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I N A S S E M B L Y

March 5, 2010

Introduced by M. of A. PHEFFER, WEISENBERG, FIELDS, MAISEL, MARKEY, JAFFEE, CASTRO, ROSENTHAL, MILLMAN -- Multi-Sponsored by -- M. of A. BOYLAND, CHRISTENSEN, COOK, DINOWITZ, GALEF, GOTTFRIED, HOOPER, McENE- NY, MENG, NOLAN, PERRY, SKARTADOS, TITONE -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to enacting the locksmith licensing act of 2010

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings. Locksmiths operate in the public  
2 trust to secure and protect property and persons and have the knowledge  
3 and tools to bypass or neutralize security devices. Existing laws and  
4 regulations do not adequately protect citizens from the unscrupulous use  
5 and abuse of the tools and knowledge of the locksmithing profession by  
6 the untrained person or from those who have criminal intent. In addi-  
7 tion, disreputable locksmiths and those who falsely represent themselves  
8 to be locksmiths have a negative effect on the business of honest, hard-  
9 working locksmiths by generating public ill will towards the profession  
10 as a whole. In order to protect both reputable locksmiths and the public  
11 of this state from the abuse and misuse of locksmithing supplies, manu-  
12 als, or equipment, locksmiths should be licensed and regulated by this  
13 state.

14 S 2. The general business law is amended by adding a new article 6-E  
15 to read as follows:

16 ARTICLE 6-E  
17 THE LOCKSMITH LICENSING ACT OF 2010

18 SECTION 69-AA. TITLE.  
19 69-BB. DEFINITIONS.  
20 69-CC. LOCKSMITH ADVISORY BOARD.  
21 69-DD. PROMULGATION OF REGULATIONS AND STANDARDS.  
22 69-EE. PROHIBITED ACTIVITIES.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD15405-03-0

- 1 69-FF. CRIMINAL PENALTY.
- 2 69-GG. CIVIL PENALTY.
- 3 69-HH. LICENSURE.
- 4 69-II. QUALIFICATIONS OF APPLICANTS.
- 5 69-JJ. EMPLOYEE REQUIREMENTS.
- 6 69-KK. EXPIRATION AND RENEWAL.
- 7 69-LL. LIST OF LOCKSMITHS.
- 8 69-MM. INSURANCE.
- 9 69-NN. WORK ORDERS.
- 10 69-OO. EXCLUSIONS.
- 11 69-PP. APPLICABILITY.

12 S 69-AA. TITLE. THIS ACT SHALL BE KNOWN AND MAY BE CITED AS "THE LOCK-  
 13 SMITH LICENSING ACT OF 2010".

14 S 69-BB. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE, THE FOLLOWING  
 15 TERMS SHALL HAVE THE MEANINGS INDICATED:

- 16 1. "BOARD" MEANS THE LOCKSMITH ADVISORY BOARD.
- 17 2. "CERTIFICATE" MEANS A DOCUMENT ISSUED BY THE DEPARTMENT AS PROOF  
 18 THAT A LICENSE OR PERMIT HAS BEEN GRANTED.
- 19 3. "CERTIFICATION" MEANS THE PROCESS WHEREBY THE DEPARTMENT OR ANY  
 20 REGULATORY BOARD ISSUES A CERTIFICATE ON BEHALF OF THIS STATE TO A  
 21 PERSON SIGNIFYING THAT HE OR SHE POSSESSES THE CHARACTER AND MINIMUM  
 22 SKILLS TO ENGAGE PROPERLY IN THE PROFESSION OF LOCKSMITHING.
- 23 4. "CODEBOOK" MEANS A COMPILATION, IN ANY FORM, OF KEY CODES.
- 24 5. "COMMISSIONER" MEANS THE COMMISSIONER OF THE DIVISION OF CRIMINAL  
 25 JUSTICE SERVICES.
- 26 6. "DEPARTMENT" MEANS THE DEPARTMENT OF STATE.
- 27 7. "DIVISION" MEANS THE DIVISION OF CRIMINAL JUSTICE SERVICES.
- 28 8. "EMERGENCY" MEANS A LIFE-THREATENING SITUATION INVOLVING A PERSON.
- 29 9. "INSPECTION" MEANS A METHOD OF REGULATION WHEREBY A STATE AGENCY  
 30 PERIODICALLY EXAMINES THE ACTIVITIES AND PREMISES OF PRACTITIONERS OF AN  
 31 OCCUPATION OR PROFESSION TO ASCERTAIN IF THE PRACTITIONER IS CARRYING  
 32 OUT HIS PROFESSION OR OCCUPATION IN A MANNER CONSISTENT WITH THE PUBLIC  
 33 HEALTH, SAFETY AND WELFARE.
- 34 10. "KEY BLANK" MEANS A KEY THAT HAS NOT BEEN ALTERED OR CUT AND DOES  
 35 NOT INCLUDE DEPTH KEYS.
- 36 11. "KEY DUPLICATION MACHINE" MEANS ANY DEVICE WHICH IS CAPABLE OF  
 37 COPYING OR REPRODUCING KEYS.
- 38 12. "LICENSURE" MEANS A METHOD OF REGULATION WHEREBY THIS STATE,  
 39 THROUGH THE ISSUANCE OF A LICENSE, AUTHORIZES A PERSON POSSESSING THE  
 40 CHARACTER AND MINIMUM SKILLS TO ENGAGE IN THE PRACTICE OF THE LOCKSMITH  
 41 PROFESSION OR OCCUPATION, WHICH IS UNLAWFUL TO PRACTICE WITHOUT A  
 42 LICENSE.
- 43 13. "LOCKSMITH" MEANS A NATURAL PERSON WHO PERFORMS LOCKSMITH SERVICES  
 44 AND ACCESS CONTROL SERVICES TO THE PUBLIC. "LOCKSMITH" DOES NOT INCLUDE  
 45 ANY PERSON WHOSE ACTIVITIES ARE LIMITED TO MAKING A DUPLICATE KEY FROM  
 46 AN EXISTING KEY OR WHOSE DUTIES ARE PRIMARILY CLERICAL OR FIDUCIARY.
- 47 14. "LOCKSMITHING TOOL" MEANS ANY TOOL THAT IS DESIGNED, OR INTENDED  
 48 BY THE USER TO BE USED, TO OPEN A MECHANICAL OR ELECTRICAL LOCKING  
 49 DEVICE BY A MEANS OTHER THAN THAT WHICH IS INTENDED BY THE MANUFACTURER  
 50 OF SUCH DEVICE FOR NORMAL OPERATION.
- 51 15. "LOCKSMITH LICENSE" MEANS A LICENSE GRANTED TO A LOCKSMITH PURSU-  
 52 ANT TO THIS ARTICLE.
- 53 16. "LOCKSMITH SERVICES" MEANS:
- 54 (A) SERVICING OR INSTALLING;

1 (B) REPAIRING, REBUILDING, REKEYING, REPINNING, SERVICING, ADJUSTING  
2 OR INSTALLING LOCKS, MECHANICAL OR ELECTRONIC SECURITY DEVICES, SAFES,  
3 VAULTS, OR SAFE DEPOSIT BOXES; AND

4 (C) OPERATING A LOCK, MECHANICAL OR ELECTRONIC SECURITY DEVICE, SAFE,  
5 VAULT, OR SAFE DEPOSIT BOX BY A MEANS OTHER THAN THOSE INTENDED BY THE  
6 MANUFACTURER OF SUCH DEVICES.

7 17. "MASTER KEY SYSTEM" MEANS ANY SYSTEM IN WHICH A LOCK IS REKEYED SO  
8 THAT THE LOCK CAN BE OPERATED BY ITS OWN INDIVIDUAL KEY AND CAN ALSO BE  
9 OPERATED BY A KEY THAT CAN OPERATE OTHER LOCKS IF THE OTHER LOCKS CANNOT  
10 BE OPERATED WITH THE LOCK'S INDIVIDUAL KEY.

11 18. "ORGANIZATION" MEANS ANY ENTITY OTHER THAN A NATURAL PERSON,  
12 INCLUDING BUT NOT LIMITED TO, A CORPORATION, PARTNERSHIP, SOLE PROPRIE-  
13 TORSHIP, OR ASSOCIATION.

14 19. "PIN KIT" MEANS A CONTAINER THAT HOLDS ONLY THE FOLLOWING LOCK  
15 PARTS AND MATERIALS:

16 (A) BOTTOM PINS;

17 (B) TOP PINS (NOT INCLUDING MASTER PINS);

18 (C) SPRINGS;

19 (D) PLUG FOLLOWER;

20 (E) PROPRIETARY TOOLS, PROVIDED BY A LOCK MANUFACTURER, DESIGNED FOR  
21 THE PURPOSE OF REKEYING A LOCK.

22 20. "RECOMBINATION" MEANS CHANGING THE COMBINATION OF ANY COMBINA-  
23 TION-ACTUATED LOCK.

24 21. "SAFE-OPENING TOOL" MEANS ANY TOOL THAT IS DESIGNED, OR INTENDED  
25 BY THE USER TO BE USED, TO OPEN A SAFE, SAFE DEPOSIT BOX OR SIMILAR  
26 OBJECT BY MEANS OTHER THAN THAT WHICH IS INTENDED BY THE MANUFACTURER OF  
27 SUCH SAFE, VAULT, SAFE DEPOSIT BOX OR SIMILAR OBJECT FOR NORMAL OPENING.

28 22. "SECRETARY" MEANS THE SECRETARY OF STATE.

29 S 69-CC. LOCKSMITH ADVISORY BOARD. 1. THERE IS HEREBY CREATED WITHIN  
30 THE DEPARTMENT THE "LOCKSMITH ADVISORY BOARD," HEREINAFTER REFERRED TO  
31 AS THE "BOARD". SUCH BOARD SHALL CONSIST OF SEVEN MEMBERS: THREE LOCK-  
32 SMITHS, ONE LAW ENFORCEMENT REPRESENTATIVE, AND THREE "CITIZEN MEMBERS".  
33 THE LAW ENFORCEMENT REPRESENTATIVE AND ONE EACH OF THE LOCKSMITHS AND OF  
34 THE CITIZEN MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, ONE EACH OF THE  
35 LOCKSMITHS AND OF THE CITIZEN MEMBERS SHALL BE APPOINTED BY THE GOVERNOR  
36 UPON THE RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY, ONE EACH OF THE  
37 LOCKSMITHS AND OF THE CITIZEN MEMBERS SHALL BE APPOINTED BY THE GOVERNOR  
38 UPON THE RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE. OF THE  
39 OCCUPATIONAL MEMBERS, ALL SHALL HAVE AT LEAST FIVE YEARS EXPERIENCE IN  
40 THE LOCKSMITH INDUSTRY AND BE CURRENTLY ENGAGED IN THAT INDUSTRY. THE  
41 APPOINTEES SHALL ALL RESIDE IN THIS STATE AND REPRESENT THE STATE'S  
42 RACIAL, ETHNIC, GENDER, GEOGRAPHIC, AND ECONOMIC DIVERSITY TO THE GREAT-  
43 EST EXTENT POSSIBLE.

44 2. A "CITIZEN MEMBER" OF THE BOARD SHALL BE A PERSON WHO: (A) IS NOT  
45 BY TRAINING OR EXPERIENCE A LOCKSMITH, (B) IS NOT A SPOUSE, PARENT,  
46 CHILD, OR SIBLING OF A LOCKSMITH, AND (C) HAS NO DIRECT OR INDIRECT  
47 FINANCIAL INTEREST, EXCEPT AS A CONSUMER, IN THE LOCKSMITH PROFESSION.

48 3. AT ITS FIRST MEETING, THE BOARD SHALL ELECT A CHAIRPERSON BY A  
49 MAJORITY VOTE. STAFF SERVICES, INCLUDING RECORDING OF BOARD PROCEEDINGS,  
50 SHALL BE PERFORMED BY PERSONNEL OF THE DEPARTMENT.

51 4. THE BOARD SHALL ADVISE THE DEPARTMENT AND THE DIVISION IN THE  
52 ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE AND SHALL RECOMMEND TO  
53 THE SECRETARY AND COMMISSIONER REGULATIONS NECESSARY TO EFFECTUATE THE  
54 PROVISIONS OF THIS ARTICLE. ONCE THE SECRETARY DETERMINES THAT THE  
55 FINAL REGULATIONS HAVE BEEN PROMULGATED, THE BOARD SHALL BE DISSOLVED.

1 5. THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT  
2 THAT EACH OF THEM SHALL BE ALLOWED THE NECESSARY AND ACTUAL EXPENSES  
3 WHICH HE OR SHE SHALL INCUR IN THE PERFORMANCE OF HIS OR HER DUTIES.

4 6. SHOULD ANY SEAT ON THE BOARD BECOME VACANT PRIOR TO THE BOARD'S  
5 DISSOLUTION, THE GOVERNOR SHALL MAKE AN APPOINTMENT TO FILL THAT VACAN-  
6 CY. IF THE BOARD MEMBER WHO PREVIOUSLY FILLED THE VACANT SEAT HAD BEEN  
7 APPOINTED BASED UPON THE RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY,  
8 THEN THE SPEAKER MUST MAKE ANOTHER RECOMMENDATION TO THE GOVERNOR. IF  
9 THE BOARD MEMBER WHO PREVIOUSLY FILLED THE VACANT SEAT HAD BEEN  
10 APPOINTED BASED UPON THE RECOMMENDATION OF THE TEMPORARY PRESIDENT OF  
11 THE SENATE, THEN THE TEMPORARY PRESIDENT MUST MAKE ANOTHER RECOMMENDA-  
12 TION TO THE GOVERNOR. IF A LOCKSMITH PREVIOUSLY FILLED THE VACANT SEAT,  
13 THE NEW BOARD MEMBER MUST ALSO BE A LOCKSMITH. IF A LAW ENFORCEMENT  
14 REPRESENTATIVE PREVIOUSLY FILLED THE VACANT SEAT, THE NEW BOARD MEMBER  
15 MUST ALSO BE A LAW ENFORCEMENT REPRESENTATIVE. IF A CITIZEN MEMBER  
16 PREVIOUSLY FILLED THE VACANT SEAT, THE NEW BOARD MEMBER MUST ALSO BE A  
17 CITIZEN MEMBER.

18 7. IF THE GOVERNOR FAILS TO MAKE THE NECESSARY APPOINTMENTS TO THE  
19 BOARD, OR IF THE SPEAKER OF THE ASSEMBLY OR THE TEMPORARY PRESIDENT OF  
20 THE SENATE SHALL FAIL TO MAKE RECOMMENDATIONS TO THE GOVERNOR FOR  
21 APPOINTMENT TO THE BOARD, THE CARRYING OUT OF THE REST OF THIS ARTICLE  
22 SHALL NOT BE IMPEDED.

23 S 69-DD. PROMULGATION OF REGULATIONS AND STANDARDS. 1. THE DEPARTMENT  
24 SHALL PROMULGATE REGULATIONS AND STANDARDS FOR THE TRAINING AND LICENS-  
25 ING OF LOCKSMITHS. THE DEPARTMENT SHALL EXAMINE AND LICENSE LOCKSMITHS  
26 AND MAY ESTABLISH CLASSIFICATIONS OF TRAINING AND LICENSING.

27 2. LOCKSMITH COMPETENCY STANDARDS AND ANY CHANGES THERETO SHALL BE  
28 ESTABLISHED BY DEPARTMENT REGULATION AFTER A PUBLIC HEARING.

29 3. THE DEPARTMENT IS AUTHORIZED TO EVALUATE THE COMPETENCY OF APPLI-  
30 CANTS FOR LOCKSMITH LICENSES. THE DEPARTMENT MAY EITHER DEVELOP AND  
31 ADMINISTER AN EXAMINATION TO EVALUATE COMPETENCY, OR RELY ON AN EXAMINA-  
32 TION DEVELOPED AND ADMINISTERED BY AN ACCREDITED PROFESSIONAL LOCKSMITH  
33 ASSOCIATION.

34 4. THE DEPARTMENT MAY WAIVE EXAMINATION REQUIREMENTS FOR ANY PERSON  
35 WHO HOLDS A VALID LOCKSMITH LICENSE IN ANOTHER STATE WITH WHICH RECI-  
36 PROCITY HAS BEEN ESTABLISHED BY THE DEPARTMENT.

37 5. ANY PERSON APPLYING FOR A LICENSE UNDER THIS ACT WHO DOES NOT  
38 OTHERWISE QUALIFY SHALL SERVE AN APPRENTICESHIP UNDER A LICENSED LOCK-  
39 SMITH OR UNDER THE DEPARTMENT FOR A PERIOD OF TWO YEARS AND SHALL:

40 (A) COMPLETE THIRTY-TWO HOURS OF CONTINUING EDUCATION PER YEAR OF  
41 DEPARTMENT-APPROVED CLASSES; AND

42 (B) IDENTIFY HIMSELF OR HERSELF AS AN "APPRENTICE LOCKSMITH" IN ALL  
43 ADVERTISING.

44 S 69-EE. PROHIBITED ACTIVITIES. 1. NO PERSON SHALL ACT AS, OR OFFER TO  
45 ACT AS, A LOCKSMITH UNLESS HE OR SHE HAS A LOCKSMITH LICENSE WHICH HAS  
46 NOT EXPIRED OR BEEN REVOKED OR SUSPENDED.

47 2. NO ORGANIZATION SHALL PROVIDE OR OFFER THE SERVICES OF A LOCKSMITH  
48 UNLESS SUCH SERVICES ARE, OR CAN BE, PROVIDED BY AN EMPLOYEE OF SUCH  
49 ORGANIZATION WHO HAS A LOCKSMITH LICENSE WHICH HAS NOT EXPIRED OR BEEN  
50 REVOKED OR SUSPENDED.

51 3. IT SHALL BE UNLAWFUL FOR ANY PERSON NOT LICENSED UNDER THE  
52 PROVISIONS OF THIS ARTICLE TO ADVERTISE THAT HE OR SHE IS IN THE LOCK-  
53 SMITH BUSINESS OR TO HOLD HIMSELF OR HERSELF OUT TO THE PUBLIC AS A  
54 LOCKSMITH.

55 4. NOTHING IN THIS SECTION SHALL PROHIBIT THE EMERGENCY OPENING  
56 SERVICES BY MEMBERS OF LAW ENFORCEMENT, FIRE DEPARTMENTS, OR OTHER

1 GOVERNMENT AGENCIES OR EMERGENCY PERSONNEL IN THEIR OFFICIAL LINE OF  
2 DUTY.

3 5. NO APPRENTICE LOCKSMITH MAY HAVE A REGISTERED OR APPRENTICE LOCK-  
4 SMITH WORKING UNDER HIS OR HER SUPERVISION.

5 6. IT SHALL BE UNLAWFUL FOR ANY PERSON OR ORGANIZATION TO ENGAGE IN  
6 ANY OF THE FOLLOWING ACTS:

7 (A) MAKING USE OF ANY DESIGNATION PROVIDED BY STATUTE OR REGULATION TO  
8 DENOTE A STANDARD OF PROFESSIONAL OR OCCUPATIONAL COMPETENCE WITHOUT  
9 BEING DULY CERTIFIED OR LICENSED;

10 (B) MAKING USE OF ANY TITLE, WORDS, LETTERS, OR ABBREVIATIONS WHICH  
11 MAY REASONABLY BE CONFUSED WITH A DESIGNATION PROVIDED BY STATUTE OR  
12 REGULATION TO DENOTE A STANDARD OF PROFESSIONAL OR OCCUPATIONAL COMPE-  
13 TENCE WITHOUT BEING DULY CERTIFIED OR LICENSED;

14 (C) PROVIDING MATERIAL MISREPRESENTING FACTS IN AN APPLICATION FOR  
15 LICENSURE, CERTIFICATION, OR REGISTRATION; AND

16 (D) WILLFULLY REFUSING TO FURNISH THE DEPARTMENT INFORMATION OR  
17 RECORDS REQUIRED OR REQUESTED PURSUANT TO STATUTE OR REGULATION.

18 S 69-FF. CRIMINAL PENALTY. ANY PERSON WHO WILLFULLY ENGAGES IN ANY  
19 UNLAWFUL ACT ENUMERATED IN SECTION SIXTY-NINE-EE OF THIS ARTICLE SHALL  
20 BE GUILTY OF A MISDEMEANOR. ANY SECOND OR SUBSEQUENT VIOLATION SHALL  
21 CONSTITUTE A CLASS E FELONY.

22 S 69-GG. CIVIL PENALTY. 1. THE DEPARTMENT MAY INSTITUTE PROCEEDINGS IN  
23 EQUITY TO ENJOIN ANY PERSON, PARTNERSHIP, CORPORATION, OR ANY OTHER  
24 ENTITY FROM ENGAGING IN ANY UNLAWFUL ACT ENUMERATED IN SECTION  
25 SIXTY-NINE-EE OF THIS ARTICLE. SUCH PROCEEDINGS SHALL BE BROUGHT IN THE  
26 NAME OF THIS STATE BY THE DEPARTMENT IN THE CIRCUIT COURT OF THE CITY OR  
27 COUNTY IN WHICH THE UNLAWFUL ACT OCCURRED OR IN WHICH THE DEFENDANT  
28 RESIDES.

29 2. ANY PERSON LICENSED BY THE DEPARTMENT WHO KNOWINGLY VIOLATES ANY  
30 STATUTE OR REGULATION PERTAINING TO THIS ARTICLE WHO IS NOT CRIMINALLY  
31 PROSECUTED SHALL BE SUBJECT TO THE MONETARY PENALTY PROVIDED IN THIS  
32 SECTION. IF THE DEPARTMENT DETERMINES THAT A RESPONDENT IS GUILTY OF THE  
33 VIOLATION COMPLAINED OF, THE DEPARTMENT SHALL DETERMINE THE AMOUNT OF  
34 THE MONETARY PENALTY FOR THE VIOLATION, WHICH SHALL NOT EXCEED ONE THOU-  
35 SAND DOLLARS FOR EACH VIOLATION.

36 3. AFTER A FORMAL FACT-FINDING, WHEREIN A SANCTION IS IMPOSED TO FINE,  
37 SUSPEND, REVOKE, OR DENY RENEWAL OF LICENSE, THE DEPARTMENT MAY ASSESS  
38 THE HOLDER THEREOF THE COST OF CONDUCTING SUCH A FACT-FINDING WHEN THE  
39 DEPARTMENT HAS FINAL AUTHORITY TO GRANT LICENSE, CERTIFICATE OR REGIS-  
40 TRATION, UNLESS THE DEPARTMENT DETERMINES THAT THE OFFENSE IS INADVERT-  
41 ENT OR DONE IN A GOOD FAITH BELIEF THAT SUCH ACT DID NOT VIOLATE A STAT-  
42 UTE OR REGULATION. THE COST SHALL BE LIMITED TO (A) THE REASONABLE  
43 HOURLY RATE FOR THE HEARING OFFICER, AND (B) THE ACTUAL COST OF RECORD-  
44 ING THE PROCEEDINGS.

45 S 69-HH. LICENSURE. 1. THE SECRETARY OR HIS OR HER DESIGNEE SHALL BE  
46 AUTHORIZED TO ISSUE LOCKSMITH LICENSES TO ALL QUALIFIED INDIVIDUALS IN  
47 ACCORDANCE WITH REGULATIONS ESTABLISHED BY THE DEPARTMENT.

48 2. EFFECTIVE NOVEMBER FIRST, TWO THOUSAND ELEVEN, NO LOCKSMITH SHALL  
49 DO BUSINESS IN THIS STATE WITHOUT HAVING OBTAINED THE PROPER LOCKSMITH  
50 LICENSE FROM THE DEPARTMENT. THE LICENSE SHALL NOT BE TRANSFERRED OR  
51 ASSIGNED AND IS VALID ONLY WITH RESPECT TO THE PERSON TO WHOM IT IS  
52 ISSUED. NO LICENSE SHALL BE GRANTED IF THE APPLICANT HAS AN UNPARDONED  
53 FELONY IN HIS OR HER CRIMINAL RECORD OR HAD ANY PRIOR LICENSE TO DO  
54 BUSINESS REVOKED FOR FRAUD, MISREPRESENTATION, OR ANY OTHER ACT THAT  
55 WOULD CONSTITUTE A VIOLATION OF THIS SECTION. A PERSON SHALL NOT BE  
56 REFUSED A LICENSE SOLELY BECAUSE OF A PRIOR CRIMINAL CONVICTION, UNLESS

1 THE CRIMINAL CONVICTION DIRECTLY RELATES TO THE PROFESSION OF LOCKSMITH-  
2 ING. HOWEVER, THE DEPARTMENT SHALL HAVE THE AUTHORITY TO REFUSE A  
3 LICENSE IF, BASED ON ALL THE INFORMATION AVAILABLE, INCLUDING THE APPLI-  
4 CANT'S RECORD OF PRIOR CONVICTIONS, IT FINDS THAT THE APPLICANT IS UNFIT  
5 OR UNSUITED TO ENGAGE IN THE PROFESSION OF LOCKSMITHING.

6 3. THE TERMS OF EACH LICENSE SHALL BE NO LONGER THAN TWO YEARS, WITH  
7 ALL LICENSES EXPIRING ON THEIR ANNIVERSARY UNLESS RENEWED OR REVOKED.

8 4. ANY INDIVIDUAL SHALL HAVE AVAILABLE THE PHOTO IDENTIFICATION CARD  
9 AT ALL TIMES WHEN PROVIDING LOCKSMITHING SERVICES.

10 5. AN ORGANIZATION SHALL DISPLAY AT ITS NORMAL PLACE OF BUSINESS AND  
11 IN A MANNER EASILY READABLE BY THE GENERAL PUBLIC A CERTIFICATE FOR EACH  
12 LICENSED LOCKSMITH EMPLOYED BY THE ORGANIZATION. EACH CERTIFICATE SHALL  
13 CONTAIN THE LICENSEE'S NAME AND LICENSE NUMBER.

14 6. ANY INDIVIDUAL LICENSED OR REGISTERED UNDER THIS ARTICLE MUST SHOW  
15 IN ALL ADVERTISING HIS OR HER LICENSE NUMBER.

16 7. ANY APPLICANT FOR LICENSURE WHO PROVIDES DOCUMENTATION THAT HE OR  
17 SHE HAS PRACTICED AS A LOCKSMITH FOR AT LEAST TWO CONSECUTIVE YEARS  
18 IMMEDIATELY PRECEDING HIS OR HER DATE OF APPLICATION AND IS STILL  
19 ENGAGED IN THE TRADE SHALL BE EXEMPT FROM THE EXAMINATION REQUIREMENTS  
20 CONTAINED IN THIS ARTICLE AND PROMULGATED BY THE DEPARTMENT IF HE OR SHE  
21 APPLIES TO THE DEPARTMENT AND SUBMITS RELEVANT DOCUMENTATION PRIOR TO  
22 NOVEMBER FIRST, TWO THOUSAND ELEVEN. THE REQUIREMENTS FOR SUCH AN APPLI-  
23 CATION SHALL BE DETERMINED BY THE DEPARTMENT. RELEVANT DOCUMENTATION  
24 SHALL BE DETERMINED BY THE DEPARTMENT AND CAN INCLUDE, BUT IS NOT LIMIT-  
25 ED TO, COMPLETION CERTIFICATES FROM AUTHORIZED CONTINUING LOCKSMITH  
26 EDUCATION COURSES, MEMBERSHIP IN AN ACCREDITED PROFESSIONAL LOCKSMITH  
27 ASSOCIATION, TEACHING LOCKSMITH CONTINUING EDUCATION COURSES, AND ARTI-  
28 CLES WRITTEN BY THE LOCKSMITH THAT HAVE BEEN PUBLISHED IN PEER-REVIEWED  
29 JOURNALS. THIS IS NOT INTENDED TO PROHIBIT A PRACTICING LOCKSMITH FROM  
30 TAKING THE EXAM SHOULD HE OR SHE WISH TO DO SO.

31 8. A NONRESIDENT OF THIS STATE MAY BE LICENSED AS A LOCKSMITH BY MEET-  
32 ING ONE OF THE FOLLOWING REQUIREMENTS:

33 (A) HE OR SHE CONFORMS TO THE PROVISIONS OF THIS ARTICLE AND THE REGU-  
34 LATIONS OF THE DEPARTMENT; OR

35 (B) HE OR SHE HOLDS A VALID LOCKSMITH LICENSE IN ANOTHER STATE WITH  
36 WHICH RECIPROCITY HAS BEEN ESTABLISHED BY THE DEPARTMENT.

37 NONRESIDENT APPLICANTS SHALL ALSO FILE WITH THE DEPARTMENT AN IRREV-  
38 OCABLE CONSENT THAT SERVICE OF PROCESS UPON THE SECRETARY IS AS VALID  
39 AND BINDING AS SERVICE OF PROCESS UPON THE APPLICANT. THE SECRETARY OR  
40 HIS OR HER DESIGNEE SHALL NOTIFY OR CAUSE TO BE NOTIFIED BY CERTIFIED  
41 MAIL THE NONRESIDENT LICENSEE NAMED IN A SERVICE AT THE LICENSEE'S  
42 ADDRESS OF RECORD.

43 S 69-II. QUALIFICATIONS OF APPLICANTS. 1. AN APPLICANT FOR A LOCKSMITH  
44 LICENSE SHALL:

45 (A) BE AT LEAST EIGHTEEN YEARS OF AGE;

46 (B) COMPLY WITH THE COMPETENCY REQUIREMENTS AS ESTABLISHED BY THE  
47 DEPARTMENT;

48 (C) PAY A LICENSE FEE AS ESTABLISHED BY DEPARTMENT REGULATIONS;

49 (D) COMPLY WITH THE INSURANCE REQUIREMENTS OUTLINED IN SECTION SIXTY-  
50 NINE-MM OF THIS ARTICLE; AND

51 (E) COMPLETE ALL APPLICATION REQUIREMENTS PURSUANT TO DEPARTMENT REGU-  
52 LATIONS.

53 2. TWO COMPLETE SETS OF FINGERPRINTS THAT ARE VERIFIED TO BE THOSE OF  
54 THE APPLICANT ALONG WITH A FINGERPRINT FEE, IN SUCH AMOUNT AS SHALL BE  
55 DETERMINED BY THE DEPARTMENT, FOR THE COST OF THE DIVISION'S FULL SEARCH  
56 AND RETAIN PROCEDURES. BEFORE APPROVING AN APPLICATION, IT SHALL BE THE

1 DUTY OF THE DEPARTMENT TO FORWARD ONE COPY OF SUCH FINGERPRINTS TO THE  
2 DIVISION. UPON RECEIPT OF SUCH FINGERPRINTS, THE DIVISION SHALL, PURSU-  
3 ANT TO ITS FULL SEARCH AND RETAIN PROCEDURES, FORWARD TO THE DEPARTMENT  
4 A REPORT WITH RESPECT TO THE APPLICANT'S PREVIOUS CRIMINAL HISTORY, IF  
5 ANY, OR A STATEMENT THAT THE APPLICANT HAS NO PREVIOUS CRIMINAL HISTORY.  
6 IF ADDITIONAL COPIES OF FINGERPRINTS ARE REQUIRED, THE APPLICANT SHALL  
7 FURNISH THEM UPON REQUEST. IF AN APPLICANT'S FINGERPRINT CARDS ARE  
8 RETURNED TO THE DEPARTMENT AS UNCLASSIFIED BY THE DIVISION, THE AGENCY  
9 HAS THIRTY DAYS AFTER NOTIFICATION IS SENT BY THE DEPARTMENT TO RESUBMIT  
10 SUCH FINGERPRINTS TAKEN BY A DIFFERENT TECHNICIAN.

11 3. THE FORM OF APPLICATION, CERTIFICATE, PHOTO IDENTIFICATION CARD,  
12 AND METHOD TO OBTAIN AND RENEW PHOTOGRAPHS SHALL BE ESTABLISHED BY THE  
13 DEPARTMENT REGULATION AND ADMINISTERED BY THE SECRETARY OR HIS OR HER  
14 DESIGNEE.

15 S 69-JJ. EMPLOYEE REQUIREMENTS. 1. ALL EMPLOYEES OF A LOCKSMITH WHO  
16 PERFORM LOCKSMITHING SERVICES AS DEFINED BY SECTION SIXTY-NINE-BB OF  
17 THIS ARTICLE SHALL HOLD A VALID LOCKSMITH LICENSE ISSUED BY THE DEPART-  
18 MENT. THE HOLDER OF A LOCKSMITH LICENSE ISSUED UNDER THIS ARTICLE MAY  
19 EMPLOY IN THE CONDUCT OF THE ORGANIZATION'S BUSINESS EMPLOYEES PURSUANT  
20 TO THIS SECTION.

21 2. NO PERSON SHALL BE A REGISTERED EMPLOYEE OF A LICENSED LOCKSMITH  
22 WHO:

23 (A) HAS BEEN DETERMINED BY THE DEPARTMENT TO BE UNFIT BY REASON OF  
24 CONVICTION OF A FELONY OR MISDEMEANOR OFFENSE IN THIS OR IN ANOTHER  
25 STATE OR CONVICTED OF ANY CRIME RELATED TO THE PRACTICE OF LOCKSMITHING.  
26 THE DEPARTMENT SHALL PROMULGATE RULES FOR PROCEDURES BY WHICH THOSE  
27 CIRCUMSTANCES SHALL BE DETERMINED AND THAT AFFORD THE APPLICANT DUE  
28 PROCESS OF LAW;

29 (B) HAS HAD A LOCKSMITH LICENSE REFUSED, DENIED, SUSPENDED, OR REVOKED  
30 UNDER THIS ARTICLE; OR

31 (C) HAS OTHERWISE VIOLATED ANY PROVISION OF THIS ARTICLE.

32 3. EACH LICENSED LOCKSMITH SHALL MAINTAIN A RECORD OF EACH LOCKSMITH  
33 IN HIS OR HER EMPLOY. IN ADDITION TO ANY OTHER INFORMATION REQUIRED BY  
34 LAW, THE RECORD SHALL CONTAIN THE FOLLOWING INFORMATION:

35 (A) THE EMPLOYEE'S LICENSE NUMBER;

36 (B) A RECORD OF ALL DEPARTMENT-APPROVED CONTINUING EDUCATION CLASSES  
37 TAKEN OR TAUGHT BY THE LOCKSMITH TOGETHER WITH THE DATES. EACH EMPLOYEE  
38 MUST TAKE A MINIMUM OF SIXTEEN HOURS OF CONTINUING EDUCATION PER YEAR;  
39 AND

40 (C) A RECORD OF ANY ARTICLES RELATED TO LOCKSMITHING WRITTEN BY THE  
41 LOCKSMITH THAT WERE PUBLISHED IN PEER-REVIEWED JOURNALS.

42 4. THE LOCKSMITH WILL MAINTAIN A SEPARATE ROSTER OF THE NAMES OF ALL  
43 EMPLOYEES HIRED AND ALL EMPLOYEES WHO LEFT THE LOCKSMITH'S EMPLOY FOR  
44 ANY REASON WITHIN THE PREVIOUS MONTH AND SUBMIT THE ROSTER TO THE  
45 DEPARTMENT ON OR BEFORE THE TENTH OF THE MONTH. THIS ROSTER SHALL  
46 INCLUDE EMPLOYEES WHO ARE LICENSED LOCKSMITHS AND THOSE WHO ARE NOT. FOR  
47 EACH EMPLOYEE, THE ROSTER SHALL INCLUDE THE EMPLOYEE'S NAME, ADDRESS,  
48 DATE OF BIRTH, JOB TITLE, DATE OF HIRE, AND, IF APPLICABLE, THE EMPLOY-  
49 EE'S LOCKSMITH LICENSE NUMBER. ROSTERS ARE TO BE MAINTAINED BY THE LOCK-  
50 SMITH FOR A PERIOD OF AT LEAST TWENTY-FOUR MONTHS. THE LOCKSMITH IS NOT  
51 REQUIRED TO SUBMIT A ROSTER FOR ANY MONTH DURING WHICH THERE WERE NO  
52 EMPLOYMENT CHANGES. FAILURE TO MAINTAIN AND SUBMIT THE SPECIFIED ROSTER  
53 SHALL RESULT IN A FINE IN AN AMOUNT UP TO FIVE HUNDRED DOLLARS OR OTHER  
54 DISCIPLINARY ACTION BEING IMPOSED AGAINST THE LOCKSMITH. THE DEPARTMENT  
55 MAY BY RULE PRESCRIBE FURTHER RECORD REQUIREMENTS.

1 5. A DULY AUTHORIZED REPRESENTATIVE OF THE DEPARTMENT SHALL BE ALLOWED  
2 COMPLETE ACCESS TO ALL RECORDS TO BE KEPT UNDER THIS SECTION UPON THREE  
3 DAYS ADVANCE NOTICE IN WRITING PROVIDED TO THE LICENSED LOCKSMITH.

4 6. ANY LICENSED LOCKSMITH WHO KNOWINGLY HIRES AND/OR MAINTAINS AN  
5 EMPLOYEE WHO IS IN VIOLATION OF THIS SECTION SHALL HAVE HIS OR HER  
6 LICENSE TEMPORARILY SUSPENDED PENDING FURTHER ACTION BY THE DEPARTMENT.

7 S 69-KK. EXPIRATION AND RENEWAL. 1. ANY LICENSE GRANTED PURSUANT TO  
8 THIS ARTICLE SHALL EXPIRE AT THE END OF ITS TERM UNLESS IT IS RENEWED  
9 PURSUANT TO REGULATIONS ESTABLISHED BY THE DEPARTMENT OR REVOKED. THE  
10 REGULATIONS FOR RENEWAL SHALL BE REASONABLE AND SHALL INCLUDE A REASON-  
11 ABLE FEE THE COST OF WHICH SHALL NOT EXCEED THE ORIGINAL LICENSING FEE.

12 2. ALL INDIVIDUALS LICENSED UNDER THIS ARTICLE MUST COMPLETE AND/OR  
13 TEACH A MINIMUM OF SIXTEEN HOURS OF CONTINUING EDUCATION PER YEAR OF  
14 CLASSES APPROVED BY THE DEPARTMENT IN ORDER TO RENEW HIS OR HER LICENSE  
15 AND PROVIDE DOCUMENTATION THEREOF. THE DEPARTMENT MAY, AT ITS  
16 DISCRETION, ALLOW THE LICENSEE TO USE ARTICLES WRITTEN BY THE LICENSEE  
17 THAT HAVE BEEN PUBLISHED IN PEER-REVIEWED JOURNALS TO MEET THIS REQUIRE-  
18 MENT.

19 S 69-LL. LIST OF LOCKSMITHS. THE DEPARTMENT SHALL MAINTAIN A LIST OF  
20 THE NAMES AND ADDRESSES OF ALL LOCKSMITHS LICENSED UNDER THIS ARTICLE.  
21 THE LIST SHALL BE MADE AVAILABLE TO THE PUBLIC IN WRITTEN FORM UPON  
22 REQUEST AND PAYMENT OF A REASONABLE FEE AND ON THE DEPARTMENT'S INTERNET  
23 WEBSITE.

24 S 69-MM. INSURANCE. A LOCKSMITH SHALL MAINTAIN AN INSURANCE POLICY  
25 SUFFICIENT FOR THE PURPOSE OF PAYING CLAIMS OR JUDGMENTS FOR DAMAGES  
26 WHICH MAY OCCUR AS A RESULT OF NEGLIGENCE OF SAID LOCKSMITH OR HIS OR  
27 HER EMPLOYEES. THE DEPARTMENT MAY ASK FOR PROOF OF INSURANCE AT ITS  
28 DISCRETION.

29 S 69-NN. WORK ORDERS. 1. ANY LICENSED LOCKSMITH WHO KNOWINGLY AND  
30 WILLFULLY PERFORMS A LOCKSMITH SERVICE, WHETHER OR NOT FOR COMPENSATION,  
31 SHALL COMPLETE A WORK ORDER AT THE TIME THE SERVICE WAS PERFORMED AND  
32 PROVIDE A COPY OF THE COMPLETED WORK ORDER TO THE PERSON FOR WHOM THE  
33 SERVICE WAS PERFORMED.

34 2. THE WORK ORDER SHALL CONTAIN THE FOLLOWING INFORMATION:

35 (A) A DESCRIPTION OF THE WORK PERFORMED, THE APPROXIMATE LENGTH OF  
36 TIME INVOLVED, AND AN ITEMIZED BREAKDOWN OF ANY FEES;

37 (B) THE NAME, SIGNATURE, BUSINESS CONTACT INFORMATION, AND LICENSE  
38 NUMBER OF THE LOCKSMITH PERFORMING THE SERVICE;

39 (C) IF THE SERVICE PERFORMED BY THE LOCKSMITH INVOLVES THE OPENING OF  
40 ANY RESIDENTIAL OR COMMERCIAL ESTABLISHMENT FOR ANOTHER PERSON BY ANY  
41 METHOD, THE LOCKSMITH SHALL OBTAIN AND RECORD THE STREET ADDRESS OF THE  
42 RESIDENT OR COMMERCIAL ESTABLISHMENT, THE SIGNATURE OF THE PERSON FOR  
43 WHOM THE SERVICE WAS PERFORMED, AND THE FOLLOWING INFORMATION REGARDING  
44 THE PERSON FOR WHOM THE SERVICE WAS PERFORMED: NAME, ADDRESS, TELEPHONE  
45 NUMBER;

46 (D) IF THE SERVICE PERFORMED BY THE LOCKSMITH INVOLVES THE OPENING OF  
47 A MOTOR VEHICLE, PERSONAL PROPERTY REGISTERED UNDER THE VEHICLE CODE, OR  
48 ANY OTHER PIECE OF PERSONAL PROPERTY FOR ANOTHER PERSON BY ANY METHOD,  
49 THE LOCKSMITH SHALL OBTAIN AND RECORD THE LOCATION WHERE THE WORK WAS  
50 PERFORMED, THE VIN NUMBER OF THE VEHICLE (IF APPLICABLE), THE SIGNATURE  
51 OF THE PERSON FOR WHOM THE SERVICE WAS PERFORMED, AND THE FOLLOWING  
52 INFORMATION REGARDING THE PERSON FOR WHOM THE SERVICE WAS PERFORMED:  
53 NAME, ADDRESS, TELEPHONE NUMBER;

54 (E) A STATEMENT DECLARING THAT THE PERSON FOR WHOM THE WORK WAS  
55 PERFORMED AND WHO SIGNED THE WORK ORDER IS AUTHORIZED TO HAVE ENGAGED  
56 THE SERVICES OF THE LOCKSMITH FOR THE WORK DESCRIBED ON THE WORK ORDER.

1 BEFORE PERFORMING THE SERVICE, THE LOCKSMITH SHALL MAKE A REASONABLE  
2 GOOD FAITH EFFORT TO ASCERTAIN IF THE PERSON FOR WHOM THE SERVICE IS TO  
3 BE PERFORMED IS AUTHORIZED TO ENGAGE THE LOCKSMITH TO DO SO. IF THE  
4 PERSON IS NOT THE OWNER OF THE BUILDING, VEHICLE, OR ITEM TO BE OPENED,  
5 THE LOCKSMITH SHALL OBTAIN AND NOTE ON THE WORK ORDER THE NAME, ADDRESS,  
6 AND TELEPHONE NUMBER OF THE OWNER AS WELL AS A DESCRIPTION OF THE  
7 RELATIONSHIP BETWEEN THE OWNER AND THE CUSTOMER;

8 (F) IF THE LOCKSMITH CANNOT AFTER A REASONABLE GOOD FAITH EFFORT  
9 OBTAIN ANY OF THE ABOVE INFORMATION, THE LOCKSMITH SHALL INDICATE SO ON  
10 THE WORK ORDER AND STATE HIS OR HER REASON OR REASONS FOR PROCEEDING  
11 WITH THE SERVICE IN THE ABSENCE OF SUCH IDENTIFICATION.

12 3. THE LOCKSMITH SHALL RETAIN A COPY OF EACH WORK ORDER FOR A MINIMUM  
13 OF ONE YEAR.

14 4. THE WORK ORDERS SHALL BE OPEN FOR INSPECTION BY ANY LAW ENFORCEMENT  
15 OFFICER WHO IS AUTHORIZED TO VIEW SUCH RECORDS OR BY THE DEPARTMENT  
16 DURING BUSINESS HOURS OR SUBMITTED TO THE DEPARTMENT UPON REQUEST. THE  
17 DEPARTMENT SHALL CREATE AND MAINTAIN A SAMPLE WORK ORDER FORM AND MAKE  
18 SUCH FORM AVAILABLE ON THE DEPARTMENT WEBSITE FOR USE BY LOCKSMITHS.

19 S 69-00. EXCLUSIONS. THIS ARTICLE DOES NOT APPLY TO THE FOLLOWING  
20 PERSONS:

21 1. ANY PERSON, OR HIS OR HER AGENT OR EMPLOYEE, WHO IS THE MANUFACTUR-  
22 ER OF A PRODUCT, OTHER THAN LOCKS AND KEYS, AND WHO INSTALLS, REPAIRS,  
23 OPENS, OR MODIFIES LOCKS OR WHO MAKES KEYS FOR THE LOCKS OF THAT PRODUCT  
24 AS A NORMAL INCIDENT TO ITS MARKETING.

25 2. EMPLOYEES WHO ARE INDUSTRIAL OR INSTITUTIONAL LOCKSMITHS AND  
26 PROVIDED THAT SUCH EMPLOYEES PROVIDE LOCKSMITH SERVICES ONLY TO A SINGLE  
27 EMPLOYER WHO DOES NOT PROVIDE LOCKSMITH SERVICES FOR HIRE TO THE PUBLIC.

28 3. TOW TRUCK OPERATORS AND MOTOR VEHICLE REPAIR TECHNICIANS WHO DO NOT  
29 ORIGINATE KEYS FOR LOCKS AND WHOSE LOCKSMITH SERVICES ARE LIMITED TO  
30 MOTOR VEHICLE LOCKS.

31 4. MOTOR VEHICLE MANUFACTURES AND DEALERS AND THEIR AUTHORIZED AGENTS  
32 SO LONG AS THE LOCKSMITH SERVICES ARE LIMITED TO SERVICING, INSTALLING,  
33 REPAIRING, AND REBUILDING OF AUTOMOTIVE LOCKS.

34 5. ANY PERSON EMPLOYED EXCLUSIVELY AND REGULARLY BY A STATE CORREC-  
35 TIONAL INSTITUTION WHILE ACTING IN THE NORMAL COURSE OF HIS OR HER  
36 EMPLOYMENT.

37 6. ANY AGENT OR EMPLOYEE OF A RETAIL ESTABLISHMENT THAT HAS A PRIMARY  
38 BUSINESS OTHER THAN PROVIDING LOCKSMITH SERVICES, PROVIDING ALL OF THE  
39 FOLLOWING CRITERIA ARE MET:

40 (A) THE LOCKSMITH SERVICES PROVIDED BY THE RETAIL ESTABLISHMENT ARE  
41 LIMITED TO KEY DUPLICATING, REKEYING AND RECOMBINATION OF LOCKS, AND THE  
42 SALE OF PREVIOUSLY MANUFACTURED LOCKS;

43 (B) ANY KEY DUPLICATING, REKEYING AND RECOMBINATION, AND INSTALLATION  
44 OF LOCKS MUST TAKE PLACE ON THE PREMISES OF THE RETAIL ESTABLISHMENT;

45 (C) NO UNLICENSED AGENT OR EMPLOYEE OF THE RETAIL ESTABLISHMENT SHALL  
46 ADVERTISE OR REPRESENT HIMSELF OR HERSELF TO BE LICENSED UNDER THIS  
47 CHAPTER, AND NO AGENT OR EMPLOYEE OF THE RETAIL ESTABLISHMENT SHALL  
48 ADVERTISE OR REPRESENT HIMSELF OR HERSELF TO BE A LOCKSMITH;

49 (D) NO AGENT OR EMPLOYEE OF THE RETAIL ESTABLISHMENT SHALL DESIGN OR  
50 IMPLEMENT A MASTER KEY SYSTEM; AND

51 (E) THE RETAIL ESTABLISHMENT SHALL NOT HAVE ON ITS PREMISES ANY LOCK-  
52 SMITH TOOL, OTHER THAN THE FOLLOWING:

53 (I) KEY DUPLICATION MACHINES;

54 (II) KEY BLANKS; OR

55 (III) PIN KITS.

1 7. RETAIL MERCHANTS WHO INSTALL, PROGRAM, REPAIR, MAINTAIN, REPROGRAM,  
2 REBUILD, OR SERVICE ELECTRONIC GARAGE DOOR DEVICES, SO LONG AS THE  
3 MERCHANT IS NOT ALSO PROVIDING LOCKSMITH SERVICES AS DEFINED IN SECTION  
4 SIXTY-NINE-BB OF THIS ARTICLE.

5 8. MAINTENANCE EMPLOYEES AND SECURITY PERSONNEL WHO OPEN LOCKS WHILE  
6 ACTING IN THE NORMAL COURSE OF THEIR EMPLOYMENT.

7 9. ANY LAW ENFORCEMENT OFFICER EMPLOYED BY ANY CITY, COUNTY, STATE, OR  
8 FEDERAL LAW ENFORCEMENT AGENCY, IF ALL SERVICES ARE PERFORMED DURING THE  
9 COURSE OF THE OFFICER'S PROFESSIONAL DUTIES.

10 10. FIREFIGHTERS OR EMERGENCY PERSONNEL EMPLOYED BY ANY CITY, COUNTY,  
11 DISTRICT, STATE, OR FEDERAL AGENCY, IF ALL SERVICES ARE PERFORMED DURING  
12 THE COURSE OF DUTIES AS A FIREFIGHTER OR EMERGENCY PERSON.

13 11. SALES REPRESENTATIVES WHO ARE NOT LICENSED, WHO DO NOT IDENTIFY  
14 THEMSELVES AS LOCKSMITHS, AND WHOSE BUSINESS IS RESTRICTED TO MAKING  
15 BONA FIDE SALES DEMONSTRATIONS TO LOCKSMITHS.

16 S 69-PP. APPLICABILITY. 1. THIS ARTICLE SHALL APPLY TO ALL LOCKSMITHS,  
17 PROVIDED, HOWEVER, THAT A POLITICAL SUBDIVISION MAY IMPOSE OTHER  
18 REQUIREMENTS THAT ARE IN ADDITION TO THE MINIMUM STANDARDS SET FORTH IN  
19 THIS ARTICLE.

20 2. THE PROVISIONS OF THIS ARTICLE SHALL NOT BE CONSTRUED TO LIMIT IN  
21 ANY WAY THE AUTHORITY OF A POLITICAL SUBDIVISION TO ENACT, IMPLEMENT AND  
22 CONTINUE TO ENFORCE LOCAL LAWS AND REGULATIONS GOVERNING LOCKSMITHS THAT  
23 WERE IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE, OR TO ENACT,  
24 IMPLEMENT AND ENFORCE ANY AMENDMENTS THERETO AFTER THE EFFECTIVE DATE OF  
25 THIS ARTICLE.

26 S 3. If any clause, sentence, paragraph, section or part of this arti-  
27 cle shall be adjudged by any court of competent jurisdiction to be  
28 invalid and after exhaustion of all further judicial review, the judg-  
29 ment shall not affect, impair or invalidate the remainder thereof, but  
30 shall be confined in its operation to the clause, sentence, paragraph,  
31 section or part of this article directly involved in the controversy in  
32 which the judgment shall have been rendered.

33 S 4. This act shall take effect on the one hundred eightieth day after  
34 it shall have become a law; provided, however, that effective immediate-  
35 ly, the addition, amendment and/or repeal of any rule or regulation  
36 necessary for the implementation of this act on its effective date are  
37 authorized and directed to be made and completed on or before such  
38 effective date.