

SENATE BILL REPORT

SB 6370

As of February 15, 2008

Title: An act relating to alarm system companies.

Brief Description: Providing licensing requirements for alarm system companies.

Sponsors: Senators Delvin, Kohl-Welles, Hewitt, Kauffman and Shin.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 1/21/08.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Staff: Ingrid Mungia (786-7423)

Background: The Department of Licensing (Department) regulates and licenses private security guards, armed private security guards, and private security guard companies. A private security guard is an individual who is licensed and principally employed as a security officer or guard, patrol guard, armed escort, armored vehicle guard, burglar response runner, or crowd control officer or guard. An armed private security guard is a private security guard who has a current firearms certificate issued by the criminal justice training commission and is licensed as a private security guard. A private security company is a person or entity licensed and engaged in the business of providing the services of private security guards on a contractual basis.

The following persons are exempt from the security guard licensing: a person who is employed exclusively or regularly by one employer and performs the duties of a private security guard; a sworn peace officer while engaged in the performance of the officer's official duties; a sworn peace officer while employed to engage in off-duty employment as a private security guard; and a person performing crowd management or guest services who does not perform the duties of a private security guard.

Summary of Bill: Alarm system employees and alarm system companies are added to the private security guard, armed private security guard, and private security company licensing requirements and provisions. Alarm system employees and alarm system companies must be licensed by the Department. An alarm system employee is a person who personally sells or provides alarm system services, including installation, repair and maintenance of alarm systems. An alarm system company includes any individual, firm, corporation, partnership, association, company, society, manager, contractor, subcontractor, bureau, agency, service, office, or an agent of any of the foregoing, installing, or responding to an alarm system.

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Applicants must meet the following minimum requirements to obtain an alarm system employee license:

- be at least 18 years of age;
- be a citizen of the United States or a resident alien;
- not have been convicted of a crime in any jurisdiction;
- be employed by or have an employment offer from a licensed alarm system company;
- submit a set of fingerprints;
- pay the required fee; and
- submit a fully completed application.

In addition to meeting the minimum requirements to obtain a license as an alarm system employee, an applicant for an alarm system company must:

- be at least 21 years of age;
- meet the insurance requirements; and
- pay the required fee.

The following are exempted from licensing: officers or employees of the United States and Washington State while engaged in their official duties; the installation, servicing, monitoring, or responding to motor vehicle, aircraft, or boat alarm devices; a person or company that is in the business of alarm systems and installs a system on their own property free of charge; and a person or company who sells alarm systems exclusively over-the-counter or by mail order.

The Director of the Department must be notified if the qualifying agent used to obtain an alarm system company license no longer perform their duties on a regular basis. The company may obtain a substitute qualifying agent who meets the licensing requirements within 60 days of notifying the Director. A company license may not be assigned or transferred without prior approval for the Director of the Department.

An alarm system company may not be issued a license if the name of the company portrays the company as a public law enforcement agency, or in association with a public law enforcement agency, or includes the word "police."

Removes the reference directing the Director of the Department to solicit comments from the chief law enforcement officer of the county and city or town in which the applicant's employer is located on issuance of a permanent private security guard license. Burglar alarm response runners are removed from the chapter pertaining to licensing security guards.

Engineers and architects who design or plan alarm systems and are already licensed by the state under the engineer and architects chapter are exempt from the alarm system registration and licensing requirements.

Individuals and businesses licensed by the state electrical licensing unit of the Department of Labor and Industries may install conduit or wire for a security system if they do not connect any devices or have access to plans or designs for the complete alarm system. The licensing requirement is clarified for alarm system employees and does not supersede or authorize state standards, qualifications, and licensing requirements for electricians or electrical work involved in the installation of burglar alarm systems.

It is a gross misdemeanor to perform the functions and duties of an alarm system employee without a license, attempt to use the license of another, give false information to obtain a license, falsely impersonate another licensee or use an expired or revoked license. The owner or qualifying agent of an alarm system company is guilty of a gross misdemeanor if the owner or agent employs a person without a Department issued license.

The Director of the Department is given the authority to enter into reciprocal agreements with other jurisdictions whose alarm system companies' requirements are similar to Washington.

Appropriation: None.

Fiscal Note: Requested on January 18, 2008.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect one year after the date of passage.

Staff Summary of Public Testimony: PRO: We have been working on this process for three years. The alarm companies want to be proactive on monitoring who they send into peoples homes. Companies can currently do criminal background checks at the city level. This bill will allow us to have one state license and standard licensing requirement. We want to make sure homeowners are safe. This bill is important for uniformity across the state.

CON: This bill has challenges. IBW was not consulted on the bill, and they have concerns about the bill. Electricians need a full set of plans to install an alarm.

OTHER: This bill would require a separate license for electricians to have access to alarm system plans. Not sure what the purpose of the bill is other than entrance requirements. The Department of Licensing would charge the same fee as security guards.

Persons Testifying: PRO: Senator Delvin, prime sponsor; Michael Miller, Ron Haner, WA Burglar & Fire Alarm Association.

CON: Larry Stevens, Mechanical Contractors, Electrical Contractors; Richard King, Mike Grunwald, IBEW.

OTHER: Ron Fuller, L&I; Pat Brown, Department of Licensing.