

West's General Laws of Rhode Island Annotated
Title 5. Businesses and Professions
Chapter 57. Burglar and Hold-up Alarm Businesses

Gen.Laws 1956, § 5-57-1

§ 5-57-1. Purpose

Currentness

The purpose of this chapter shall be to provide uniform procedures and qualifications throughout this state for the licensing of alarm businesses and the issuance of identification cards to alarm agents and certain other individuals.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-1, RI ST § 5-57-1

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-2

§ 5-57-2. Definitions

Currentness

For the purpose of this chapter, the following terms, phrases, words and their derivations have the meaning given in this chapter. When not inconsistent with the context, words used in the plural number include the singular number and words used in the singular number include the plural number:

(1) “Alarm agent” means any individual employed within this state by an alarm business, whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling or servicing of an alarm system or responding to or causing others to respond to an alarm system.

(2) “Alarm business” means and includes any business, both resident and non-resident, engaged in the installation, maintenance, alteration, repair, replacement, or servicing of alarm systems or which responds to or causes others to respond to those alarm systems at a protected premises within this state. Any “alarm business” licensed under this chapter must maintain a twenty-four (24) hour per day service structure, the terms and conditions of which or procedures for implementation are established by the licensing authority through rules and regulations.

(3) “Alarm system” means an assembly of equipment and devices (or a single device such as a solid state unit which plugs directly into a 110-volt AC line) designed to detect and signal an unauthorized intrusion into premises or to signal an attempted robbery at premises and with respect to that signal police or private guards are expected to respond. Fire alarm systems and alarm systems which monitor temperature, humidity, or any other condition not directly related to the detection of an unauthorized intrusion into premises or an attempted robbery at premises are excluded from the provisions of this chapter.

(4) “Department” means the division of professional regulation within the department of labor and training.

(5) “Director” means the director of the department of labor and training.

(6) “Licensing authority” means the department of labor and training.

(7) “Notify by mail”, when used to notify applicant of approval of license or I.D. card; or when used to forward license or permanent I.D. card to licensee or I.D. card holder means first class mail. When used to notify applicant, licensee, or I.D. card holder of intent to refuse or deny application, or suspend or revoke the license or I.D. card, or to notify a licensee, applicant, or I.D. card holder of final, refusal, denial, suspension, or revocation of that application, license or I.D. card, the term “notify by mail” means certified mail, return receipt requested.

(8) “Owner” means a person who holds an interest of twenty-five percent (25%), directly or indirectly, or more in an alarm business.

(9) “Person” means an individual, firm, partnership, corporation, or organization of any nature.

(10) “Principal corporate officer” means the president, vice president, treasurer, secretary and comptroller as well as any other person who performs functions for the corporation corresponding to those performed by the preceding officers.

(11) “Subscriber” means a person or business, which buys or obtains an alarm system and has a contract with an alarm business to monitor and/or service the alarm system.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, § 1; P.L. 1985, ch. 181, art. 12, § 2; [P.L. 2008, ch. 100, art. 33, § 5](#), eff. July 1, 2008.

Gen. Laws, 1956, § 5-57-2, RI ST § 5-57-2

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-3

§ 5-57-3. Licensing authority--Creation

Currentness

The department of labor and training shall carry out the functions and duties conferred upon it by this chapter and shall be referred to, in that context, as “the licensing authority”.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1985, ch. 181, art. 12, § 2; [P.L. 2008, ch. 100, art. 33, § 5](#), eff. July 1, 2008.

Gen. Laws, 1956, § 5-57-3, RI ST § 5-57-3

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Gen.Laws 1956, § 5-57-4

§§ 5-57-4 to 5-57-8. Repealed

[Currentness](#)

Gen. Laws, 1956, § 5-57-4, RI ST § 5-57-4

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Gen.Laws 1956, § 5-57-8

§§ 5-57-4 to 5-57-8. Repealed

[Currentness](#)

Gen. Laws, 1956, § 5-57-8, RI ST § 5-57-8

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Gen.Laws 1956, § 5-57-9

§ 5-57-9. Licensing authority--Staff

Currentness

The director of labor and training has the authority to hire and terminate the clerical and professional personnel, including a chief licensing examiner, to handle daily operations of the licensing authority that are necessary to enable it to fulfill its mandate under the provisions of this chapter. All the expenses shall be paid out of the general fund, and the state controller is authorized and directed to draw his or her orders upon the general treasurer upon receipt by him or her of properly authenticated vouchers signed by the director.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, § 1; P.L. 1985, ch. 181, art. 12, § 2; [P.L. 2008, ch. 100, art. 33, § 5](#), eff. July 1, 2008.

Gen. Laws, 1956, § 5-57-9, RI ST § 5-57-9

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Gen.Laws 1956, § 5-57-10

§ 5-57-10. Licensing authority--Seal

Currentness

The licensing authority shall have a seal, the form of which the licensing authority shall prescribe.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-10, RI ST § 5-57-10

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-11

§ 5-57-11. Licensing authority--Rules and regulations

Currentness

The authority to promulgate rules and regulations which are reasonable, proper and necessary to carry out the functions of the licensing authority; to enforce the provisions of this chapter; and, to establish procedures for the preparation and processing of examinations, applications, license certificates, I.D. cards, renewals, appeals, hearings, and rulemaking proceedings shall be vested in the licensing authority.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-11, RI ST § 5-57-11

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Gen.Laws 1956, § 5-57-12

§ 5-57-12. Licensing authority--Issuance of subpoenas--Contempt powers

Currentness

(a) In any investigation conducted under the provisions of this chapter, the licensing authority may issue subpoenas to compel the attendance of witnesses and the production of relevant books, accounts, records, and documents. The officer conducting a hearing may administer oaths and require testimony or evidence to be given under oath.

(b) If a witness refuses to obey a subpoena or give any evidence relevant to proper inquiry by the licensing authority, the licensing authority may petition a court of competent jurisdiction within the state to compel the witness to obey the subpoena.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-12, RI ST § 5-57-12

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Gen.Laws 1956, § 5-57-13

§ 5-57-13. Repealed

[Currentness](#)

Gen. Laws, 1956, § 5-57-13, RI ST § 5-57-13

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Gen.Laws 1956, § 5-57-13.1

§ 5-57-13.1. Procedures for adoption of rules

Currentness

The licensing authority shall follow the procedures for adoption of rules established by the Administrative Procedures Act, chapter 35 of title 42.

Credits

P.L. 1979, ch. 219, § 2.

Gen. Laws, 1956, § 5-57-13.1, RI ST § 5-57-13.1

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Gen.Laws 1956, § 5-57-14

§ 5-57-14. Alarm business license required--Licensing of electricians

Currentness

(a) It is unlawful and punishable as provided in § 5-57-41 for any person to engage in the alarm business within this state without having first obtained an alarm business license from the state licensing authority, subject to subsection (c) of this section; provided, that nothing contained in this chapter shall be construed to prohibit an electrician licensed pursuant to chapter 6 of this title from installing a burglar or hold-up alarm system; and provided, that no electrician licensed pursuant to this section shall install any burglar or hold-up alarm system in any bank or other financial institution or in any residential housing with four (4) units or less.

(b) Authority for the licensing of any electrician shall be vested with the department of labor and training which shall:

(1) After receipt of an application for a license, shall conduct an investigation to determine whether the facts presented in the application are true and shall receive from the department of the attorney general all records of criminal information which it has or shall receive indicating any criminal activity on the part of the individual signing the application.

(2) Deny any application of a person who has been convicted in any jurisdiction of the United States of a felony or a misdemeanor if the licensing authority finds that the conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business.

(c) Every person desiring to be engaged in the alarm business within this state shall apply to the licensing authority for a license to operate an alarm business. Any person engaged in the alarm business on July 1, 1979 and filing a timely application may continue to engage in the alarm business pending a final determination of the application. Any person not having previous experience in the alarm business and filing as a new applicant who will be the owner or principal officer of the business or branch office in this state shall not engage in the alarm business until approval by the licensing authority of his or her alarm business license and I.D. card applications for himself or herself and his or her employees.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1979, ch. 219, § 1; P.L. 1982, ch. 402, § 1; P.L. 1985, ch. 181, art. 12, § 2.

Gen. Laws, 1956, § 5-57-14, RI ST § 5-57-14

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Gen.Laws 1956, § 5-57-15

§ 5-57-15. Contents of applications for licenses

Currentness

(a) Applications for licenses required by the provisions of this chapter shall be filed with the licensing authority on a form provided by the licensing authority. If the applicant is an individual, the application shall be subscribed and sworn to by the individual. If the applicant is a firm or partnership, the application shall be subscribed and sworn to by an owner in the case of a firm, and by at least one general partner in the case of a partnership. If the applicant is an individual and does not reside, operate any business or is not employed within the state or if in the event the applicant is a firm or partnership and no owner or general partner resides, operates a business or is employed within the state, then the application must also be subscribed and sworn to by an individual having the authority and the responsibility for the management and operations of the alarm business within the state. If the applicant is a corporation, the application shall be subscribed and sworn to by at least one principal officer of the corporation. If the applicant is a corporation and none of its principal officers is responsible for the management and operations of the alarm business within the state, the application shall be subscribed and sworn to by an individual having the authority and responsibility for the management and operations of the alarm business within the state.

(b) If the applicant is a corporation, the application shall specify the date and place of its incorporation, the location of the applicant's principal place of business, a list of the principal officers of the corporation, owners of twenty-five percent (25%) or more of outstanding stock of all classes of the corporation, and the business address, residence address and the office or position held by each officer in the corporation.

(c) The application shall include the following information for each individual required to subscribe and swear to it:

(1) The individual's full name and address (business and residence);

(2) The individual's business telephone number;

(3) The individual's date and place of birth;

(4) The individual's social security number;

(5) The name and address of the individual's present place or places of employment or self-employment and the length of time engaged there;

- (6) A list of all felony and misdemeanor convictions of the individual in any jurisdiction;

 - (7) Two classifiable sets of fingerprints of the individual having the authority and the responsibility for the management and operation of the alarm business within the state, recorded in any manner that may be specified by the licensing authority; and

 - (8) Whether the individual has ever been denied in any jurisdiction a license or permit to engage in the alarm business or has had the license or permit revoked.
- (d) The application shall include the following information concerning the applicant:
- (1) The name, address and telephone number of the alarm business and the locations where it intends to operate within the state;

 - (2) A statement as to the length of time that the applicant has been engaged in the alarm business and where engaged; and the date when the alarm business or businesses commenced operation in the state or when the alarm business intends to commence that operation;

 - (3) A statement as to whether, to the best knowledge and information of the individual signing the application, and of the owners, partners or principal corporate officers of the applicant, including those not residing within the state, have been convicted in any jurisdiction of a felony or misdemeanor. If there have been any convictions, then the application must state the names of the individuals convicted and the dates and places of the convictions.
- (e) The licensing authority may require that the application include any other information which the licensing authority may reasonably deem necessary to determine whether the applicant or individual signing the application meets the requirements of this chapter or to establish the truth of the facts presented in the application.
- (f) Any individual signing a license application must be at least eighteen (18) years of age.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-15, RI ST § 5-57-15

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-16

§ 5-57-16. Experience or examination requirements

Currentness

(a) Every alarm business shall meet either the experience requirement of subsection (c) of this section or the examination requirement of subsection (f) of this section before it may engage in the alarm business.

(b) Applicants engaged in the alarm business on September 1, 1977 have three (3) months from the date of conditional approval of their alarm business application by the licensing authority to comply with the examination requirements of this section; provided, that if within that time the applicant is unable to engage an individual meeting the requirements of subsection (f) of this section, the licensing authority may for good cause shown, extend for a reasonable time, not to exceed ninety (90) days, the period within which the applicant shall comply with this section. Upon satisfactory completion of the examination, procedures, content, and passing scores for which are established in rules and regulations, the licensing authority shall lift its conditional approval and grants its full approval of the company licensed to do business. Applicants who do not take the examination must satisfy the experience requirement required by subsection (c) of this section.

(c) Experience requirement: In order to comply with this requirement, at least one individual who is an owner, officer, partner, manager, or employee of the applicant shall establish that he or she was engaged or was employed in an alarm business in sales, installation or service for an aggregate period of three (3) years prior to the filing of the application. That individual shall file with the licensing authority sworn statements relating to the foregoing facts of at least two (2) citizens of the community or communities in which that individual was so engaged or employed. The individual whom the applicant relies upon to comply with this subsection is required to devote a substantial portion of his or her time to engaging in and/or supervising the sale, installation, or servicing of alarm systems on behalf of the applicant.

(d) For the purposes of the three (3) year experience requirement of subsection (c) of this section, employment by or engagement in an alarm business in one or more communities within the state may be aggregated. In the event that the individual whom the applicant relies upon to comply with subsection (c) of this section must aggregate his or her past experience in the alarm business in two (2) or more states, the individual must submit sworn statements of two (2) or more citizens of each state or states as to that experience.

(e) If the licensing authority determines that the applicant has not satisfactorily complied with subsection (c) of this section or that the prior experience of the individual whom the applicant relies upon to comply with subsection (c) of this section is not sufficient to permit the applicant to engage in the alarm business, it may require the applicant to comply with subsection (f) of this section.

(f) Examination requirement: The licensing authority shall prepare and administer at least twice annually an examination or examinations designed to measure an individual's knowledge and competence in the alarm business. It may administer

separate examinations to test an individual's knowledge and competence with respect to the type and nature of the alarm business in which the applicant proposes to engage. The individual who qualifies under this subsection shall be required to devote a substantial portion of his or her time to engaging in and/or supervising the sale, installation, or servicing of alarm systems on behalf of the applicant.

(g) In the event that the individual whom the applicant relies upon to comply with subsection (c) of this section or to qualify under subsection (f) of this section within a period of three (3) years after that compliance or qualification for any reason ceases to perform his or her duties on a regular basis, the alarm business shall promptly notify the licensing authority by certified mail and shall make every effort to promptly obtain a substitute eligible individual acceptable to the licensing authority. If the alarm business fails to obtain a substitute eligible individual within six (6) months from and after the disqualification of the licensee, the licensing authority may revoke the alarm business license or, for good cause shown, may extend for a reasonable time the period for obtaining a substitute qualifying individual or the licensing authority may determine, based upon the experience and performance of the alarm business, that the alarm business does not need to obtain a substitute qualifying individual.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, § 1.

Gen. Laws, 1956, § 5-57-16, RI ST § 5-57-16

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Gen.Laws 1956, § 5-57-17

§ 5-57-17. Investigation of license applications

Currentness

After receipt of an application for a license, the licensing authority shall conduct an investigation to determine whether the facts presented in the application are true and shall receive from the department of the attorney general all records of criminal information which it has or receives indicating any criminal activity on the part of the individual signing the application. The department of the attorney general shall also submit the fingerprints of the individual signing the application to the federal bureau of investigation for review. The department of the attorney general shall provide the information subject to the rules and regulations promulgated by the attorney general regarding the production of that information.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-17, RI ST § 5-57-17

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Gen.Laws 1956, § 5-57-18

§ 5-57-18. Time limit for action on license applications

Currentness

Within thirty (30) days after receipt of an application, the licensing authority shall determine whether the applicant has met the requirements of this chapter. In the event that additional information is required from the applicant by the licensing authority to complete its investigation or to satisfy the requirements of this chapter, or if the applicant has not submitted all of the required information, the thirty (30) day period for action by the licensing authority shall commence when all that information is received by the licensing authority.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-18, RI ST § 5-57-18

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Gen.Laws 1956, § 5-57-19

§ 5-57-19. Grounds for denial of applications

Currentness

The licensing authority may deny the application for an alarm business license if it finds that the applicant or the individual having the authority and the responsibility for the management and operation of the applicant's alarm business within the state or the individual whom the applicant relies upon to comply with [subsection \(c\)](#) or [\(f\)](#) of [§ 5-57-16](#) or any of the applicant's owners, partners or principal corporate officers have:

- (1) Committed any act, which, if committed by a licensee, would be grounds for the revocation of a license under [§ 5-57-25\(a\)](#);
- (2) While unlicensed, knowingly and willfully committed or aided and abetted in the commission of any act for which a license is required by this chapter; or
- (3) Been convicted in any jurisdiction of the United States of a felony or a misdemeanor if the licensing authority finds that the conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-19, RI ST § 5-57-19

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Gen.Laws 1956, § 5-57-20

§ 5-57-20. Procedure for approval or denial of applications

Currentness

(a) The procedure of the licensing authority in approving or denying an application shall be as follows:

(1)(i) If the application is approved, the licensing authority shall notify the applicant, in writing, of the approval, and shall state that if bond is not received with the application, upon compliance with § 5-57-21, a license will be issued.

(ii) That notification shall state that the issued license shall expire in one year, unless renewed in accordance with §§ 5-57-22 and 5-57-23, and shall state the time within which application for renewal must be made;

(2) If the application of the alarm business is denied, the licensing authority shall notify the applicant, in writing, and shall state the grounds for denial and advise the applicant of his or her right to a hearing on the denial in accordance with the provisions established by the Administrative Procedures Act, chapter 35 of title 42. If the grounds for denial are subject to correction by the applicant, the notice of denial shall state and the applicant shall be given reasonable time after receipt and acknowledgement of that notice, at the discretion of the licensing authority (or, upon application, a reasonable period of time), within which to make the required correction.

(b) If the application of the alarm business is denied, the applicant may schedule a hearing to be held before the licensing authority or an officer designated by the licensing authority in accordance with the provisions for that hearing as prescribed in the Administrative Procedures Act, chapter 35 of title 42.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, § 1.

Gen. Laws, 1956, § 5-57-20, RI ST § 5-57-20

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Gen.Laws 1956, § 5-57-21

§ 5-57-21. Surety bond

Currentness

(a) No license shall be issued under this chapter until the applicant files with the licensing authority a surety bond made payable to the state in the sum of ten thousand dollars (\$10,000.00) conditioned to recover against the principal, by reason of wrongful acts of a material nature knowingly engaged in by the licensee in the conduct of its business. No party other than the licensing authority shall recover against the bond required by this section. The surety bond must be written by a company authorized to do business in this state and approved by the licensing authority with respect to its form, manner of execution and sufficiency.

(b) Every licensee shall at all times maintain on file with the licensing authority the surety bond, in full force and effect, required by this chapter. Knowing and willful failure to do so shall be unlawful and punishable as provided in [§ 5-57-41](#).

(c) A bond executed and filed with the licensing authority pursuant to this chapter shall remain in force and effect until the surety has terminated future liability by notice to the licensing authority thirty (30) days in advance of termination.

(d) The sum of ten thousand dollars (\$10,000) in cash may be deposited with the state in lieu of the surety bond required by this chapter.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1.

Gen. Laws, 1956, § 5-57-21, RI ST § 5-57-21

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Gen.Laws 1956, § 5-57-22

§ 5-57-22. Renewal of licenses

Currentness

Application for renewal of a license must be received by the licensing authority on a form provided by the licensing authority no less than thirty (30) days prior to the expiration date of the license, subject to the right of the licensing authority to permit late filing upon good cause shown. The licensing authority may refuse to renew a license for any of the grounds stated in § 5-57-19(1) and it shall promptly notify the licensee of its intent to refuse to renew the license. The licensee may, within fifteen (15) days after receipt of the notice of intent to refuse to renew a license, request a hearing on that refusal in the manner prescribed in § 5-57-20(b). A licensee shall be permitted to continue to engage in the alarm business while its renewal application is pending.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1987, ch. 184, § 8.

Gen. Laws, 1956, § 5-57-22, RI ST § 5-57-22

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Gen.Laws 1956, § 5-57-23

§ 5-57-23. Application, license, replacement and renewal fees

Currentness

(a) A nonrefundable application fee of one hundred twenty-five dollars (\$125) shall be remitted with each application to cover investigation and administrative costs.

(b) The licensing authority shall promulgate rules and regulations mandating the term of license for each license issued pursuant to this chapter; no license shall remain in force for a period in excess of three (3) years.

(c) Any fee for the initial issuance of a license or for the renewal of a license shall be determined by multiplying the per annum fee by the term of years of the license. The entire fee for the total term of licensure shall be paid prior to issuing the initial license or renewal.

(d) The per annum fee for the initial issuance of a license shall be one hundred dollars (\$100.00) which shall be remitted with the application, but which shall be refunded if the application of the alarm business is denied or withdrawn before approved.

(e)(1) The licensee shall submit a completed renewal application form not later than thirty (30) days before the expiration of the license with a fifty dollar (\$50.00) nonrefundable administrative fee to cover the cost of processing the renewal application.

(2) The per annum fee for renewal shall be one hundred dollars (\$100.00). If the renewal application of the licensee is denied, the annual fee will be refunded.

(f) All fees shall be paid into the general fund.

(g) There shall be a ten dollar (\$10.00) charge for the issuance of a duplicate license to replace a lost, damaged original, or renewal license. Fees for the replacement license shall be paid into the general fund.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, §§ 1, 2; P.L. 1987, ch. 184, § 9; [P.L. 2004, ch. 595, art. 30, § 7](#).

Gen. Laws, 1956, § 5-57-23, RI ST § 5-57-23

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Title 5. Businesses and Professions
Chapter 57. Burglar and Hold-up Alarm Businesses

Gen.Laws 1956, § 5-57-24

§ 5-57-24. Transfer for assignment of licenses--Continuation of business upon owner's death

Currentness

(a) No license issued pursuant to the provisions of this chapter shall be assigned or transferred, either by operation of law or otherwise.

(b) If the license is held by an owner rather than a corporation and that owner dies, becomes disabled or ceases to engage in the alarm business, the successor, heir, devisee, or personal representative of that owner, within thirty (30) days of the death, disablement, or termination of operation by the original licensee, shall apply for an alarm business license on a form prescribed by the licensing authority. This form shall include the same information required by § 5-57-15. The transferee shall be subject to the same requirements and procedures prescribed in §§ 5-57-16 - 5-57-21 to the extent the sections are applicable. The new applicant may assume that the unexpired portion of the license will remain in effect until its expiration date. The applicant shall pay a pro-rated license fee established by the licensing authority to include that portion of the license which remains unexpired since its last date of issue or renewal.

(c) In the event that a sale, assignment, or transfer of an alarm business licensed under this chapter is consummated, then the purchaser, assignee, or transferee shall be subject to the same requirements and procedures prescribed in §§ 5-57-15 - 5-57-21 to the extent those sections are applicable.

(d) With good cause, the licensing authority may extend the period of time for filing the application required by subsections (b) and (c) of this section.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1.

Gen. Laws, 1956, § 5-57-24, RI ST § 5-57-24

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-25

§ 5-57-25. Grounds and procedure for revocation of licenses

Currentness

(a) Licenses for alarm businesses may be revoked by the licensing authority in the manner stated in this section if the licensee or any of its owners, partners, principal corporate officers, or the individual having the authority and the responsibility for the management and operation of the alarm business within the state are:

(1) Found to have violated any of the provisions of this chapter or any rule or regulation of the licensing authority which violation the licensing authority determines to reflect unfavorably upon the fitness of the licensee to engage in the alarm business;

(2) Found to have knowingly and willfully given any false information of a material nature in connection with an application for a license or a renewal or reinstatement of a license or in a notice of transfer of an alarm business licensed under this chapter;

(3) Found to have been convicted in any jurisdiction of a felony or a misdemeanor if the licensing authority determines that the conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business; or

(4) Found to have committed any act while the license was not in effect which would be cause for the revocation of a license, or grounds for the denial of an application for a license of an alarm business.

(b) Prior to revocation of a license, the licensing authority shall promptly notify the licensee of its intent to issue an order of revocation and shall advise the licensee of his or her right to a hearing on the revocation in accordance with the provisions of the Administrative Procedures Act, chapter 35 of title 42.

(c) Within ninety (90) days after the licensee has exhausted all rights of appeal under the Administrative Procedures Act, or, if the licensee does not seek a hearing after receipt of a notice of intent to revoke from the licensing authority, then within sixty (60) days after receipt of the notice of intent to revoke, the licensee shall notify all of its subscribers within the state of that revocation and shall maintain in its records a copy of those notices. The licensee shall cease to perform any services for which it has been licensed under this chapter within sixty (60) days of its receipt of the final notice of intent to revoke from the licensing authority.

(d) Under circumstances in which the licensing authority determines that the public health, welfare, or safety may be jeopardized by the termination of a licensee's services, the licensing authority may upon its own motion or upon

application by the licensee or any party affected by that termination extend the time for the termination of the licensee's operations, subject to the reasonable, necessary and proper conditions or restrictions that it deems appropriate.

(e) After the licensing authority issues a notice of intent to revoke a license, the licensee may request that it be permitted to continue to operate subject to the terms of a written order of consent issued by the licensing authority, requiring the licensee to correct the conditions stated as grounds for revocation in the notice of intent to revoke and imposing reasonable conditions and restrictions on the licensee in the conduct of its business. The licensing authority may in its sole discretion grant or deny a request and may stay or postpone any proceeding being conducted pursuant to subsection (b) of this section. Negotiations for a consent order may be requested at any time during revocation proceedings and stay of pending proceedings during those negotiations are within the sole discretion of the licensing authority. If revocation proceedings are before a court and the licensing authority shall submit the proposed order to the court, which may approve or disapprove the proposed order or require modification of the proposed consent order before approval.

(f) The licensing authority shall enact reasonable rules and regulations for determination of whether the licensee has complied with a consent order issued pursuant to subsection (e) of this section. If the licensing authority determines that the licensee has failed to comply, it may revoke that order and conduct proceedings for the revocation of the license. If the consent order is approved by a court, then the licensing authority shall petition that court for vacation of the order. The court shall hold a hearing to determine if the order should be vacated. If the court vacates the consent order, the licensing authority may conduct proceedings for revocation of the license.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1979, ch. 219, § 1.

Gen. Laws, 1956, § 5-57-25, RI ST § 5-57-25

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-26

§ 5-57-26. Form of license

Currentness

The license, when issued, shall be in a form prescribed by the licensing authority and shall include:

- (1) The name of the licensee;
- (2) The nature and type of service to be performed;
- (3) The business name under which the licensee is authorized to operate;
- (4) The addresses of the locations where the licensee is authorized to operate; and
- (5) The number and date of the license and its date of expiration.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-26, RI ST § 5-57-26

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Gen.Laws 1956, § 5-57-27

§ 5-57-27. Posting of license certificates and notices of license revocation

Currentness

(a) Within seventy-two (72) hours after receipt of the license certificate, the licensee shall cause the license certificate to be posted and displayed at all times in a conspicuous place in the principal office of the licensee within the state. Copies of the license certificate shall also be displayed at all times in any other offices within the state where the alarm business transacts business with its customers, so that all persons visiting that place or places may readily see the license. Those license certificates or copies shall be subject to inspection at all reasonable times by the licensing authority.

(b) It is unlawful for any person holding a license certificate to knowingly and willfully post that license certificate or permit that license certificate to be posted upon premises other than those described in the license certificate or to knowingly and willfully alter that license certificate. Each license certificate shall be surrendered to the licensing authority within seventy-two (72) hours after it is revoked or after the licensee ceases to do business, subject to § 5-57-20(b). If, the licensing authority or a court of competent jurisdiction has pending before it any matter relating to the renewal, revocation, or transfer of a license, the licensee is not required to surrender the license until the matter has been adjudicated and all appeals have been exhausted. When the licensee receives final notice that its license is revoked, a copy of that notice shall be displayed and posted in close proximity to the license certificate until the licensee terminates its operations.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-27, RI ST § 5-57-27

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-28

§ 5-57-28. Change in status of licensee

Currentness

The licensee shall notify the licensing authority within thirty (30) days of any material change in the operations of the business or information previously furnished or required to be furnished to the licensing authority or any occurrence which could be reasonably expected to affect the licensee's right to a license under this chapter.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-28, RI ST § 5-57-28

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Gen.Laws 1956, § 5-57-29

§ 5-57-29. I.D. cards--Requirement--Application--Issuance or denial

Currentness

(a) It is unlawful and punishable as provided in § 5-57-41 for any individual to function as an alarm agent or to perform the duties described in subsections (b) and (c) of this section without first obtaining an identification card (referred to as "I.D." card).

(b) Owners, principal corporate officers, partners, and managers of all alarm businesses shall be required to obtain I.D. cards if they directly engage in selling, installing, altering, servicing, moving, maintaining, repairing, replacing, monitoring, responding to, or causing others to respond to, alarm systems within the state.

(c) Any individual engaged in the alarm business or employed by or associated with an alarm business within the state who is not an alarm agent but who has access to confidential information relating to a customer or subscriber of an alarm business or who monitors radio equipment used in connection with an alarm business must also obtain an I.D. card.

(d) Individuals required to obtain an I.D. card under this section shall file a joint application for a temporary and permanent I.D. card and upon completion, the alarm business shall immediately forward the application form to the licensing authority and shall retain a copy of the application in its files. Alarm businesses shall issue temporary I.D. cards in the manner prescribed in subsection (g) of this section until the I.D. card applicant obtains a permanent I.D. card from the licensing authority.

(e) A person engaged in the alarm business on September 1, 1977 has authority to and is required to issue to its alarm agents or other individuals required to obtain I.D. cards under this section temporary I.D. cards (as provided in subsection (g) of this section) while the application of that person for an alarm business license is pending. If that alarm business application is finally denied, the alarm business no longer has authority to issue temporary I.D. cards. All temporary I.D. cards issued by that alarm business shall become void and shall be returned by the temporary I.D. cardholders to the issuer.

(f) Application for an I.D. card shall be on a form prescribed by the licensing authority and shall include the following:

(1) The I.D. card applicant's full name and any other names previously used, current residence and business addresses and telephone numbers;

(2) Date and place of birth;

- (3) Whether the I.D. card applicant is applying as an alarm agent or as an individual required to obtain an I.D. card under subsection (b) or (c) of this section;
- (4) A list of all felony and misdemeanor convictions of the I.D. card applicant in any jurisdiction;
- (5) Two classifiable sets of fingerprints recorded in the manner that may be specified by the licensing authority;
- (6) Two recent photographs of a type prescribed by the licensing authority;
- (7) The name and address of the alarm business, which employs or will employ or engage the I.D. card applicant;
- (8) The application shall include a statement by the alarm business which employs or will employ the I.D. card applicant or engage the I.D. card applicant as to whether that alarm business:
 - (i) Is licensed under this chapter;
 - (ii) Has a license application pending before the licensing authority; or
 - (iii) Is unlicensed and does not have an application pending before the licensing authority but was engaged in the alarm business within the state on September 1, 1977 and intends to file a timely application for an alarm business license under this chapter;
- (9) A statement by the alarm business as to whether it has issued a temporary I.D. card to the I.D. card applicant. If the alarm business has issued a temporary I.D. card, the alarm business shall state the date of issuance of the card and the card number;
- (10) The I.D. card applicant's employment record for the prior three (3) years;
- (11) A statement whether the applicant has been denied an alarm agent, guard or private investigator license, permit or I.D. card or business license for an alarm business, guard or private investigator business in any jurisdiction and whether that license, permit or I.D. card has been revoked;
- (12) A statement that the I.D. card applicant will inform the licensing authority of any material change in the information stated in the I.D. card applicant's form within ten (10) days after that change; and
- (13) Any other information, which the licensing authority may reasonably deem necessary to determine whether an applicant for an I.D. card meets the requirements of this chapter.

(g) A temporary I.D. card shall be issued by an alarm business licensed under this chapter to any of its alarm agents or any other individual required to obtain an I.D. card prior to the issuance of a permanent I.D. card for this individual by the licensing authority. The form for temporary I.D. cards shall be at the discretion of the alarm business, but shall only be with the approval of the licensing authority. The form for permanent I.D. cards shall be prescribed by the licensing authority and shall include the following information concerning the I.D. cardholder:

(1) Full name and signature;

(2) An I.D. card number and date of issuance of the card;

(3) Date and place of birth;

(4) Name and address of the alarm business which employs the applicant or with which the applicant is associated;

(5) Date of commencement of employment or association with the alarm business; and

(6) A recent photograph of the I.D. cardholder.

(h) Before issuing a permanent I.D. card, the licensing authority shall require the prospective I.D. cardholder to submit on forms provided by the licensing authority the names and addresses of two (2) references who can verify the applicant's good moral character and competency to install alarms or alarm systems and the names and addresses of employers of the prospective I.D. cardholder for the past three (3) years, and shall make reasonable and prudent inquiries to determine whether the applicant meets the requirements of this section. If the licensing authority has reason to believe that the individual required to obtain a permanent I.D. card does not meet the requirements of this section, no permanent I.D. card shall be issued by the licensing authority.

(i) Any alarm business issuing a temporary I.D. card shall promptly report to the licensing authority the name, address, and I.D. card number of the individual to whom it has issued a temporary I.D. card.

(j) The temporary or permanent I.D. card shall be carried by an individual required to obtain an I.D. card under this chapter whenever that individual is engaged in the alarm business and shall be exhibited upon request.

(k) Application for an I.D. card to the licensing authority shall be accompanied by a thirty dollar (\$30.00) fee to cover the cost of processing the application and investigating the applicant. The fees collected shall be paid into the general fund.

(l) The licensing authority may refuse to issue an I.D. card if the I.D. card applicant has been convicted of a felony or a misdemeanor in any jurisdiction and the licensing authority finds that the conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business or to be employed by an alarm business.

(m) The permanent I.D. card issued by the licensing authority shall include the items listed in subsection (g) of this section and the expiration date of the I.D. card.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, § 1; [P.L. 2004, ch. 595, art. 30, § 7](#).

Gen. Laws, 1956, § 5-57-29, RI ST § 5-57-29

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Gen.Laws 1956, § 5-57-30

§ 5-57-30. Investigation of I.D. card applications

Currentness

After receipt of an application for an I.D. card, the licensing authority shall conduct an investigation to determine whether the facts stated in the application are true and shall receive from the department of the attorney general all records of criminal information which it has or receives indicating any criminal activity on the part of the applicant for an I.D. card. The department of the attorney general will also submit the fingerprints of the applicant for an I.D. card to the federal bureau of investigation for review. The department of the attorney general shall provide the information subject to the rules and regulations promulgated by the attorney general regarding the production of the information.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-30, RI ST § 5-57-30

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Gen.Laws 1956, § 5-57-31

§ 5-57-31. Time limitation on actions on I.D. card applications

Currentness

Action to approve or deny an application of an individual for an I.D. card shall be taken as expeditiously as possible by the licensing authority, but that action shall be taken within ninety (90) days after receipt of the application unless the licensing authority requires additional information from the I.D. card applicant. In that event, or if additional facts are required to satisfy the requirements of this chapter, or if the applicant has not submitted all the required information, the ninety (90) day period for action by the licensing authority shall commence when all the information is received by the licensing authority.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-31, RI ST § 5-57-31

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Gen.Laws 1956, § 5-57-32

§ 5-57-32. Request for hearing upon notice of denial of I.D. card application

Currentness

After receipt of written notice from the licensing authority of denial of an I.D. card, the I.D. card applicant may request a hearing in the same manner and in accordance with the same procedure as that provided in [§ 5-57-20\(b\)](#).

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-32, RI ST § 5-57-32

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Gen.Laws 1956, § 5-57-33

§ 5-57-33. Grounds and procedure for suspension or revocation of I.D. cards

Currentness

(a) For purposes of this section only, when the term “alarm agent” is used, it also applies to an individual required to obtain a permanent I.D. card from the licensing authority or a temporary I.D. card from an alarm business subject to this chapter.

(b) Alarm agent I.D. cards may be suspended or revoked by the licensing authority in the manner prescribed in this section if the cardholder has:

(1) Been found to have violated any of the provisions of this chapter or any rule or regulation of the licensing authority if the licensing authority determines that the violation reflects unfavorably upon the fitness of the I.D. cardholder to function as an alarm agent;

(2) Knowingly and willfully given any material false information to the licensing authority in connection with an application for an I.D. card or a renewal or reinstatement of an I.D. card under this chapter or in the submission of any material fact to the licensing authority;

(3) Been convicted in any jurisdiction of a felony or a misdemeanor if the licensing authority finds that conviction to reflect unfavorably on the fitness of the I.D. cardholder to function as an alarm agent.

(c) Prior to suspension or revocation of an I.D. card, the licensing authority shall promptly notify the I.D. cardholder and the alarm business by which the cardholder is employed or engaged of the proposed action presenting in reasonable detail the ground or grounds for suspension or revocation. The I.D. cardholder may request a hearing in the same manner and in accordance with the same procedure as that provided in [§ 5-57-25\(b\)](#).

(d) In the event that the licensing authority suspends or revokes an I.D. card, the cardholder, upon receipt of the notice of suspension or revocation, shall cease to perform any services related to the alarm business.

(e) Both the I.D. cardholder and the alarm business which employs him or her or engages him or her shall be notified by the licensing authority of final action to suspend or revoke an I.D. card.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-33, RI ST § 5-57-33

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Gen.Laws 1956, § 5-57-34

§ 5-57-34. Nontransferability of I.D. cards

Currentness

No I.D. card issued pursuant to the provisions of this chapter shall be transferable. I.D. cards issued by the licensing authority must be surrendered to the licensing authority by the I.D. cardholder or employer of the cardholder upon termination of employment. A new application for an I.D. card must be submitted to the licensing authority if the I.D. cardholder is subsequently employed by another alarm business. Temporary I.D. cards issued by alarm businesses must also be surrendered to the alarm business issuing that card by the I.D. cardholder upon termination of employment or association with the alarm business. Willful and knowing refusal upon request of the licensing authority or the alarm business to return an I.D. card is a misdemeanor. No new application or fee shall be required of a cardholder who, following voluntary termination, returns to employment with the same alarm business if reinstatement takes place within six (6) months of the issuance of the original or renewal I.D. card. After notification of reinstatement, the licensing authority shall forward the reclaimed cardholder's I.D. card to the employing alarm business for dispersal to the cardholder. The re-issued I.D. card shall expire two (2) years from the original date of issue. The break in service between employment, termination, and re-employment of the cardholder with the alarm business shall be documented on the next application for renewal submitted at the required time to the licensing authority.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1979, ch. 219, § 1.

Gen. Laws, 1956, § 5-57-34, RI ST § 5-57-34

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Gen.Laws 1956, § 5-57-35

§ 5-57-35. Renewal and replacement of I.D. cards--Notification of changes

Currentness

(a) I.D. cards issued by the licensing authority shall be valid for a period of two (2) years. An I.D. card renewal form must be filed by the cardholder with the licensing authority not less than thirty (30) days prior to the expiration of the I.D. card. The fee for renewal of an I.D. card shall be fifteen dollars (\$15.00) and shall be paid into the general fund.

(b) The licensing authority may refuse to renew an I.D. card on any of the grounds stated in § 5-57-19(1), and the licensing authority shall promptly notify the I.D. cardholder of its intent to refuse to renew the license. The I.D. cardholder may within fifteen (15) days after receipt of the notice of intent to refuse to renew an I.D. card, request a hearing on that refusal in the same manner and in accordance with the same procedure as that provided in § 5-57-20(b).

(c) An alarm business shall notify the licensing authority within ten (10) days after the death or termination of employment of any of its employees or of any individual associated with the alarm business who holds an I.D. card issued by it or by the licensing authority.

(d) There shall be a five dollar (\$5.00) charge for the issuance of a duplicate I.D. card to replace a lost, damaged, or destroyed original, or renewal I.D. card. Fees for the replacement shall be paid into the general fund.

Credits

P.L. 1977, ch. 248, § 1; P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, §§ 1, 2; P.L. 2004, ch. 595, art. 30, § 7.

Gen. Laws, 1956, § 5-57-35, RI ST § 5-57-35

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Gen.Laws 1956, § 5-57-36

§ 5-57-36. Expiration and renewal during suspension of use of an I.D. card

Currentness

An I.D. card shall be subject to expiration and renewal during the period in which the holder of the I.D. card is subject to an order of suspension.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-36, RI ST § 5-57-36

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Gen.Laws 1956, § 5-57-37

§ 5-57-37. Activities of I.D. cardholders after notice of suspension or revocation of I.D. card

Currentness

After an alarm agent or any other individual required to obtain an I.D. card under this chapter has received a notice of suspension or revocation of his or her I.D. card, that individual shall not engage in the alarm business unless specifically authorized to do so by order of the licensing authority or by order of the superior court.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-37, RI ST § 5-57-37

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Gen.Laws 1956, § 5-57-38

§ 5-57-38. Local governmental regulations of alarm business or alarm agents

Currentness

(a) On September 1, 1977, no local governmental subdivision within this state shall enact any ordinance or promulgate any rules or regulations relating to the licensing of alarm businesses, alarm agents or other individuals required to obtain an I.D. card under this chapter.

(b) Sixty (60) days after September 1, 1977, any provision of any legislation or rules or regulations of any local governmental subdivision within the state requiring the licensing of an alarm business or requiring that alarm agents or other individuals employed by or associated with an alarm business obtain I.D. cards are no longer effective.

(c) The provisions of this chapter are not intended to and do not prevent the legally constituted authority of any local governmental subdivision within the state by legislation, rules or regulations, and within the police power of that local governmental subdivision, from requiring alarm businesses and/or alarm agents to register their names, addresses, and license certificate number or I.D. card number with the local governmental subdivision within which they operate. Those local governmental subdivisions may also require that alarm businesses and alarm agents shall be given reasonable notice of termination or suspension of licenses and I.D. cards. No fee may be charged nor may any application be required by any local governmental subdivision for that registration.

(d) Although this chapter pre-empts local governmental subdivisions from enacting any licensing legislation or promulgating licensing rules or regulations applicable to alarm business or alarm agents, local governmental authorities may by legislation or reasonable rules or regulations require alarm system users in their jurisdiction to obtain a permit at the time of installation and fix a nominal fee for those permits, those fees shall not exceed twenty-five dollars (\$25.00).

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-38, RI ST § 5-57-38

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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Gen.Laws 1956, § 5-57-39

§ 5-57-39. Judicial review

Currentness

Any person aggrieved by any final action of the licensing authority under this chapter shall have the right of appeal directly to the superior court and shall be entitled to a trial de novo. After the superior court has acquired jurisdiction, all administrative action taken on that matter prior to this shall be stayed. The rights of the parties shall be determined by the court upon a trial of the matter or matters in controversy under rules governing the trial of other civil suits in the same manner and to the same extent as though the matter had been committed to the court in the first instance and there had been no intervening administrative or executive action or decision.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-39, RI ST § 5-57-39

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Gen.Laws 1956, § 5-57-40

§ 5-57-40. Reinstatement of a revoked license or I.D. card

Currentness

The licensing authority shall have authority to consider a petition for reinstatement of a revoked alarm business license.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-40, RI ST § 5-57-40

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

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West's General Laws of Rhode Island Annotated
Title 5. Businesses and Professions
Chapter 57. Burglar and Hold-up Alarm Businesses

Gen.Laws 1956, § 5-57-41

§ 5-57-41. Penalties for violations

Currentness

(a) Any person found guilty of violating any of the following provisions of this chapter shall be subject to a fine not to exceed five hundred dollars (\$500), or imprisonment for a period not to exceed ninety (90) days, or both:

- (1) Engaging in the alarm business without complying with [§ 5-57-14](#);
- (2) Failure to obtain an I.D. card as required by [§ 5-57-29](#);
- (3) Willful and knowing failure to file or maintain on file the surety bond as required by [§ 5-57-21](#);
- (4) Willful and knowing failure of an alarm business to notify its subscribers of revocation of its license as required by [§ 5-57-25\(c\)](#); and
- (5) Willful and knowing failure to surrender a license certificate as required by [§ 5-57-27\(b\)](#) or to surrender an I.D. card as required by [§ 5-57-34](#).

(b) Any person found guilty of willfully and knowingly submitting false information of a material nature in any application for an alarm business license or for an I.D. card, or for renewal applications, shall be subject to a fine not to exceed five hundred dollars (\$500), or imprisonment for a period not to exceed ninety (90) days, or both.

Credits

P.L. 1977, ch. 248, § 1.

Gen. Laws, 1956, § 5-57-41, RI ST § 5-57-41

Current through Chapter 21 of the 2019 Regular Session. Some statute sections may be more current, see credits for details

West's General Laws of Rhode Island Annotated
Title 5. Businesses and Professions
Chapter 57. Burglar and Hold-up Alarm Businesses

Gen.Laws 1956, § 5-57-42

§ 5-57-42. Appropriations

Currentness

The general assembly shall annually appropriate any sum that it deems necessary to carry out the purposes of this chapter and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of any sum or so much that may be required from time to time, upon the receipt by him or her of authenticated vouchers.

Credits

P.L. 1978, ch. 119, § 1; P.L. 1979, ch. 219, § 1.

Gen. Laws, 1956, § 5-57-42, RI ST § 5-57-42

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