

HOUSE BILL 291

C2

0lr1580

By: **Delegate King**

Introduced and read first time: January 27, 2010

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Locksmiths Act – Revisions – Definitions and Records Inspection**

3 FOR the purpose of altering the definition of “fixed business address” as it relates to
4 the Maryland Locksmiths Act to include a business location outside Maryland
5 where a licensed locksmith conducts a business and is available at certain
6 times; altering the definition of “local law enforcement unit” as it relates to the
7 Maryland Locksmiths Act to include only in-State police departments and
8 sheriffs that are designated by certain entities based on the address of a
9 licensed locksmith for certain purposes; requiring licensed locksmiths to make
10 certain records available for inspection by the Department of Labor, Licensing,
11 and Regulation under certain circumstances; and generally relating to the
12 revision of definitions and records requirements of the Maryland Locksmiths
13 Act.

14 BY repealing and reenacting, with amendments,
15 Article – Business Regulation
16 Section 12.5–101 and 12.5–302
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2009 Supplement)

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

21 **Article – Business Regulation**

22 12.5–101.

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

24 (b) “Business” means a commercial entity that provides locksmith services.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) "Employee" means an individual employed by a licensed locksmith to
2 provide locksmith services on behalf of the licensed locksmith.

3 (d) "Fixed business address" means a single physical location [in the State]
4 where a licensee [regularly] conducts business and at which the licensee or an
5 employee of the licensee is [physically present] **AVAILABLE:**

6 (1) during normal business hours; or

7 (2) other hours as provided in the application for the license.

8 (e) "License" means a license issued by the Secretary to provide locksmith
9 services.

10 (f) "Licensed locksmith" means, unless the context requires otherwise, a
11 business that is licensed by the Secretary to provide locksmith services.

12 (g) "Local law enforcement unit" means the Department of State Police, a
13 police department **IN THE STATE**, or sheriff **IN THE STATE**[,]:

14 (1) [as] designated by the county or municipal governing body **FOR A**
15 **LICENSEE WITH AN IN-STATE FIXED BUSINESS ADDRESS; OR**

16 (2) **DESIGNATED BY THE SECRETARY FOR A LICENSEE WITH AN**
17 **OUT-OF-STATE FIXED BUSINESS ADDRESS.**

18 (h) "Provide locksmith services" means to engage professionally and for
19 compensation in:

20 (1) repairing, rebuilding, rekeying, repinning, recombining,
21 adjusting, or installing mechanical, electrical, or electromechanical locking devices,
22 safes, vaults, or safe deposit boxes; or

23 (2) operating a mechanical, electrical, or electromechanical locking
24 device or opening safes, vaults, or safe deposit boxes by a means other than that
25 intended by the manufacturer of such locking devices.

26 12.5-302.

27 Unless otherwise authorized by the Secretary, a licensed locksmith shall keep a
28 copy of each invoice or receipt for services required by this subtitle, at the fixed
29 business address provided by the licensee to the Secretary, for 3 years after the date of
30 the service call **AND, ON REASONABLE NOTICE FROM THE DEPARTMENT, MAKE**
31 **REQUIRED RECORDS AVAILABLE FOR INSPECTION BY THE DEPARTMENT.**

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2010.