

SENATE, No. 2882

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED MAY 19, 2011

Sponsored by:

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

SYNOPSIS

Expands scope of services provided by alarm business licensees.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning alarm business licensees and amending
2 P.L.1962, c.162 and P.L.1997, c.305.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 2 of P.L.1962, c.162 (C.45:5A-2) is amended to read
8 as follows:

9 2. For the purpose of this act, unless otherwise indicated by the
10 context:

11 (a) "Act" means this act, P.L.1962, c.162 (C.45:5A-1 et seq.)
12 and the rules and regulations adopted under it;

13 (b) "Board" means the Board of Examiners of Electrical
14 Contractors created by section 3 of this act;

15 (c) "Department" means the Department of Law and Public
16 Safety;

17 (d) "Electrical contractor" means a person who engages in the
18 business of contracting to install, erect, repair or alter electrical
19 equipment for the generation, transmission or utilization of
20 electrical energy;

21 (e) "Person" means a person, firm, corporation or other legal
22 entity;

23 (f) "Alarm business" means the design, installation, sales,
24 servicing or maintenance of burglar alarm, fire alarm or electronic
25 security systems, or home automation and integration of these
26 systems, or the monitoring or responding to alarm signals when
27 provided in conjunction therewith. "Installation," as used in this
28 definition, includes the survey of a premises, the design and
29 preparation of the specifications for the equipment or system to be
30 installed pursuant to a survey, the installation of the equipment or
31 system, or the demonstration of the equipment or system after the
32 installation is completed, but does not include any survey, design or
33 preparation of specifications for equipment or for a system that is
34 prepared by an engineer licensed pursuant to the provisions of
35 P.L.1938, c.342 (C.45:8-27 et seq.), or an architect licensed
36 pursuant to the provisions of chapter 3 of Title 45 of the Revised
37 Statutes, if the survey, design, or preparation of specifications is
38 part of a design for construction of a new building or premises or a
39 renovation of an existing building or premises, which renovation
40 includes components other than the installation of a burglar alarm,
41 fire alarm or electronic security system, and further does not
42 include the design or preparation of specifications for the
43 equipment or system to be installed that are within the practice of
44 professional engineering as defined in subsection (b) of section 2 of
45 P.L.1938, c.342 (C.45:8-28);

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 (g) "Burglar alarm" means a security system comprised of an
2 interconnected series of alarm devices or components, including
3 systems interconnected with radio frequency signals, or Internet
4 protocol and any successor protocols, which emits an audible,
5 visual or electronic signal indicating an alarm condition and
6 providing a warning of intrusion, which is designed to discourage
7 crime;

8 (h) "Business firm" means a partnership, corporation or other
9 business entity engaged in the alarm business or locksmithing
10 services;

11 (i) "Committee" means the Fire Alarm, Burglar Alarm, and
12 Locksmith Advisory Committee created by section 3 of P.L.1997,
13 c.305 (C.45:5A-23);

14 (j) "Electronic security system" means a security system
15 comprised of an interconnected series of devices or components,
16 including systems with audio and video signals or other electronic
17 systems, which emits or transmits an audible, visual or electronic
18 signal warning of intrusion and provides notification of authorized
19 entry or exit, which is designed to discourage crime, and which
20 system may include access control systems, closed circuit television
21 systems, intercom systems, automation systems capable of
22 integrating security devices, and other electronic monitoring
23 devices;

24 (k) "Fire alarm" means a **[security]** system comprised of an
25 interconnected series of alarm devices or components, including
26 systems interconnected with radio frequency signals, which emits
27 an audible, visual or electronic signal indicating an alarm condition
28 and which provides a warning of the presence of smoke or fire or a
29 notification of emergency evacuation. "Fire alarm" does not mean a
30 system whose primary purpose is telecommunications with energy
31 control, the monitoring of the interior environment being an
32 incidental feature thereto;

33 (l) "Licensed locksmith" means a person who is licensed
34 pursuant to the provisions of section 7 of P.L.1997, c.305 (C.45:5A-
35 27);

36 (m) "Licensee" means a person licensed to engage in the alarm
37 business or provide locksmithing services pursuant to the provisions
38 of section 7 of P.L.1997, c.305 (C.45:5A-27);

39 (n) "Locksmithing services" means the modification,
40 recombination, repair or installation of mechanical locking devices
41 and electronic security systems for any type of compensation and
42 includes the following: repairing, rebuilding, recoding, servicing,
43 adjusting, installing, manipulating or bypassing of a mechanical or
44 electronic locking device, for controlled access or egress to
45 premises, vehicles, safes, vaults, safe doors, lock boxes, automatic
46 teller machines or other devices for safeguarding areas where access
47 is meant to be limited; operating a mechanical or electronic locking
48 device, safe or vault by means other than those intended by the

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1 manufacturer of such locking devices, safes or vaults; or consulting
2 and providing technical advice regarding selection of hardware and
3 locking systems of mechanical or electronic locking devices and
4 electronic security systems; except that "locksmithing services"
5 shall not include the installation of a prefabricated lock set and door
6 knob into a door of a residence;

7 (o) "Qualified journeyman electrician" means a person
8 registered pursuant to P.L.1962, c.162 (C.45:5A-1 et seq.) or
9 P.L.2001, c.21 (C.45:5A-11.1 et al.), as a qualified journeyman
10 electrician by the board;

11 (p) "Access control system" means a system that provides
12 access to authorized persons and may record and report which
13 persons entered or exited a facility or areas within a facility, which
14 doors or areas were accessed while persons are in a facility, and the
15 time that such activity occurred, and which system may include the
16 use of keys, access cards, locks, card readers, biometric
17 identification devices, recorders, printers and control devices and
18 may be an independent system or may be integrated with other
19 electronic security systems;

20 (q) "Closed circuit television system" means a video security
21 system that includes, but is not limited to, video cameras, Internet
22 protocol cameras, monitors, switches, camera enclosures, controls,
23 and other related devices, which video security system may be an
24 independent system or may be integrated with other electronic
25 security systems;

26 (r) "Internet protocol and any successor protocols" means
27 protocols that are capable of integrating any electronic security
28 devices;

29 (s) "Intercom system" means an audio security communication
30 system containing control circuitry that may include a feature
31 designed to selectively release electronically secured doors.

32 (cf: P.L.2001, c.21, s.2)

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34 2. Section 12 of P.L.1997, c.305 (C.45:5A-32) is amended to
35 read as follows:

36 12. a. No licensee qualified under the provisions of this act
37 shall engage in the alarm business or in the practice of locksmithing
38 services, unless the licensee:

39 (1) Maintains at least one business office within the State or
40 files with the board a statement, duly executed and sworn to before
41 a person authorized by the laws of this State to administer oaths,
42 containing a power of attorney constituting the board the true and
43 lawful attorney of the licensee upon whom all original process in an
44 action or legal proceeding against the licensee may be served and in
45 which the licensee agrees that the original process that may be
46 served upon the board shall be of the same force and validity as if
47 served upon the licensee and that the authority thereof shall
48 continue in force so long as the licensee engages in the alarm

1 business or in the practice of locksmithing services, as the case may
2 be, in this State;

3 (2) Clearly marks the outside of each installation, sales, and
4 service vehicle to be used in conjunction with the alarm business
5 with the alarm business name and license number, or the outside of
6 each installation, sales and service vehicle to be used in conjunction
7 with locksmithing services with the locksmithing service's name
8 and license number;

9 (3) Maintains an emergency service number attended to on a 24-
10 hour basis and **【responds appropriately】** maintains the capacity on a
11 24-hour basis to respond to emergencies **【on a 24-hour basis when**
12 **engaged in the alarm business】** , as appropriate; and

13 (4) Retains at all times general liability insurance in an amount
14 determined by the board, in consultation with the committee, and
15 insurance coverage or a surety bond in favor of the State of New
16 Jersey in the sum of \$10,000, executed by a surety company
17 authorized to transact business in the State of New Jersey and which
18 is approved by the Department of Banking and Insurance, and
19 which is to be conditioned on the faithful performance of the
20 provisions of this act. The board shall by rule or regulation provide
21 who shall be eligible to receive the financial protection afforded by
22 that bond and the bond shall be in full force and effect for the term
23 of the license issued.

24 b. Except in the case of an employee licensed as a locksmith,
25 no licensed locksmith shall engage in locksmithing services unless
26 that licensee maintains at least one business office within the State.
27 (cf: P.L.1997, c.305, s.12)

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29 3. This act shall take effect immediately.

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STATEMENT

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34 Pursuant to P.L.1997, c.305 (C.45:5A-23 et al.), locksmiths,
35 burglar alarm, fire alarm and electronic security businesses, and
36 their employees, are licensed and regulated by the Board of
37 Examiners of Electrical Contractors in the Department of Law and
38 Public Safety. This bill changes the definition of “electronic
39 security system” contained in the law. As provided in the bill, the
40 definition of “electronic security system” is expanded to include
41 access security systems, closed circuit television systems, intercom
42 systems and other electronic monitoring devices. The bill also
43 establishes definitions in this law for “access control system,”
44 “closed circuit television system,” “Internet protocol and any
45 successor protocols” and “intercom system.”

46 As currently provided by law, alarm business license holders are
47 required to maintain an emergency service number attended to on a
48 24-hour basis. The bill also provides that alarm business license

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- 1 holders shall maintain the capacity on a 24-hour basis to respond to
- 2 emergencies, as appropriate.