

Chapter 81

(Senate Bill 512)

AN ACT concerning

Maryland Locksmiths Act – Revisions – Definitions and Records Inspection

FOR the purpose of altering the definition of “fixed business address” as it relates to the Maryland Locksmiths Act to include a business location outside Maryland where a licensed locksmith conducts a business and is available at certain times; altering the definition of “local law enforcement unit” as it relates to the Maryland Locksmiths Act to include only in-State police departments and sheriffs that are designated by certain entities based on the address of a licensed locksmith for certain purposes; requiring licensed locksmiths to make certain records available for inspection by the Department of Labor, Licensing, and Regulation under certain circumstances; and generally relating to the revision of definitions and records requirements of the Maryland Locksmiths Act.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12.5–101 and 12.5–302
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

12.5–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Business” means a commercial entity that provides locksmith services.
- (c) “Employee” means an individual employed by a licensed locksmith to provide locksmith services on behalf of the licensed locksmith.
- (d) “Fixed business address” means a single physical location [in the State] where a licensee [regularly] conducts business and at which the licensee or an employee of the licensee is [physically present] AVAILABLE:
 - (1) during normal business hours; or

(2) other hours as provided in the application for the license.

(e) “License” means a license issued by the Secretary to provide locksmith services.

(f) “Licensed locksmith” means, unless the context requires otherwise, a business that is licensed by the Secretary to provide locksmith services.

(g) “Local law enforcement unit” means the Department of State Police, a police department **IN THE STATE**, or sheriff **IN THE STATE**[:

(1) [as] designated by the county or municipal governing body **FOR A LICENSEE WITH AN IN-STATE FIXED BUSINESS ADDRESS; OR**

(2) **DESIGNATED BY THE SECRETARY FOR A LICENSEE WITH AN OUT-OF-STATE FIXED BUSINESS ADDRESS.**

(h) “Provide locksmith services” means to engage professionally and for compensation in:

(1) repairing, rebuilding, rekeying, repinning, recombining, adjusting, or installing mechanical, electrical, or electromechanical locking devices, safes, vaults, or safe deposit boxes; or

(2) operating a mechanical, electrical, or electromechanical locking device or opening safes, vaults, or safe deposit boxes by a means other than that intended by the manufacturer of such locking devices.

12.5-302.

Unless otherwise authorized by the Secretary, a licensed locksmith shall keep a copy of each invoice or receipt for services required by this subtitle, at the fixed business address provided by the licensee to the Secretary, for 3 years after the date of the service call **AND, ON REASONABLE NOTICE FROM THE DEPARTMENT, MAKE REQUIRED RECORDS AVAILABLE FOR INSPECTION BY THE DEPARTMENT.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, April 13, 2010.