

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 304 Department or Agency Alabama Electronic Security Board of
Licensure

Rule No. 304-X-1-.05

Rule Title: Educational Requirements

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *Lynne Jackson*

Date September 18, 2018

APA-2

Alabama Electronic Security Board of Licensure
(Agency Division: N/A)

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Electronic Security Board
of Licensure

RULE NO. & TITLE: 304-X-1-.05 Educational Requirements

INTENDED ACTION: To Amend Rule

SUBSTANCE OF PROPOSED ACTION:

In order to comply with ACT# 2014-160, amend rule to change "Alarm and Locksmith companies" to "System Installers." Additionally, to repeal language regarding locksmith waivers for continuing education that is no longer offered by the board.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments may be submitted to: Alabama Electronic Security Board of Licensure, 7956 Vaughn Road PMB 392, Montgomery, AL 36116.

Public Hearing: Tuesday, November 13, 2018, 9:30 a.m., Alabama Industrial Development Training Center, One Technology Court, Montgomery, AL 36116.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

November 13, 2018

CONTACT PERSON AT AGENCY:

Lynne Taunton, Executive Director, Alabama Electronic Security Board of Licensure, 7956 Vaughn Road PMB 392, Montgomery, AL 36116. Telephone# 334-264-9388.



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

304-X-1-.05 ~~Code of Ethics~~ Educational Requirements.**(1) Burglar Alarm (B)**

(a) Qualifying Agent licensed for the purpose of installing or servicing burglar alarm systems: an applicant must have completed a Board approved certification class (Level 1) and an advanced Board approved certification class and passed the proctored exams for both classes in order to obtain a license. A license will not be issued to a burglar alarm company unless the company has a licensed Qualifying Agent.

(b) Alarm System Installer licensed for the purpose of installing or servicing burglar alarm systems: an applicant must have completed a Board approved certification class (Level 1) and passed the proctored exam in order to obtain or renew a license.

(c) To ensure continued competency all, Qualifying Agents and Alarm System Installers must demonstrate completion of educational requirements equivalent to those required for current status (8 hours of approved continuing education units) or current status with their certification, annually, in order to obtain or renew a license. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(2) Monitoring Station (MS)

(a) A Monitoring Station Operator is required to prove attendance at a Board approved class in order to obtain a new license.

(3) Electronic Access Control (A)

(a) Qualifying Agents licensed for the purpose of installing or servicing electronic access control: an applicant must have completed a Board approved certification class for electronic access control and passed the proctored exam in order to obtain a license. A license will not be issued to an electronic access control company unless the company has a licensed Qualifying Agent.

(b) All Electronic Access Control Installers who perform the duties of an electronic access control system (A) installer must demonstrate that they have completed a Board approved certification class or a Board approved certification class for electronic access control and passed the proctored exam for the class(es) in order to obtain or renew a license.

(c) To ensure continued competency, all renewing Qualifying Agents and Electronic Access Control System Installers who perform the duties of an installer must demonstrate completion of educational requirements equivalent to those required for current status (8 hours of approved continuing education units) or current status with their certification, annually, in order to obtain or renew a license. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(4) **Locksmiths (L)**

(a) Qualifying Agent licensed for the purpose of installing or servicing locks: an applicant must have completed a Board approved locksmith certification class and passed the proctored exam or a Board approved exam in order to obtain a license. A license will not be issued to a locksmith company unless the company has a licensed Qualifying Agent.

(b) A Locksmith licensed for the purpose of installing or servicing locks: an applicant must have completed a Board approved certification class and passed the proctored exam in order to obtain or renew a license.

(c) To ensure continued competency, all Qualifying Agents and Locksmith registrants who perform the duties of a locksmith, must demonstrate the completion of eight (8) hours of Board approved continuing education units, annually. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(5) **CCTV (S)**

(a) A Qualifying Agent licensed for the purpose of installing or servicing closed circuit television systems: an applicant must have completed a Board approved certification class for CCTV and passed the proctored exam in order to obtain a license. A license will not be issued to a CCTV company unless the company has a licensed Qualifying Agent.

(b) All CCTV Installers who perform the duties of a surveillance (CCTV) installer must demonstrate that they have completed a Board approved certification class or a Board approved certification CCTV class and passed the proctored exam for the class in order to obtain or renew a license.

(c) To ensure continued competency, all Qualifying Agents and installer registrants who perform the duties for CCTV

must demonstrate completion of educational requirements equivalent to those required for current status (8 hours of approved continuing education units) or current status with their certification, annually, in order to obtain or renew a license. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(6) **Salesperson (Sales)**

(a) A registrant who is primarily in burglar alarm, electronic access control or CCTV systems sales must pass a Board approved sales class in order to obtain a license.

(b) To ensure continued competency, all renewing registrants who perform the duties of a salesperson must demonstrate the completion of eight (8) hours of Board approved continuing education units, annually. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(7) **General Comments**

(a) A monitoring company that is using or is referred to by a burglar alarm company must be licensed in order for the burglar alarm company to gain a license. The burglar alarm company should obtain a copy of that license.

(b) Registrants licensed for multiple classifications based on areas of work shall only be required to demonstrate completion of continuing education units that total a maximum of twenty four (24) units for their renewal cycle.

(c) Any person in administrative management who has direct contact with customers and offers to undertake, represents himself or herself as being able to undertake, or does undertake the sales, installation, service, or monitoring of burglar alarm systems, electronic access control systems, closed circuit television systems, or locks must meet the educational requirements in 304-X-1-~~.04~~ .05 for the activities performed and be licensed, accordingly.

(d) Companies may provide Helpers access to at least eight (8) hours of industry related training, annually, to encourage their growth in the profession.

(e) Qualifying Agents must meet the requirements of each of the respective classification(s) in which their company is working or plans to work. Furthermore, Qualifying Agents are

required to ensure that all individuals of their company meet the requirements set forth in 304-X-1-.04-.05

(f) ~~Alarm and Locksmith companies~~ System Installers that have been licensed with the Alabama Electronic Security Board of Licensure (the Board) for the previous five (5) calendar years that have had no complaints filed with the Board against them or their employees that have resulted in disciplinary action being taken by the Board during the previous five (5) years, and have not had documented violations of the Board's law or Administrative Code may file a written request for a waiver from the educational requirements of this Section 304-X-1-.04.05(5)(a) for their Qualifying Agents by providing the Board written certification that they have had no written complaints filed against the company or employees and have had no documented violations of noncompliance during the past five (5) years.

(g) ~~Locksmith companies that only work on residential mechanical locks and have been licensed with the Alabama Electronic Security Board of Licensure (the Board) for the previous three (3) calendar years and have had no complaints filed with the Board against them or their employees that have resulted in disciplinary action being taken by the Board during the previous three (3) years, and have not had documented violations of the Board's law or Administrative Code may file a written request for a waiver from the continuing educational requirements of this Section 304-X-1-.04(4)(c) for their locksmiths by providing the Board written certification that they have had no written complaints filed against the company or employees and have had no documented violations of noncompliance during the past three (3) years.~~

(h) The receipt of a written complaint by the Board against the company or an employee may result in the loss of its waiver for educational requirements.

(i) Failure to comply with Code of Ala. 1975, Section 34-1A, and this Administrative Code 304-X-1 may result in the loss of a company's waiver of these Educational Requirements.

Author: Fred Crawford

Statutory Authority: Code of Ala. 1975, §34-1A.

History: New Rule: Filed October 23, 1998; effective November 27, 1998. **Amended:** Filed April 26, 2000; effective May 31, 2000. **Amended:** Filed September 18, 2002; effective October 23, 2002. **Amended:** Filed May 25, 2004; effective June 29, 2004. **Amended:** Filed November 16, 2004; effective December 21, 2004. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed November 21, 2008; effective December 26, 2008. **Amended:** Filed February 18, 2010; effective

March 25, 2010. **Amended:** Filed August 20, 2010; effective
September 24, 2010. **Amended:** Filed August 15, 2011; effective
September 19, 2011. **Amended:** Filed November 19, 2013; effective
December 24, 2013. **Amended:** Filed May 27, 2014; effective
July 1, 2014. **Amended:** Filed November 19, 2014; effective
December 24, 2014. **Amended:** Filed September 29, 2016; effective
November 13, 2016. **Amended:** Filed August 25, 2017; effective
October 9, 2017. **Amended:** Filed ; effective
