



General Assembly

February Session, 2000

Raised Bill No. 5849

LCO No. 2287

Referred to Committee on General Law

Introduced by:

(GL)

An Act Concerning The Licensing Of Locksmiths.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) As used in this act:

2 (1) "Branch" means any location other than the principal place of
3 business of a locksmith.

4 (2) "Commissioner" means the Commissioner of Consumer
5 Protection.

6 (3) "Department" means the Department of Consumer Protection.

7 (4) "Locksmith" means a person engaged in locksmithing.

8 (5) "Locksmithing" means the inspection, installation,
9 recombination, rekeying, service or repair of locks or locking devices,
10 but does not include: (A) The recombination or rekeying of locks or
11 cylinders by an employee of a retail establishment on an employer's
12 property; (B) the installation or repair of locks by a person registered
13 pursuant to chapter 393c of the general statutes or registered pursuant
14 to chapter 400 of the general statutes incidental to the construction of a

15 building; (C) the installation, maintenance, repair or service of a
16 vending machine; (D) the duplication or selling of keys or selling of
17 equipment used to duplicate keys at a retail establishment; or (E)
18 work performed by a person at such person's own residence.

19 (6) "Person" means an individual, corporation, association,
20 partnership or any other legal entity.

21 Sec. 2. (NEW) No person shall engage in any work as a locksmith in
22 this state without first obtaining a license from the commissioner as
23 provided in this act.

24 Sec. 3. (NEW) (a) Any person seeking a license as a locksmith shall
25 apply to the commissioner, in writing, on a form provided by the
26 commissioner. Such application shall include the applicant's name, the
27 name under which the applicant will do business, the applicant's
28 business address and such other information as the commissioner may
29 require.

30 (b) Each application for a license under this act shall be
31 accompanied by a fee of one hundred fifty dollars. Licenses shall be
32 renewed annually. The fee for renewal of such license shall be one
33 hundred dollars.

34 (c) (1) Except as provided in subdivision (2) of this subsection, the
35 department shall not issue a license to any applicant who fails to pass
36 an examination prescribed by the department. Passing scores on the
37 examination shall be prescribed by the department.

38 (2) Any person engaged in locksmithing prior to the effective date of
39 this act may apply to the department for a license under this act and
40 the department shall issue such license without examination upon
41 demonstration by the applicant (A) of compliance with criteria set
42 forth in regulations adopted by the department in accordance with
43 chapter 54 of the general statutes, or (B) accreditation by a professional
44 locksmiths' association prior to the effective date of this act.

45 (d) The department shall not issue a license under the provisions of
46 this act to an applicant unless the applicant for the license provides the
47 department with: (1) A photograph taken not more than one year
48 immediately preceding the filing date of the application; (2) two legible
49 sets of fingerprints of the applicant; (3) a personal description of the
50 applicant; and (4) information concerning any criminal record of the
51 applicant. The department shall request a state criminal history records
52 check for each applicant from the State Police Bureau of Identification.
53 The department may forward such fingerprints to the Federal Bureau
54 of Investigation for a national criminal history records check. If the
55 department submits the applicant's fingerprints to the Federal Bureau
56 of Investigation for such records check, the commissioner may, in the
57 commissioner's discretion, issue such license before the commissioner
58 receives a report from said bureau relative to such applicant's record.
59 Upon receipt of such report, the department shall inform the applicant
60 and render a decision on the application not later than two weeks after
61 the receipt of the report. If such report has not been received eight
62 weeks after a complete application for a license has been made, the
63 department shall inform the applicant of such delay, in writing.

64 (e) Upon receipt of the completed application form, payment of the
65 license fee and a determination by the commissioner of the applicant's
66 suitability to engage in locksmithing, the commissioner shall: (1) Issue
67 and deliver to the applicant a license as a locksmith and a pocket
68 identification card, or (2) refuse to issue such license. The
69 commissioner may refuse to issue or refuse to renew any license issued
70 under this act, for any of the reasons stated in subsection (c) of section
71 4 of this act. The commissioner shall not deny an applicant a license by
72 reason of a prior conviction of a crime, except as provided in section
73 46a-80 of the general statutes. Upon refusal to issue a license, the
74 commissioner shall notify the applicant of such refusal, the grounds
75 for the commissioner's refusal and the applicant's right to request a
76 hearing not later than ten days from the date of receipt of the notice of
77 refusal. In the event the applicant requests a hearing within such ten
78 days, the commissioner shall conduct a hearing concerning such

79 refusal in accordance with the provisions of chapter 54 of the general
80 statutes concerning contested matters.

81 Sec. 4. (NEW) (a) Each locksmith shall: (1) Display the original or a
82 copy of the locksmith's license at the location of the locksmith's
83 principal place of business and each branch location; and (2) carry and
84 display a valid pocket identification card at all times while engaged in
85 the work of a locksmith.

86 (b) No person shall: (1) Present or attempt to present, as such
87 person's own, any locksmith license of another; (2) knowingly give
88 false evidence of a material nature to the commissioner for the purpose
89 of procuring a locksmith license; (3) use or attempt to use a locksmith
90 license that has expired or that has been suspended or revoked; (4)
91 offer to perform or perform locksmithing without having first obtained
92 a license under this act; (5) represent in any manner that such person's
93 license constitutes an endorsement of the quality of such person's
94 workmanship or of such person's competency by the commissioner; or
95 (6) falsely represent, in any manner, to be licensed under this act.

96 (c) The commissioner may revoke or suspend any license as a
97 locksmith for: (1) Conduct of a character likely to mislead, deceive or
98 defraud the public or said commissioner; (2) gross incompetence; or (3)
99 violation of any of the provisions of this act or any regulation adopted
100 pursuant to this act.

101 (d) The commissioner shall not revoke or suspend any license as a
102 locksmith except upon notice and hearing in accordance with the
103 provisions of chapter 54 of the general statutes.

104 Sec. 5. (NEW) This act does not apply to: (1) The state or any
105 political subdivision of the state; (2) any department or agency of the
106 state or its subdivisions; or (3) the government of the United States or
107 any of its departments or agencies.

108 Sec. 6. (NEW) (a) Each locksmith and each agent or representative of

109 a locksmith shall require suitable proof of identification from a
110 customer prior to performing a service pursuant to this act and shall
111 maintain such information for a period of two years on a work order
112 issued for such service. Any such work order shall also include the
113 name and license number of the locksmith.

114 (b) Any locksmith who knowingly and wilfully unlocks any
115 residence or commercial establishment for another by any method
116 shall record on a work order the street address of the residence or
117 commercial establishment and obtain the signature of the person for
118 whom the residence or commercial establishment was opened. The
119 locksmith shall also record on such work order the name, address,
120 telephone number, date of birth and driver's license number of the
121 person requesting entry to any such residence or commercial
122 establishment.

123 (c) Any locksmith who makes keys capable of providing entry to a
124 motor vehicle, by any method, shall record on a work order the
125 signature, name, address, telephone number, date of birth and driver's
126 license number of the person requesting entry to any such motor
127 vehicle, the license and registration numbers of the motor vehicle and
128 a description of the motor vehicle, including the year, make, model
129 and color of such motor vehicle.

130 Sec. 7. (NEW) Any person who violates any provision of this act
131 shall be fined not more than five thousand dollars.

132 Sec. 8. (NEW) The commissioner may adopt regulations, in
133 accordance with chapter 54 of the general statutes, to implement the
134 provisions of this act.

Statement of Purpose:

To require the licensing of locksmiths.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]