

MD Code, Business Occupations & Professions, § 18-102

§ 18-102. Application of title

Currentness

**Officers or employees of governmental units**

(a) This title does not apply to an officer or employee of any unit of the United States, of any state, or of any county, municipal corporation, or other political subdivision of any state, while performing a duty of the office or employment.

**Local laws or ordinances**

(b)(1) This title does not supersede any local law or ordinance in the State that establishes standards or qualifications for electricians or for electrical work involved in the installation of security systems or security alarms.

(2) This title does not authorize an individual to perform electrical work that otherwise requires an electrician's license under any State or local law or ordinance.

(3) Except as provided in paragraph (4) of this subsection, this title supersedes any local law or ordinance in the State that requires registration, training, bonding, or insurance for security systems technicians or other individuals who have access to circumventational information.

(4) This title does not preempt local governments from licensing or regulating security system agencies or security system users.

**Master electricians**

(c)(1) The licensing requirements of this title do not apply to a master electrician who:

(i) currently is licensed in that occupation under State or local law; and

(ii) is acting only within the scope of that occupation.

(2) A master electrician may not:

(i) personally provide security systems services unless the master electrician is registered as a security systems technician; or

(ii) obtain access to circumventational information unless the master electrician is registered as an individual with access to circumventational information.

**Sales of security systems**

(d) This title does not apply to a person who sells security systems at a retail establishment or by means of a catalog or brochure for future delivery, provided that the person does not:

(1) enter the premises of the customer's property; or

(2) have access to circumventational information.

**Routine operation of security systems**

(e) This title does not apply to a commercial property owner or its authorized agent performing the routine operation, including the changing of the passcodes, of a security system that protects the premises of the owner's commercial property.

**Construction of title**

(f) This title may not be construed to require:

(1) a person engaged in the business of providing security systems services for compensation to obtain more than one license under this title to provide security systems services;

(2) a security systems technician, in addition to being registered under this title, to obtain a license under this title, if the security systems technician is employed by or under contract with a security systems agency; or

(3) an individual who is licensed under this title to be registered under Subtitle 3A of this title.

**Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#).

MD Code, Business Occupations & Professions, § 18-102, MD BUS OCCUP & PROF § 18-102  
Current through Chapters 1 to 5 from the 2018 Regular Session of the General Assembly

MD Code, Business Occupations & Professions, § 18-201

### § 18-201. Responsibilities of Secretary

#### Currentness

Subject to the provisions of this title, the Secretary is responsible for:

- (1) the licensing and regulation of security systems agencies in the State; and
- (2) the registration of security systems technicians and other individuals who have access to circumventational information.

### § 18-202. Powers and duties of Secretary

#### Currentness

#### **Regulations, enforcement, and investigations**

(a) In addition to any powers set forth elsewhere, the Secretary may:

- (1) adopt regulations to carry out this title;
- (2) use any member of the Department of State Police, as necessary, to carry out and enforce this title; and
- (3) make inquiries and conduct an investigation regarding any applicant for a license or for registration.

#### **Security systems agencies and roster of security systems technicians**

(b) In addition to any duties set forth elsewhere, the Secretary shall:

- (1) adopt regulations that set standards for the licensure of security systems agencies;
- (2) adopt regulations that set standards for the registration of security systems technicians and other individuals who have access to circumventational information; and
- (3) keep a roster of individuals registered as security systems technicians or as individuals who have access to circumventational information.

MD Code, Business Occupations & Professions, § 18-203

### § 18-203. Confidentiality of information

#### Currentness

The Secretary and all members of the Department of State Police:

- (1) shall treat as confidential any information obtained through an investigation of an applicant for a license or for registration under this title; and
- (2) unless required by a court order, may not divulge to a person who is not a law enforcement officer any information obtained through an investigation of an applicant for a license or for registration under this title.

**Effective: October 1, 2014**

MD Code, Business Occupations & Professions, § 18-205

### § 18-205. Investigation of complaints

Currentness

**Complaints alleging services by unauthorized persons**

(a) Subject to this section, the Secretary shall conduct an investigation that relates to any complaint alleging that an unauthorized person has provided security systems services.

**Complaint requirements**

(b) A complaint shall:

- (1) be in writing and under oath;
- (2) state specifically the facts on which the complaint is based; and
- (3) be filed with the Secretary.

**Credits**

Added by [Acts 2014, c. 57, § 1, eff. Oct. 1, 2014](#).

MD Code, Business Occupations & Professions, § 18-301

**§ 18-301. License required to operate security systems services business**

Currentness

Except as otherwise provided in this title, a person may not engage, or solicit to engage, in the business of providing security systems services in the State unless the person obtains a license and meets the requirements of [§ 18-401](#) of this title.

**Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#); [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#).

MD Code, Business Occupations & Professions, § 18-302

**§ 18-302. License qualifications**

Currentness

**Representative member of firm**

(a) If the applicant for a license is a firm, the firm shall appoint a firm member as the representative member to make the application on behalf of the firm.

**Individual applicants**

(b) To qualify for a license, if an applicant is an individual, an applicant shall:

- (1) be at least 18 years old; and
- (2) be of good moral character.

**Firm applicants**

(c) To qualify for a license, if the applicant is a firm, each firm member shall be:

- (1) at least 18 years old; and
- (2) of good moral character.

**Other requirements from Secretary**

(d) The applicant shall meet any other requirements that the Secretary establishes for license applicants.

**Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#).

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## **Effective: July 1, 2016**

MD Code, Business Occupations & Professions, § 18-303

### § 18-303. License application

[Currenttness](#)

#### **Form of application, fee**

(a) An applicant for a license shall:

(1) submit to the Secretary an application on the form that the Secretary provides;

(2) submit the documents required by this section; and

(3) pay to the Secretary:

(i) an application fee of \$100;

(ii) the fee authorized under [§ 10-221\(b\)\(7\) of the Criminal Procedure Article](#) for access to Maryland criminal history records; and

(iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

#### **Caution against making false statement**

(b) The application form provided by the Secretary shall contain a statement advising the applicant that willfully making a false statement on an application is a misdemeanor, subject to a fine or imprisonment or both, as provided under [§ 18-504](#) of this title.

#### **Applications from firms**

(c) If the applicant is a firm, the representative member shall complete the application form and otherwise be responsible for the firm's compliance with this section.

#### **Written recommendations**

(d)(1) The application shall be accompanied by at least two written recommendations for the applicant.

(2) Each recommendation shall be signed, under oath, by a reputable citizen of the State.

#### **Submission of fingerprints**

(e)(1) An applicant for a license shall submit with the application a set of legible fingerprints of the applicant on a form approved by the Criminal Justice Information System Central Repository and the Director of the Federal Bureau of Investigation.

(2) If the applicant is a firm, the applicant shall pay the cost of the fingerprint card records check for each firm member.

#### **Bond or proof of insurance**

(f) An applicant for a license shall submit with the application a copy of a bond or proof of insurance in accordance with the requirements of [§ 18-401](#) of this title.

### **Waiver of requirements for nonresident applicants**

(g) The Secretary may waive the requirements of subsections (a)(2) and (3), (d), and (e) of this section and issue a license to an applicant who:

(1) provides adequate evidence that the applicant:

(i) is licensed to engage in the business of providing security systems services in another state; and

(ii) became licensed in the other state:

1. after meeting qualifications that are at least equivalent to those required in this State; and

2. after submitting to a State and national criminal records check; and

(2) pays to the Secretary a processing fee of \$100.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1996, c. 226, § 2, eff. June 1, 1996](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#); [Acts 2002, c. 262, § 1, eff. Oct. 1, 2002](#); [Acts 2016, c. 477, § 1, eff. July 1, 2016](#).

MD Code, Business Occupations & Professions, § 18-304

### **§ 18-304. State and national criminal records check**

#### **Currentness**

#### **In general**

(a) Except for a license issued under [§ 18-303\(g\)](#) of this subtitle, before issuing a license, the Secretary shall conduct a State and national criminal records check for each applicant who applies for a license.

#### **Firm members**

(b) If the applicant is a firm, the Secretary shall conduct a State and national criminal records check for each firm member.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#).

MD Code, Business Occupations & Professions, § 18-305

### **§ 18-305. Issuance of license**

#### **Currentness**

### **In general**

(a) The Secretary shall issue a license to each applicant who meets the requirements of this title.

### **Contents of license**

(b) The Secretary shall include on each license that the Secretary issues:

- (1) the full name of the licensee;
- (2) the current address of the licensee;
- (3) the date of issuance of the license; and
- (4) the date on which the license expires.

### **Pocket identification cards**

(c) Except as provided in subsection (d) of this section, the Secretary shall issue to an individual licensee a pocket identification card that includes:

- (1) a photograph of the licensee, supplied by the licensee; and
- (2) the license expiration date.

### **Licensing certificates**

(d)(1) For each license issued under [§ 18-303\(g\)](#) of this subtitle, the Secretary shall issue to an individual licensee a licensing certificate instead of a pocket identification card.

(2) The licensing certificate shall be in a format approved by the Secretary.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#); [Acts 2002, c. 262, § 1, eff. Oct. 1, 2002](#).

MD Code, Business Occupations & Professions, § 18-306

## **§ 18-306. License to operate business providing security systems services; authorized activities**

### **Currentness**

### **In general**

(a) While a license is in effect, it authorizes the licensee to engage in the business of providing security systems services.

### **Individual or firm as agency**

(b) An individual or a firm may qualify for a license as a security systems agency.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#)

**Effective: October 1, 2017**

MD Code, Business Occupations & Professions, § 18-307

§ 18-307. Expiration and renewal of license

Currentness

**Staggered terms of licenses**

(a) By regulation, the Secretary shall stagger the terms of the licenses.

**Expiration date**

(b) Unless a license is renewed for a 3-year term as provided in this section, the license expires on the date the Secretary sets.

**Expiration notice**

(c) At least 1 month before a license expires, the Secretary shall mail or electronically transmit to the agency:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires;

(ii) that the Secretary must receive the renewal application and proof of insurance or bonding as required in § 18-401 of this title at least 15 days before the license expiration date for the renewal to be issued and mailed before the license expires;

(iii) the amount of the renewal fee;

(iv) that, if the complete renewal application and proof of insurance or bonding as required in § 18-401 of this title are not received at least 15 days before the license expiration date, a fee of \$25 per day shall be charged against the agency until the day the license expires, at which time the agency shall be considered closed;

(v) that an agency may not be issued a license under this title until all outstanding obligations are satisfied with the Secretary; and

(vi) that the submission of a false statement in the renewal application or the submission of altered or false documents that are otherwise required is cause for revocation of the agency license.

**Grounds for renewal**

(d) An agency periodically may renew the license for an additional 3-year term, if the license holder:

(1) otherwise is entitled to be licensed;

(2) pays to the Secretary:

(i) a renewal fee of \$100;



(ii) the fee authorized under [§ 10-221\(b\)\(7\) of the Criminal Procedure Article](#) for access to Maryland criminal history records;

(iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check; and

(iv) any late fee required under this subtitle; and

(3) submits to the Secretary:

(i) a renewal application on the form the Secretary provides;

(ii) two complete sets of the applicant's legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation; and

(iii) satisfactory evidence of compliance with any other requirements under this section for renewal of registration.

#### **Criminal history records information**

(e) In accordance with [§§ 10-201 through 10-235 of the Criminal Procedure Article](#), the Central Repository shall forward to the applicant and the Department of State Police a printed statement of the applicant's criminal history records information.

#### **Waiver of national criminal history records check requirement**

(f) The Secretary may waive the national criminal history records check required under subsection (d) of this section for an applicant who was issued a license under [§ 18-303\(g\)](#) of this subtitle if the applicant pays to the Secretary a processing fee of \$100.

#### **Temporary license status**

(g) If the renewal application was submitted as required in subsection (d) of this section and the national criminal history records check required under this section is not completed before the licensee's license expires, the Secretary shall allow the licensee to operate in a temporary license status if the licensee otherwise meets the requirements of this section.

#### **Term of temporary license**

(h) A licensee may operate in a temporary license status at the time of renewal only if the renewal application and all required documents and fees were submitted by the expiration date of the license.

#### **Expiration of temporary license**

(i) The temporary license status shall expire at the earlier of:

(1) the completion of the national criminal history records check of the applicant; or

(2) the renewal or denial of the license.

#### **Duty of Secretary to renew license**

(j) The Secretary shall renew the license of each applicant who meets the requirements of this section.

## **Credits**

Added by Acts 2002, c. 517, § 1, eff. Oct. 1, 2002. Amended by Acts 2003, c. 21, § 6, eff. April 8, 2003; Acts 2017, c. 246, § 1, eff. Oct. 1, 2017; Acts 2017, c. 247, § 1, eff. Oct. 1, 2017.

MD Code, Business Occupations & Professions, § 18-308

### § 18-308. Possession and display of license

#### Currentness

##### **In general**

(a)(1) If the licensee is an individual, the licensee and each security systems technician employed by the licensee shall carry and display the license on demand of any customer or law enforcement officer.

(2) If the licensee is a firm, each firm member and security systems technician employed by the firm shall carry and display a copy of the license on demand of any customer or law enforcement officer.

##### **Record of license with Secretary of State**

(b) Each licensee shall record the license with the Secretary of State.

##### **Notice of change of address**

(c) Each licensee shall give the Secretary written notice of any change of address within 10 business days after the change.

## **Credits**

Added by Acts 1994, c. 362, § 1, eff. Oct. 1, 1994. Amended by Acts 1995, c. 3, § 2, eff. March 7, 1995; Acts 1996, c. 226, § 2, eff. June 1, 1996; Acts 1997, c. 520, § 1, eff. Oct. 1, 1997.

MD Code, Business Occupations & Professions, § 18-309

### § 18-309. Denial, suspension, or revocation of license

#### Currentness

Subject to the hearing provisions of § 18-310 of this subtitle, the Secretary may deny a license to any applicant, reprimand any licensee, fine a licensee, or suspend or revoke a license if the applicant or licensee, or a firm member or employee of an applicant or licensee that is a firm:

(1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) fraudulently or deceptively uses a license;

(3) has a similar license denied, suspended, or revoked in another jurisdiction;

(4) pleads guilty or nolo contendere to or is convicted of a felony, theft offense, or crime of moral turpitude;

(5) aids an individual in obtaining or attempting to obtain fraudulently or deceptively licensure under this title as a security systems technician;

- (6) while not licensed, solicits to engage in or willfully engages in a business providing security systems services;
- (7) while not licensed, willfully advertises as a security systems technician;
- (8) willfully makes a false statement or misrepresentation in any renewal application or in any other document that the Secretary requires to be submitted; or
- (9) violates any other provision of this title or any regulation adopted by the Secretary under this title.

### **Credits**

Added by Acts 1994, c. 362, § 1, eff. Oct. 1, 1994. Amended by Acts 1995, c. 3, § 2, eff. March 7, 1995; Acts 1997, c. 520, § 1, eff. Oct. 1, 1997; Acts 2001, c. 649, § 1, eff. Oct. 1, 2001; Acts 2002, c. 517, § 1, eff. Oct. 1, 2002.

MD Code, Business Occupations & Professions, § 18-310

## § 18-310. Notice and hearing

### Currentness

#### **Right to hearing**

(a) Before the Secretary takes any final action under § 18-309 of this subtitle, the Secretary shall give the person against whom the action is contemplated an opportunity for a hearing before the Secretary.

#### **Application of State Government Article**

(b) The Secretary shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

#### **Notice sent by certified mail**

(c) The hearing notice to be given to the person shall be sent by certified mail to the last known address of the person at least 10 business days before the hearing.

#### **Oaths**

(d) The Secretary may administer oaths in connection with any proceeding under this section.

#### **Counsel**

(e) The person may be represented at the hearing by counsel.

#### **Absence of individual**

(f) If, after due notice, the person against whom the action is contemplated fails or refuses to appear, nevertheless, the Secretary may hear and determine the matter.

### **Credits**

Added by Acts 1994, c. 362, § 1, eff. Oct. 1, 1994. Amended by Acts 1995, c. 3, § 2, eff. March 7, 1995; Acts 1997, c. 520, § 1, eff. Oct. 1, 1997; Acts 2001, c. 649, § 1, eff. Oct. 1, 2001.

MD Code, Business Occupations & Professions, § 18-311

## § 18-311. Appeals

### Currentness

Any person aggrieved by a final decision of the Secretary in a contested case, as defined in § 10-202 of the State Government Article, may take an appeal as allowed in Title 10, Subtitle 2 of the State Government Article.

### Credits

Added by Acts 1994, c. 362, § 1, eff. Oct. 1, 1994. Amended by Acts 1995, c. 3, §§ 1, 2, eff. March 7, 1995; Acts 1997, c. 520, § 1, eff. Oct. 1, 1997; Acts 2001, c. 649, § 1, eff. Oct. 1, 2001.

MD Code, Business Occupations & Professions, § 18-3A-01

## § 18-3A-01. Registration required to provide security systems services

### Currentness

Except as otherwise provided in this title:

- (1) an individual may not personally provide security systems services unless the individual is registered as a security systems technician;
- (2) a person licensed under this title may not employ or contract with an individual with access to circumventational information unless the individual is registered as required under this subtitle;
- (3) neither a licensee nor a registrant may provide access to circumventational information to an individual who is not registered under this subtitle; and
- (4) an employee of a person licensed under this title may not obtain access to circumventational information unless the employee is registered as an individual with access to circumventational information.

### Credits

Added by Acts 1997, c. 520, § 1, eff. Oct. 1, 1997.

## Effective: April 12, 2011

MD Code, Business Occupations & Professions, § 18-3A-02

## § 18-3A-02. Registration qualifications

### Currentness

### Minimum age, moral character

(a) To qualify for registration as a security systems technician or other individual who has access to circumventational information, an applicant shall:

- (1) be at least 18 years old; and
- (2) be of good moral character.

### Training requirements

(b) In addition to any other requirements and except for those applicants who survey properties only for the purpose of installing a security system, an applicant for registration as a security systems technician shall meet any training requirements that the Secretary establishes by regulation.

### **Cooperative education programs**

(c) The State Department of Education, in conjunction with the Secretary, may establish by regulation a cooperative education program under which a minor may learn the security systems trade with on-site supervision by a security systems registrant under the auspices of cooperative education registration with the schools.

### **Credits**

Added by Acts 1997, c. 520, § 1, eff. Oct. 1, 1997. Amended by Acts 2002, c. 262, § 1, eff. Oct. 1, 2002; Acts 2011, c. 65, § 1, eff. April 12, 2011.

MD Code, Business Occupations & Professions, § 18-3A-03

## **§ 18-3A-03. Registration application**

### **Currentness**

#### **Form and contents of application, fee**

(a) An applicant for registration shall:

(1) submit to the Secretary an application on the form that the Secretary provides;

(2) submit the documents required by this section; and

(3) pay to the Secretary:

(i) an application fee that is the higher of \$15 or an amount the Secretary determines based on actual processing costs; and

(ii) the cost of any background checks.

#### **Caution against making false statements**

(b) The application form provided by the Secretary shall contain a statement advising the applicant that willfully making a false statement on an application is a misdemeanor, subject to a fine or imprisonment or both, as provided under § 18-504 of this title.

#### **Submission of fingerprints**

(c) An applicant for registration shall submit with the application a set of legible fingerprints of the applicant on forms approved by the Criminal Justice Information System Central Repository and the Director of the Federal Bureau of Investigation.

#### **Waiver of requirements**

(d) The Secretary may waive the requirements of this section and register an applicant who:

(1) provides adequate evidence that the applicant:

(i) is licensed in another state to engage in the business of providing security systems services or registered in another state as a security systems technician or other individual who has access to circumventational information; and

(ii) became licensed or registered in the other state:

1. after meeting qualifications that are at least equivalent to those required in this State; and

2. after submitting to a State and national criminal records check; and

(2) pays to the Secretary a processing fee that is the higher of \$15 or an amount the Secretary determines based on actual processing costs.

### **Cooperative education programs**

(e) A minor in an apprenticeship program approved by the Department of Labor, Licensing, and Regulation or a cooperative education program established under [§ 18-3A-02](#) of this subtitle is not required to meet the criminal background check and fingerprint requirements of this section.

### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 1998, c. 21, § 1, eff. April 14, 1998](#); [Acts 1999, c. 387, § 1, eff. Oct. 1, 1999](#); [Acts 2002, c. 262, § 1, eff. Oct. 1, 2002](#).

MD Code, Business Occupations & Professions, § 18-3A-04

## **§ 18-3A-04. State and national criminal records checks**

### **Currentness**

#### **In general**

(a) Except for registration under [§ 18-3A-03\(d\)](#) of this subtitle, the Secretary shall conduct a State and national criminal records check of an applicant before registering the applicant.

### **Cost of background checks**

(b) An applicant shall pay to the Secretary the cost of any background checks before the applicant may be registered.

### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 1999, c. 387, § 1, eff. Oct. 1, 1999](#).

MD Code, Business Occupations & Professions, § 18-3A-05

## **§ 18-3A-05. Registration of applicants**

### **Currentness**

#### **Duty of Secretary to register applicant**

(a) The Secretary shall register each applicant who meets the requirements of this subtitle.

### **Contents of registration**

(b) The Secretary shall include on each registration that the Secretary issues:

- (1) the full name of the registrant;
- (2) the current address of the registrant;
- (3) the date of issuance of the registration; and
- (4) the date on which the registration expires.

#### **Identification cards**

(c) For all registrations other than temporary registrations, the Secretary shall issue to each registrant a pocket identification card that includes:

- (1) a photograph of the registrant, supplied by the registrant; and
- (2) the expiration date of the registrant's registration.

#### **Notice of change of address**

(d) Each registrant shall give the Secretary written notice of any change of address within 10 business days after the change.

#### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 1999, c. 387, § 1, eff. Oct. 1, 1999](#).

MD Code, Business Occupations & Professions, § 18-3A-06

### § 18-3A-06. Registration as security systems technician; authorized activities

#### [Currentness](#)

#### **Security systems services**

(a) While an individual is registered as a security systems technician and employed by or under contract with a security systems agency licensed under this title, the individual is authorized to personally provide security systems services.

#### **Access to circumventational information**

(b) While an individual is registered as a security systems technician and employed by or under contract with a security systems agency licensed under this title, the individual is authorized to have access to circumventational information.

#### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#).

MD Code, Business Occupations & Professions, § 18-3A-07

### § 18-3A-07. Expiration and renewal of registration

#### [Currentness](#)

#### **Staggered registration terms**

(a) By regulation, the Secretary shall stagger the terms of the registrations under this subtitle.

#### **Expiration date**

(b) Unless a registration is renewed for a 3-year term as provided in this section, the registration expires on the date the Secretary sets.

#### **Renewal application and fee**

(c) At least 90 days before a registration expires, the applicant shall deliver to the Secretary:

- (1) a renewal application form;
- (2) the amount of the renewal fee; and
- (3) the amount of any late fee, as determined by the Secretary.

#### **Form and contents of application**

(d) An individual periodically may renew a registration for an additional 3-year term if the individual:

- (1) otherwise is entitled to be registered;
- (2) pays to the Secretary:
  - (i) a renewal fee that is the higher of \$15 or an amount which the Secretary determines based on the actual processing costs;
  - (ii) the fee authorized under [§ 10-221\(b\)\(7\) of the Criminal Procedure Article](#) for access to Maryland criminal history records;
  - (iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check; and
  - (iv) any late fee required under this subtitle; and
- (3) submits to the Secretary:
  - (i) a renewal application on the form the Secretary provides;
  - (ii) two complete sets of the applicant's legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation; and
  - (iii) satisfactory evidence of compliance with any other requirements under this section for renewal of registration.

#### **Criminal history records information**

(e) In accordance with [§§ 10-201 through 10-235 of the Criminal Procedure Article](#), the Central Repository shall forward to the applicant and the Department of State Police a printed statement of the applicant's criminal history records information.

#### **Late fees**

(f)(1) Subject to paragraph (2) of this subsection, if a complete application for renewal of registration as required under this subtitle is not received by the Secretary at least 30 calendar days before the



certification expires, the Secretary shall assess a late fee of \$5 per day until the application is received by the Secretary.

(2) The total amount of late fees assessed under this subsection may not exceed \$150.

(3) The Secretary may not register any applicant under this title if the applicant has outstanding late fee obligations.

#### **Waiver of national criminal history records check**

(g) The Secretary may waive the national criminal history records check required under subsection (d) of this section for an applicant who was registered under [§ 18-3A-03](#) of this subtitle if the applicant pays to the Secretary a processing fee of \$15.

#### **Temporary registration status**

(h) If the renewal application was submitted as required under this section and the national criminal history records check required under this section is not completed before a registration expires, the Secretary shall allow the applicant to operate in a temporary registration status if the applicant otherwise meets the requirements of this section.

#### **Expiration of temporary registration status**

(i) The temporary registration status shall expire at the earlier of:

(1) the completion of the national criminal history records check of the applicant; or

(2) the renewal or denial of the registration.

#### **Duty of Secretary to renew registration**

(j)(1) The Secretary shall renew the registration of each individual who meets the requirements of this section.

(2) Within 5 days after the Secretary refuses to renew the registration of an individual under this title, the Secretary shall send written notice of the refusal to the individual who submitted the renewal application.

#### **Credits**

Added by [Acts 2002, c. 517, § 1, eff. Oct. 1, 2002](#). Amended by [Acts 2003, c. 21, § 6, eff. April 8, 2003](#).

MD Code, Business Occupations & Professions, § 18-3A-08

#### **§ 18-3A-08. Temporary registrations**

##### **Currentness**

#### **Grounds for a temporary registration**

(a)(1) Subject to paragraph (2) of this subsection, the Secretary shall temporarily register any individual who:

(i) does not have the training required under [§ 18-3A-02\(b\)](#) of this subtitle but otherwise meets the requirements for registration under this title; or

(ii) does not have the State and national criminal records check required under § 18-3A-04(a) of this subtitle.

(2) If the Secretary determines after a preliminary background investigation that the issuance of a temporary registration to an individual would result in a potential threat to public safety, the Secretary may refuse to temporarily register that individual.

#### **Expiration of temporary registration**

(b) Temporary registration of a registrant under this section shall expire at the earlier of:

(1) if the temporary registration was issued pursuant to subsection (a)(1) of this section, acquisition by the registrant of the training required under § 18-3A-02(b) of this subtitle; or

(2) if the temporary registration was issued pursuant to subsection (a)(2) of this section, completion of the State and national criminal records check required under § 18-3A-04(a) of this subtitle.

#### **Identification, supervised work**

(c) An applicant obtaining temporary registration under this section:

(1) shall receive a form of identification as determined by the Secretary; and

(2) shall work under the supervision of an individual who has met the requirements of §§ 18-3A-02, 18-3A-03, and 18-3A-04 of this subtitle and is registered under § 18-3A-05 of this subtitle.

#### **Credits**

Added by Acts 1997, c. 520, § 1, eff. Oct. 1, 1997. Amended by Acts 1998, c. 21, § 1, eff. April 14, 1998; Acts 1999, c. 387, § 1, eff. Oct. 1, 1999.

MD Code, Business Occupations & Professions, § 18-3A-09

### **§ 18-3A-09. Denial, suspension, or revocation of registration**

#### **Currentness**

Subject to the hearing provisions of § 18-3A-10 of this subtitle, the Secretary may deny registration to any applicant, reprimand any registrant, fine any registrant, or suspend or revoke a registration if the applicant or registrant:

(1) fraudulently or deceptively obtains or attempts to obtain a registration for the applicant or registrant or for another;

(2) fraudulently or deceptively uses a registration;

(3) has a similar license or registration denied, suspended, or revoked in another jurisdiction;

(4) pleads guilty or nolo contendere to or is convicted of a felony, theft offense, or crime of moral turpitude;

(5) aids an individual in obtaining or attempting to obtain fraudulently or deceptively registration under this title;

(6) while not registered as a security systems technician and employed by or under contract with a security systems agency licensed under this title, solicits to engage in or willfully engages in personally providing security systems services;

(7) while not registered as a security systems technician and employed by or under contract with a security systems agency licensed under this title, willfully advertises as a security systems technician;

(8) willfully makes a false statement or misrepresentation in any renewal application or in any other document that the Secretary requires to be submitted; or

(9) violates any other provision of this title or any regulation adopted by the Secretary under this title.

### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 2000, c. 471, § 1, eff. Oct. 1, 2000](#); [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#); [Acts 2002, c. 517, § 1, eff. Oct. 1, 2002](#).

MD Code, Business Occupations & Professions, § 18-3A-09.1

## § 18-3A-09.1. Denial of registration; factors

### [Currentness](#)

Before the Secretary denies the registration of an applicant under [§ 18-3A-09\(4\)](#) of this subtitle, the Secretary shall consider the following factors:

(1) the length of time that has passed since the applicant pleaded guilty or nolo contendere or was convicted of the felony, theft offense, or crime of moral turpitude;

(2) whether the applicant was a security systems technician prior to the requirement of registration under this subtitle; and

(3) any evidence that the applicant has been a good citizen since the applicant pleaded guilty or nolo contendere or was convicted of the felony, theft offense, or crime of moral turpitude.

### **Credits**

Added by [Acts 2000, c. 471, § 1, eff. Oct. 1, 2000](#).

MD Code, Business Occupations & Professions, § 18-3A-10

## § 18-3A-10. Notice and hearing

### [Currentness](#)

#### **Right to hearing**

(a)(1) Before the Secretary takes any final action under [§ 18-3A-09](#) of this subtitle, the Secretary shall give the individual against whom the action is contemplated an opportunity for either:

(i) a hearing before the Secretary; or

(ii) a hearing before an advisory panel consisting of the following members appointed by the Secretary:

1. a member of the Department of State Police;

2. a representative of the security systems industry;

3. one member who has engaged the services of a security systems agency; and

4. two members representing consumers.

(2) A hearing before an advisory panel under this section does not preclude a hearing before the Secretary.

#### **Application of State Government Article**

(b) The Secretary or the advisory panel shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

#### **Notice sent by certified mail**

(c) The hearing notice to be given to the individual shall be sent by certified mail to the last known address of the individual at least 10 business days before the hearing.

#### **Oaths**

(d) The Secretary or the advisory panel may administer oaths in connection with any proceeding under this section.

#### **Counsel**

(e) The individual may be represented at the hearing by counsel.

#### **Absence of individual**

(f) If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, the Secretary or the advisory panel may, nevertheless, hear and determine the matter.

#### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 1999, c. 387, § 1, eff. Oct. 1, 1999](#); [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#); [Acts 2002, c. 262, § 1, eff. Oct. 1, 2002](#).

MD Code, Business Occupations & Professions, § 18-3A-11

### **§ 18-3A-11. Appeals**

#### **Currentness**

Any person aggrieved by a final decision of the Secretary in a contested case, as defined in [§ 10-202 of the State Government Article](#), may take an appeal as allowed in Title 10, Subtitle 2 of the State Government Article.

#### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#).

### **§ 18-401. Fidelity bond and general liability insurance requirements**

#### **Currentness**

#### **In general**

(a) In order to obtain a license, an applicant shall:

- (1)(i) execute a fidelity bond as provided in subsection (c) of this section; or
  - (ii) maintain general liability insurance as provided in subsection (d) of this section; and
- (2) maintain in an office in the State, documents or other records that are made in the State or relate to a service performed in the State and make those records available for inspection by the Secretary for compliance with this title.

### **Proof of compliance**

(b) The Secretary may not issue or renew a license or registration unless the applicant, licensee, or registrant submits proof of compliance with subsection (a) of this section.

### **Fidelity bonds**

(c)(1) The fidelity bond required by subsection (a)(1) of this section shall cover all individuals who:

(i) are licensed to provide security systems services, are registered as security systems technicians, or have access to circumventational information; or

(ii) are applicants for a license or registration.

(2) The fidelity bond shall be used for the benefit of any person injured on the premises of a consumer of security systems services by any fraudulent or dishonest act of a licensee, a security systems technician, or other individual who has access to circumventational information that is willful or malicious.

(3) The applicant for a license or registration shall submit a copy of the fidelity bond to the Secretary with the license or registration application.

(4)(i) The amount of the fidelity bond required under subsection (c)(1) of this section shall be at least \$50,000.

(ii) The total liability of the surety to all insured persons under the fidelity bond may not exceed the sum of the fidelity bond.

(5)(i) If an employer's fidelity bond is canceled, forfeited, or terminated by the surety, the surety shall immediately notify the Secretary.

(ii) If a surety fails to notify the Secretary as required by this paragraph, the fidelity bond shall continue in effect until the notice is given to the Secretary.

### **General liability insurance**

(d)(1) General liability insurance required by subsection (a)(1)(ii) of this section shall be in the amount of at least \$50,000.

(2) An applicant for a license or registration shall submit proof of insurance meeting the requirements of paragraph (1) of this subsection to the Secretary with the application.

(3) If the general liability insurance required under this section is canceled, the insured shall immediately notify the Secretary.

### **Failure to maintain fidelity bond or liability insurance**

(e) If an agency fails to maintain the required fidelity bond or liability insurance as required in this section, upon notification, the Secretary:

(1) shall suspend the license; and

(2) may not reinstate the license until the agency submits proof of the required bond or insurance to the Secretary.

### **Injunctions**

(f) In addition to [§ 18-504](#) of this title, a court of competent jurisdiction may enjoin the operation of any employer who violates the requirements of this section.

### **Credits**

Added as [Business Occupations and Professions § 18-402](#) by [Acts 1996, c. 226, § 2, eff. June 1, 1996](#). Renumbered as [Business Occupations and Professions § 18-401](#) by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 1998, c. 21, § 1, eff. April 14, 1998](#); [Acts 2002, c. 517, § 1, eff. Oct. 1, 2002](#).

MD Code, Business Occupations & Professions, § 18-402

### **§ 18-402. Regulations**

#### [Currentness](#)

The Department of State Police shall adopt regulations necessary to effectuate and enforce this subtitle. The regulations shall include a schedule of fines for violations of this subtitle that may be assessed by the Secretary under [§§ 18-309](#) and [18-3A-09](#) of this title.

### **Credits**

Added by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#). Amended by [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#).

### **Effective: October 1, 2014**

MD Code, Business Occupations & Professions, § 18-501

### **§ 18-501. License required to operate business of providing security systems services**

#### [Currentness](#)

A person may not engage, attempt to engage, offer to engage, or solicit to engage in a business of providing security systems services in the State unless licensed by the Secretary.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#); [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#); [Acts 2014, c. 57, § 1, eff. Oct. 1, 2014](#).

MD Code, Business Occupations & Professions, § 18-502

### **§ 18-502. Representations to the public; business of providing security systems services**

#### [Currentness](#)

Unless authorized under this title to engage in the business of providing security systems services, a person may not represent to the public, by use of the title “security systems agency” or “security systems technician”, by description of services, methods, or procedures, or otherwise, that the person is authorized to engage in the business of providing security systems services in the State.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 1, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#).

MD Code, Business Occupations & Professions, § 18-503

## § 18-503. False statements to Secretary prohibited

### [Currentness](#)

A person may not willfully make a false statement on any application form or other document submitted to the Secretary under this title.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1995, c. 3, § 2, eff. March 7, 1995](#); [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#).

## **Effective: October 1, 2014**

MD Code, Business Occupations & Professions, § 18-504

## § 18-504. Fines and penalties

### [Currentness](#)

### **Misdemeanor convictions**

(a) A person who violates any provision of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

### **Maximum fines**

(b) The fines assessed under §§ [18-309](#) and [18-3A-09](#) of this title may not exceed \$5,000 per violation and shall be paid to the Secretary within 10 days after final adjudication of any hearing or the waiver of any hearing.

### **Credits**

Added by [Acts 1994, c. 362, § 1, eff. Oct. 1, 1994](#). Amended by [Acts 1997, c. 520, § 1, eff. Oct. 1, 1997](#); [Acts 2001, c. 649, § 1, eff. Oct. 1, 2001](#); [Acts 2014, c. 57, § 1, eff. Oct. 1, 2014](#).

MD Code, Business Occupations & Professions, § 18-601

## § 18-601. Short title

### [Currentness](#)

This title may be cited as the “Maryland Security Systems Technicians Act”.

### **Credits**

Added by Acts 1994, c. 362, § 1, eff. Oct. 1, 1994. Amended by Acts 1997, c. 520, § 1, eff. Oct. 1, 1997.

**Effective: July 1, 2016**

MD Code, Business Occupations & Professions, § 18-701

§ 18-701. Termination of title

Currentness

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act<sup>1</sup>, this title and all regulations adopted under this title shall terminate and be of no further force and effect after July 1, 2021.

**Credits**

Added by Acts 1996, c. 226, § 2, eff. June 1, 1996. Amended by Acts 1997, c. 520, § 1, eff. Oct. 1, 1997; Acts 1997, c. 14, § 1, eff. April 8, 1997; Acts 1997, c. 520, § 1, eff. Oct. 1, 1997; Acts 2002, c. 134, § 1, eff. Oct. 1, 2002; Acts 2016, c. 477, § 1, eff. July 1, 2016.

[Code of Maryland Regulations \(Last Updated: July 29, 2016\)](#)

[Title 29. Maryland State Police](#)

[Subtitle 04. Licensing and Permits](#)

[Chapter 29.04.05. Security Systems Agencies and Technicians—Licensing and Registration](#)

[Sec. 29.04.05.01. Scope](#)

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*Latest version.*

- A. This chapter does not apply to:

(1) An officer or employee of a unit of the United States, a state, or any county, municipal corporation, or other political subdivision of a state while performing a duty of the office or employment;



(2) A person who sells security systems at a retail establishment or by means of a catalog or brochure for future delivery, if the person does not:

(a) Enter the customer's premises or property, or

(b) Have access to circumventational information;

(3) A commercial property owner or the owner's authorized agent performing the routine operation, including the changing of the pass codes, of a security system that protects the premises of the owner's commercial property; or

(4) A builder of commercial or residential property while installing security systems in buildings under construction that have no current occupants.

B. A subcontractor whose main business fits the definition of "providing security system services" shall be licensed.

C. This chapter does not supersede any local law or ordinance in the State that establishes standards or qualifications for an electrician or for electrical work involved in the installation of a security system or a security alarm.

D. This chapter supersedes any local law or ordinance in the State that requires registration, training, bonding, or insurance for security systems technicians or others who have access to circumventational information. However, it does not preempt local governments from licensing or regulating security system agencies or security system users.

E. Currently Licensed Electricians.

(1) The licensing requirements of this chapter do not apply to a master electrician who:

(a) Currently is licensed in that occupation under State or local law; and

(b) Is acting only within the scope of that occupation.

(2) A master electrician may not:

(a) Personally provide security systems services unless the master electrician is registered as a security systems technician; or

(b) Obtain access to circumventational information unless the master electrician is registered as an individual with access to circumventational information.

F. This chapter does not authorize an individual to perform electrical work that otherwise requires an electrician's license under any State or local ordinance.

#### Sec. 29.04.05.02. Definitions

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*Latest version.*

- A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Circumventational information" means information, including pass codes, that allows an individual to alter the operation of a security system, but does not include generic user or installation manuals.

(2) "Firm" means a partnership or corporation.

(3) "Firm member" means a partner of a partnership or an officer or director of a corporation.

(4) "License" means a license issued by the Secretary that authorizes the licensee to engage in the business of providing security systems services for compensation.

(5) "Providing security systems services" means providing, on the premises of a person's residential or commercial property, the following services:

(a) Surveying the property for the purpose of installing a security system;

(b) Physically installing, maintaining, or repairing a security system for the customer; or

(c) Responding to a distress call or an alarm sounding from a security system.

(6) "Representative member" means a firm member who is appointed under this chapter to act on behalf of the firm.

(7) "Secretary" means the Secretary of State Police or the Secretary's designee.

(8) "Security systems agency" means an individual or a firm that conducts a business that provides security systems services.

(9) "Security systems technician" means an individual who personally provides security systems services.

Sec. 29.04.05.03. Extension of Effective Date

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- An individual or person who is engaged in the business of providing security system services on or before October 1, 1996, is not subject to the provisions of this chapter or required to obtain a license under this chapter until October 1, 1997.

Sec. 29.04.05.04. Duration of Regulation

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*Latest version.*

- This chapter shall remain in effect until July 1, 2016, when it shall terminate and be of no further force and effect.

Sec. 29.04.05.05. Applications and Fees

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*Latest version.*

- A. An application for a security systems agency license and a registration form for a security systems technician and an individual with access to circumventational information, shall be obtained from and returned with the fee and required documents to: Maryland State Police, Licensing Division, 7751 Washington Boulevard, Jessup, Maryland 20794.

B. The fees set forth in Regulations .06-----.12 of this chapter shall be paid by a check or money order made payable to the Maryland State Police.

Sec. 29.04.05.05. Applications and Fees

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*Latest version.*

- A. An application for a security systems agency license and a registration form for a security systems technician and an individual with access to circumventational information, shall be obtained from and returned with the fee and required documents to: Maryland State Police, Licensing Division, 7751 Washington Boulevard, Jessup, Maryland 20794.
  
- B. The fees set forth in Regulations .06-----.12 of this chapter shall be paid by a check or money order made payable to the Maryland State Police.

Sec. 29.04.05.07. Waiver of Licensing Requirements

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*Latest version.*

- The Secretary may waive the requirements of Regulation .06 of this chapter and issue a license to an applicant who:
  - A. Provides adequate evidence that the applicant:
    - (1) Is licensed to engage in the business of providing security systems services in another state, and
  
    - (2) Became licensed in another state after meeting qualifications that are at least equivalent to those required in this State including a state and national criminal record check;
  
  - B. Provides two photographs of the applicant, or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter; and

C. Pays a processing fee of \$150.

Sec. 29.04.05.08. License Renewal

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*Latest version.*

- A. The Secretary shall stagger the terms of the license, which expire as follows:
  - (1) A license issued February 1 through July 31 expires on the July 31 after 3 full years; and
  - (2) A license issued August 1 through January 31 expires on the January 31 after 3 full years.
  
- B. At least 1 month before a license expiration, the Secretary shall mail to the licensee a:
  - (1) Renewal application form; and
  - (2) Notice that states the:
    - (a) Date the current license expires,
    - (b) Date by which the renewal application shall be received for the renewal to be issued and mailed to the licensee to avoid license expiration, and
    - (c) Amount of the renewal fee.
  
- C. Before receiving a license renewal notice from the Secretary, a licensee may renew a license for an additional 3-year term if the licensee:

- (1) Is entitled to be licensed;
- (2) Submits a renewal application to the Secretary;
- (3) Submits a set of legible fingerprints of the licensee, and each firm member if applicable, on forms approved by the Criminal Justice Information System Central Repository and the Director of the Federal Bureau of Investigation;
- (4) Submits two photographs of the licensee, and of each firm member, if applicable, or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter; and
- (5) Pays a renewal fee.

D. To renew a license, the licensee shall pay:

- (1) A renewal fee of \$100 which includes the cost of the Maryland criminal records check, plus the fee authorized under Criminal Procedure Article, §10-221(b)(7), Annotated Code of Maryland, for a national criminal records check; and
- (2) The cost of the fingerprint records checks for each firm member.

E. Except as provided in §F of this regulation, before renewing a license, the Secretary shall conduct a State and national criminal record check for each licensee who applies for a license renewal.

F. The Secretary may waive the State and national criminal record check required under §E of this regulation for a licensee who was issued a license under Regulation .07 of this chapter if the licensee:

(1) Submits two photographs of the licensee or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter;

(2) Pays a \$100 processing fee; and

(3) Shows that the license:

(a) Issued by another state was renewed by that other state within 1 year of the expiration date of the license issued under Regulation .07 of this chapter, and

(b) Renewal process in the other state included a state and national criminal record check.

G. The license of each licensee who meets the requirements of this regulation shall be renewed.

H. Temporary License.

(1) If the State or national criminal records check required for renewal is not completed before a license expires, a temporary license shall be issued if all other requirements are met.

(2) A temporary license expires at the earlier of the:

(a) Completion of the records check; or

(b) Renewal or denial of the license.

Sec. 29.04.05.09. Registration Process

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*Latest version.*

- A. The following individuals shall register with the Secretary once every 3 years:
  - (1) An individual employed by security systems agencies as security systems technicians; and
  - (2) An individual with access to circumventational information.
  
- B. Those required to register shall complete the registration form provided by the Secretary and submit the following to the Secretary:
  - (1) A registration form, which has been filled out completely and signed in front of a notary;
  - (2) One Criminal Justice Information System fingerprint card and one Federal Bureau of Investigation blue applicant card;
  - (3) Two photographs of the registrant or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter;
  - (4) A registration fee of \$15; and
  - (5) The cost of the FBI and CJIS fingerprint background checks.
  
- C. A registration shall be issued to each applicant who meets the requirements of this chapter.
  
- D. Each issued registration shall include the:
  - (1) Full name of the registrant;

- (2) Current address of the registrant;
- (3) Date of the issuance of the registration; and
- (4) Date on which the registration expires.

E. Except as provided in §G(4) of this regulation, a pocket identification card shall be issued to a registrant who meets the requirements of this chapter.

F. An identification card shall include:

- (1) A photograph of the registrant; and
- (2) The date on which the registration expires.

G. Temporary Registration.

(1) When required, the Secretary shall temporarily register an individual who:

- (a) Meets the requirements for registration; and
- (b) Does not have the State or national criminal records check required.

(2) If the Secretary determines after a preliminary background investigation that the issuance of a temporary registration to an individual would result in a potential threat to public safety, the Secretary may refuse to temporarily register that individual.

(3) A temporary registration expires upon the completion of the records check.

(4) An applicant obtaining temporary registration shall receive a form of identification as determined by the Secretary.

## Sec. 29.04.05.10. Waiver of Registration Requirements

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*Latest version.*

- The Secretary may waive the requirements of Regulation .09 of this chapter and register an applicant who:

A. Provides adequate evidence that the applicant:

(1) Is licensed in another state to engage in the business of providing security systems services or registered in another state as a security systems technician or other individual who has access to circumventational information, and

(2) Became licensed or registered in another state after meeting qualifications that are at least equivalent to those required in this State including a state and national criminal record check;

B. Provides two photographs of the applicant or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter; and

C. Pays a processing fee of \$15.

## Sec. 29.04.05.11. Registration Renewal

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*Latest version.*

- A. The Secretary shall stagger the terms of registrations. A renewal shall be for a term that expires on the last day of the applicant's birth month following the third full year after issuance.
  
- B. At least 1 month before a registration expiration, the Secretary shall mail to the licensee a:
  - (1) Renewal application form; and
  
  - (2) Notice that states the:
    - (a) Date the current registration expires,
  
    - (b) Date by which the renewal application shall be received for the renewal to be issued and mailed to the licensee to avoid registration expiration, and
  
    - (c) Amount of the renewal fee.
  
- C. Before receiving a registration renewal notice from the Secretary, a registrant may renew a registration for an additional 3-year term if the registrant:
  - (1) Is entitled to be registered;
  
  - (2) Submits a renewal application to the Secretary;
  
  - (3) Submits a set of legible fingerprints of the registrant, on forms approved by the Criminal Justice Information System Central Repository and the Director of the Federal Bureau of Investigation;
  
  - (4) Submits two photographs or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter; and

(5) Pays a renewal fee.

D. To renew a registration, the registrant shall pay:

(1) A renewal fee that is the higher of \$15 or an amount the Secretary determines based on actual processing costs;

(2) The cost of the background checks; and

(3) To the Maryland State Police or to the licensed security systems agency which employs or intends to employ the registrant as a security systems technician, the mandatory processing fee required by the Federal Bureau of Investigation, for forwarding to the Maryland State Police.

E. Except as provided in §F of this regulation, before renewing a registration, the Secretary shall conduct a national criminal record check for each registrant who applies for a registration renewal.

F. The Secretary may waive the national criminal record check required under §E of this regulation for a registrant who was registered under Regulation .10 of this chapter if the registrant:

(1) Submits two photographs of the registrant or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter;

(2) Pays a \$15 processing fee; and

(3) Shows that the license or registration:

(a) Issued by another state was renewed by that other state within 1 year of the expiration date of the registration issued under Regulation .10 of this chapter, and

(b) Renewal process in the other state included a state and national criminal record check.

G. The registration of each registrant who meets the requirements of this regulation shall be renewed.

H. Temporary Registration.

(1) If the national criminal records check required for renewal is not completed before a registration expires, a temporary registration shall be issued if all other requirements are met.

(2) A temporary registration expires at the earlier of the:

(a) Completion of the records check; or

(b) Renewal or denial of the registration.

Sec. 29.04.05.12. Lost, Stolen, or Damaged Licenses and Identification Cards

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*Latest version.*

- A. A lost, stolen, or damaged license or identification card shall be reported to the Licensing Division immediately.

B. An individual reporting a license or ID card lost or stolen shall:

(1) Provide a notarized letter, on company letterhead, verifying present employment and indicating the circumstances of the loss;

(2) Provide any police reports, if available;

(3) Make an appointment to come in to the Division with proper photo identification;

(4) If the loss is for an ID card, submit two photographs or a digital image approved by the Secretary, as prescribed in Regulation .06B(4)(d) of this chapter; and

(5) Pay a \$10 processing fee by check or money order payable to the Maryland State Police.

C. An individual wishing replacement of a damaged identification card shall follow the procedures listed in §B(1) and (3)-(5) of this regulation, and return the damaged card to the Licensing Division.

D. Individuals or firms not currently licensed or employed by a licensed agency shall follow original application procedures.

#### Sec. 29.04.05.13. Licensee's Responsibilities

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*Latest version.*

- The licensee's requirements are those defined in Business Occupations and Professions Article, §13-308, Annotated Code of Maryland.

#### Sec. 29.04.05.14. Employer Bond or Insurance

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*Latest version.*

- A. In order to obtain a license, an applicant shall execute a fidelity bond as provided in §B of this regulation or maintain general liability insurance as provided §C of this regulation.

B. Fidelity Bond.

(1) The amount of the fidelity bond shall be at least \$50,000.

(2) The bond shall cover all individuals who are licensed to provide security system services, registered as security systems technicians, have access to circumventational information, or are applicants for a license or registration.

(3) If the fidelity bond is canceled, forfeited, or terminated by the surety, the:

(a) Surety shall immediately notify the Secretary; and

(b) Fidelity bond shall continue in effect until the Secretary is notified.

C. General Liability Insurance.

(1) The amount of the general liability insurance shall be at least \$50,000.

(2) If the insurance is canceled, the insured shall immediately notify the Secretary.

D. In addition to the penalties set forth in Regulation .18 of this chapter, a court of competent jurisdiction may enjoin the operation of an employer who violates the requirements of this chapter.

Sec. 29.04.05.15. Denying, Suspending, and Revoking Registrations and Licenses

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*Latest version.*

- The Secretary may deny a license or registration, reprimand a licensee or registrant, or suspend or revoke a license or registration if the applicant, licensee, registrant, or a firm member or employee of an applicant or licensee that is a firm:
  - A. Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for someone else;
  - B. Fraudulently or deceptively uses a license;
  - C. Has a similar license denied, suspended, or revoked in another jurisdiction;
  - D. Pleads guilty or nolo contendere to or is convicted of a felony, theft offense, or crime of moral turpitude;
  - E. Assists a person in fraudulently or deceptively obtaining or attempting to obtain licensure as a security systems technician under this chapter;
  - F. While not licensed, willfully engages in the business of providing security systems services or advertises as a security systems technician;
  - G. Willfully makes a false statement or misrepresentation in a renewal application or in any other document that the Secretary requires to be submitted; or
  - H. Violates any other provision of this chapter.

Sec. 29.04.05.16. Hearings for Denied, Suspended, and Revoked Applications, Licenses, and Registrations

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*Latest version.*

- A. Before any final action is taken under Regulation .15 of this chapter, the person against whom the action is contemplated shall have an opportunity for a hearing before:

(1) The Secretary; or

(2) An advisory panel consisting of the following members appointed by the Secretary;

(a) A member of the Department of State Police;

(b) A representative of the security systems industry; and

(c) Three members representing consumers.

B. The Secretary or the advisory panel shall give notice and hold the hearing in accordance with the provisions of State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

C. The hearing notice to be given to the person shall be sent by certified mail to the person's last known address at least 10 business days before the hearing.

D. The Secretary or the advisory panel may administer oaths in connection with any proceeding relating to the hearing.

E. The person may be represented at the hearing by counsel.

F. After due notice, if the person against whom the action is contemplated fails or refuses to appear, the Secretary or the advisory panel may hear and determine the matter.

G. A person aggrieved by a final decision of the Secretary or the advisory panel in a contested case, as defined in State Government Article, §10-202, Annotated Code of Maryland, may appeal as allowed in State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

Sec. 29.04.05.17. Confidentiality

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*Latest version.*

- A. The Secretary shall keep a roster of individuals registered as security systems technicians or as individuals with access to circumventational information.

B. Information obtained through an investigation of an applicant for a license or for registration under this chapter shall be confidential and, unless required by a court order, may not be divulged to a person who is not a law enforcement officer.

Sec. 29.04.05.18. Penalties

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*Latest version.*

- A. A person may not engage, attempt to engage, or offer to engage in a business of providing security systems services in the State unless licensed by the Secretary.

B. Unless authorized under this chapter to engage in the business of providing security systems services, a person may not represent to the public, by use of the title "security systems agency" or "security systems technician", by description of services, methods, or procedures, or otherwise, that the person is authorized to engage in the business of providing security systems services in the State.

C. A person may not willfully make a false statement on an application form or other document submitted to the Secretary under this chapter.

D. A person who violates any provision of this chapter is guilty of a misdemeanor and on conviction is subject to a fine up to \$1,000 or imprisonment for not more than 1 year, or both.