarms. Of that number, 18,768 were false alarms. Collections of fines and registration fees are done by a private contractor. Baltimore City does not anticipate a significant fiscal impact from this bill.

Additional Information

Prior Introductions: Similar bills, HB 1211 of 2007 and HB 1516 of 2006, each received an unfavorable report from the House Economic Matters Committee.

Cross File: None.

Information Source(s): City of Havre de Grace, Montgomery County, Caroline County, Howard County, Judiciary (Maryland District Court), Baltimore City, Department of Legislative Services

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mll/jr

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