



General Assembly

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**Amendment**

LCO No. 4604

\*SB0027204604HDO\*

Offered by:  
REP. STONE, 9<sup>th</sup> Dist.

To: Subst. Senate Bill No. 272      File No. 129      Cal. No. 419

**"AN ACT CONCERNING SHORTHAND REPORTERS."**

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1      After the last section, add the following and renumber sections and  
2      internal references accordingly:

3      "Sec. 501. (NEW) (*Effective October 1, 2008*) (a) As used in this  
4      section:

5      (1) "Branch" means any business location of a locksmith, other than  
6      the principal place of business of such locksmith.

7      (2) "Commissioner" means the Commissioner of Consumer  
8      Protection.

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

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

11     (5) "Locksmithing" means the inspection, installation,  
12     recombination, rekeying, service or repair of locks or locking devices,  
13     but does not include: (A) The recombination or rekeying of locks or

14 cylinders by an employee of a retail or wholesale establishment on an  
15 employer's property; (B) the installation or repair of locks by a person  
16 registered pursuant to chapter 393c of the general statutes or registered  
17 pursuant to chapter 400 of the general statutes incidental to the  
18 construction of a building; (C) the installation, maintenance, repair or  
19 service of a vending machine; (D) the duplication or selling of keys or  
20 selling of equipment used to duplicate keys at a retail establishment; or  
21 (E) work performed by a person at such person's own residence.

22 (6) "Registration" means a document or card issued by the  
23 Department of Consumer Protection to a locksmith which certifies that  
24 such locksmith has completed an application form, paid the required  
25 registration fee, has successfully passed the required criminal history  
26 records check, is not otherwise barred from becoming a locksmith and  
27 has been added to the registry of locksmiths, as established in  
28 subsection (b) of this section.

29 (b) (1) A person seeking registration as a locksmith shall apply to  
30 the commissioner on a form provided by the commissioner. The  
31 application shall include the applicant's name, residence address,  
32 business address, business telephone number, a question as to whether  
33 the applicant has been convicted of a felony in any state or jurisdiction,  
34 and such other information as the commissioner may require. The  
35 applicant shall submit to a request by the commissioner for a recent  
36 criminal history records check. No registration shall be issued unless  
37 the commissioner has received the results of a such records check. In  
38 accordance with the provisions of section 46a-80 of the general statutes  
39 and after a hearing held pursuant to chapter 54 of the general statutes,  
40 the commissioner may revoke, refuse to issue or refuse to renew a  
41 registration when an applicant's criminal history records check reveals  
42 the applicant has been convicted of a crime of dishonesty, fraud, theft,  
43 assault, other violent offense or a crime related to the performance of  
44 locksmithing.

45 (2) The application fee for registration as a locksmith and the  
46 biennial renewal fee for such registration shall be two hundred dollars.

47 (3) The department shall establish and maintain a registry of  
48 locksmiths. The registry shall contain the names and addresses of  
49 registered locksmiths and such other information as the commissioner  
50 may require. Such registry shall be updated at least annually by the  
51 department, be made available to the public upon request and be  
52 published on the department's Internet web site.

53 (4) No person shall engage in locksmithing, use the title locksmith  
54 or display or use any words, letters, figures, title, advertisement or  
55 other method to indicate said person is a locksmith unless such person  
56 has obtained a registration as provided in this section.

57 (5) The following persons shall be exempt from registration as a  
58 locksmith, but only if the person performing the service does not hold  
59 himself or herself out to the public as a locksmith: (A) Persons  
60 employed by a state, municipality or other political subdivision, or by  
61 any agency or department of the government of the United States,  
62 acting in their official capacity; (B) automobile service dealers who  
63 service, install, repair or rebuild automobile locks; (C) retail merchants  
64 selling locks or similar security accessories or installing, programming,  
65 repairing, maintaining, reprogramming, rebuilding or servicing  
66 electronic garage door devices; (D) members of the building trades  
67 who install or remove complete locks or locking devices in the course  
68 of residential or commercial new construction or remodeling; (E)  
69 employees of towing services, repossessioners, or an automobile club  
70 representative or employee opening automotive locks in the normal  
71 course of his or her business. The provisions of this section shall not  
72 prohibit an employee of a towing service from opening motor vehicles  
73 to enable a vehicle to be moved without towing, provided the towing  
74 service does not hold itself out to the public, by directory  
75 advertisement, through a sign at the facilities of the towing service or  
76 by any other form of advertisement, as a locksmith; (F) students in a  
77 course of study in locksmith programs approved by the department;  
78 (G) warranty services by a lock manufacturer or its employees on the  
79 manufacturer's own products; (H) maintenance employees of a  
80 property owner or property management companies at multifamily

81 residential buildings, who service, install, repair or open locks for  
82 tenants; and (I) persons employed as security personnel at schools or  
83 institutions of higher education who open locks while acting in the  
84 course of their employment.

85 (c) (1) Each person engaging in locksmithing shall: (A) Exhibit such  
86 person's registration or a copy thereof at the person's place of business  
87 and any branch, in a location visible to the general public, (B) exhibit  
88 such person's registration upon request by any interested party, and  
89 (C) include such person's registration number in any advertisement.

90 (2) No person shall: (A) Present or attempt to present, as such  
91 person's own, the registration of another, (B) knowingly give false  
92 evidence of a material nature to the commissioner for the purpose of  
93 procuring a registration, (C) represent himself or herself falsely as, or  
94 impersonate, a registered locksmith, (D) knowingly use or attempt to  
95 use a registration which has expired or which has been suspended or  
96 revoked, (E) offer to undertake any locksmith service without having a  
97 current registration required under this chapter, (F) represent in any  
98 manner that such person's registration constitutes an endorsement of  
99 the quality of such person's workmanship or of such person's  
100 competency by the commissioner, (G) employ or allow any person to  
101 act as a salesman on such person's behalf unless such salesman is in  
102 the direct employ of such person, or (H) represent or advertise a  
103 location or branch as a place of business without obtaining the right to  
104 occupy such location.

105 (d) Registrations issued to locksmiths pursuant to this section shall  
106 not be transferable or assignable.

107 (e) All registrations issued under the provisions of this section shall  
108 expire biennially.

109 (f) Failure to receive a notice of registration expiration or a renewal  
110 application shall not exempt a locksmith from the obligation to renew  
111 his or her registration.

112 (g) The commissioner may adopt regulations, in accordance with  
113 chapter 54 of the general statutes, to carry out the provisions of this  
114 section.

115 (h) The commissioner may conduct investigations and hold  
116 hearings on any matter subject to the provisions of this section. The  
117 commissioner may issue subpoenas, administer oaths, compel  
118 testimony and order the production of books, records and documents  
119 in connection with such investigations. If any person refuses to appear,  
120 to testify or to produce any book, record, paper or document when so  
121 ordered, upon application of the commissioner or the Attorney  
122 General, a judge of the Superior Court may make such order as may be  
123 appropriate to aid in the enforcement of this section. The Attorney  
124 General, at the request of the commissioner, is authorized to apply in  
125 the name of the state of Connecticut to the Superior Court for an order  
126 temporarily or permanently restraining and enjoining any person from  
127 violating any provision of this section.

128 (i) The commissioner may revoke, suspend, place conditions on, or  
129 refuse to renew a registration issued pursuant to this section for: (1)  
130 Conduct of a character likely to mislead, deceive or defraud the public  
131 or the commissioner; (2) engaging in any untruthful or misleading  
132 advertising; (3) unfair or deceptive business practices; (4) gross  
133 incompetence; or (5) violations of any of the provisions of this section  
134 or any regulation adopted pursuant to any of such provisions.

135 (j) The commissioner may, after notice and hearing in accordance  
136 with the provisions of chapter 54 of the general statutes, impose a civil  
137 penalty on any person who engages in or practices the work or  
138 occupation for which a registration is required by this section without  
139 having first obtained such a registration, or who wilfully employs or  
140 supplies for employment a person who does not have such a  
141 registration, or who wilfully and falsely pretends to qualify to engage  
142 in or practice such work or occupation, or who engages in or practices  
143 any of the work or occupations for which a registration is required by  
144 this section after the expiration of such person's registration, or who

145 violates any of the provisions of this section or the regulations adopted  
146 pursuant thereto. Such penalty shall be in an amount not more than  
147 five hundred dollars for a first violation of this subsection, not more  
148 than seven hundred fifty dollars for a second violation of this  
149 subsection occurring not more than three years after a prior violation,  
150 and not more than one thousand five hundred dollars for a third or  
151 subsequent violation of this subsection occurring not more than three  
152 years after a prior violation. Any penalty collected pursuant to this  
153 subsection shall be deposited in the consumer protection enforcement  
154 account established in section 21a-8a of the general statutes.

155 (k) A violation of any of the provisions of this section shall be  
156 deemed an unfair or deceptive trade practice under subsection (a) of  
157 section 42-110b of the general statutes."