



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) work
18 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) The department shall not issue a license to any applicant who
35 fails to pass an examination prescribed by the department. Passing
36 scores on the examination shall be prescribed by the department.

37 (d) The department shall not issue a license under the provisions of
38 this act to an applicant unless the applicant for the license provides the
39 department with: (1) A photograph taken not more than one year
40 immediately preceding the filing date of the application; (2) two legible
41 sets of fingerprints of the applicant; (3) a personal description of the
42 applicant; and (4) information concerning any criminal record of the
43 applicant. The department shall request a state criminal history records
44 check for each applicant from the State Police Bureau of Identification.
45 The department may forward such fingerprints to the Federal Bureau
46 of Investigation for a national criminal history records check. If the
47 department submits the applicant's fingerprints to the Federal Bureau
48 of Investigation for such records check, the commissioner may, in the
49 commissioner's discretion, issue such license before the commissioner
50 receives a report from said bureau relative to such applicant's record.

51 Upon receipt of such report, the department shall inform the applicant
52 and render a decision on the application not later than two weeks after
53 the receipt of the report. If such report has not been received eight
54 weeks after a complete application for a license has been made, the
55 department shall inform the applicant of such delay, in writing.

56 (e) Upon receipt of the completed application form, payment of the
57 license fee and a determination by the commissioner of the applicant's
58 suitability to engage in locksmithing, the commissioner shall: (1) Issue
59 and deliver to the applicant a license as a locksmith and a pocket
60 identification card, or (2) refuse to issue such license. The
61 commissioner may refuse to issue or refuse to renew any license issued
62 under this act, for any of the reasons stated in subsection (c) of section
63 4 of this act. The commissioner shall not deny an applicant a license by
64 reason of a prior conviction of a crime, except as provided in section
65 46a-80 of the general statutes. Upon refusal to issue a license, the
66 commissioner shall notify the applicant of such refusal, the grounds
67 for the commissioner's refusal and the applicant's right to request a
68 hearing not later than ten days from the date of receipt of the notice of
69 refusal. In the event the applicant requests a hearing within such ten
70 days, the commissioner shall conduct a hearing concerning such
71 refusal in accordance with the provisions of chapter 54 of the general
72 statutes concerning contested matters.

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

78 (b) No person shall: (1) Present or attempt to present, as such
79 person's own, any locksmith license of another; (2) knowingly give
80 false evidence of a material nature to the commissioner for the purpose
81 of procuring a locksmith license; (3) use or attempt to use a locksmith
82 license that has expired or that has been suspended or revoked; (4)
83 offer to perform or perform locksmithing without having first obtained

84 a license under this act; (5) represent in any manner that such person's
85 license constitutes an endorsement of the quality of such person's
86 workmanship or of such person's competency by the commissioner; or
87 (6) falsely represent, in any manner, to be licensed under this act.

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

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

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

100 Sec. 6. (NEW) (a) Each locksmith and each agent or representative of
101 a locksmith shall require suitable proof of identification from a
102 customer prior to performing a service pursuant to this act and shall
103 maintain such information for a period of two years on a work order
104 issued for such service. Any such work order shall also include the
105 name and license number of the locksmith.

106 (b) Any locksmith who knowingly and wilfully unlocks any
107 residence or commercial establishment for another by any method
108 shall record on a work order the street address of the residence or
109 commercial establishment and obtain the signature of the person for
110 whom the residence or commercial establishment was opened. The
111 locksmith shall also record on such work order the name, address,
112 telephone number, date of birth and driver's license number of the
113 person requesting entry to any such residence or commercial
114 establishment.

115 (c) Any locksmith who makes keys capable of providing entry to a
116 motor vehicle, by any method, shall record on a work order the
117 signature, name, address, telephone number, date of birth and driver's
118 license number of the person requesting entry to any such motor
119 vehicle, the license and registration numbers of the motor vehicle and
120 a description of the motor vehicle, including the year, make, model
121 and color of such motor vehicle.

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

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

FIN Committee Vote: Yea 30 Nay 13 JFS