

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 304 Department or Agency Alabama Electronic Security Board of
Licensure

Rule No. 304-X-1-.04

Rule Title: Educational Requirements

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Lynne Taunton*
Date June 10, 2011

(DATE FILED)
(STAMP)

ALABAMA ELECTRONIC SECURITY BOARD OF LICENSURE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Electronic Security Board of Licensure

RULE NO. & TITLE: 304-X-1-.04 Educational Requirements

INTENDED ACTION: To Amend Rule

SUBSTANCE OF PROPOSED ACTION:

To change heading (1) Burglar Alarms to Qualifying Agents. In (1)(a) delete identifier and begin sentence "For Qualifying Agents installing or servicing burglar alarm systems, effective". Renumber 1. as (b) and clarify "(12 hours of approved continuing education) or current status". Renumber 2. as (c) and delete "renewing" and add "and passed the proctored exam in order to obtain or renew a license". Add (d) relative to required CCTV training. Delete remainder of Section (1). In Section (2) clarify Central Station Operators, delete personnel identifier and add "in order to obtain or renew a license". Change Section (3) from CCTV to Installers. In (3)(a) delete reference to Qualifying Agent and add requirement for Level 1 training. In (3)(b) delete reference to CCTV training and add electronic access control training requirement. Delete (3)(b)1. Renumber (3)(b)2. as (c) and add "NTS Certified Alarm Technician (Level1) proctored test, or the". Renumber (3)(b)3. as (d) and delete "a CCTV" and add "an" before installer and add "(12 hours of approved continuing education units) or current status". Delete (c) and (c)(1) in Section (3). Delete Section (4). Renumber Section (5) as (4) and delete locksmith identifier in (a), delete (b) and renumber (c) and (d). Add Section (5) regarding Salespersons and required training in (a) and continuing education in (b). Add (6)(e) to encourage training for Helpers. Add (6)(f) to provide for a possible waiver for Qualifying Agents' CCTV training. Add (6)(g) to provide for a possible waiver for Locksmiths' continuing education training. Add (6)(h) and (i) for possible loss of waivers.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments may be submitted to; Alabama Electronic Security Board of Licensure, 7956 Vaughn Road, PMB 392, Montgomery, AL 36116.


Public Hearing; Tuesday, August 9, 2011, 9:30 a.m., Alabama Industrial Development Training Center, One Technology Court, Montgomery, AL

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 90, 2011

CONTACT PERSON AT AGENCY:

**Lynne Taunton, Executive Secretary, Alabama Electronic Security Board of
Licensure, 7956 Vaughn Road, PMB 392, Montgomery, AL 36116**



Lynne Taunton, Executive Secretary

Educational Requirements.**(1) Burglar Alarms Qualifying Agents**

(a) ~~Qualifying Agent Installing Burglar Alarms Systems.~~ Effective For Qualifying Agents installing or servicing burglar alarm systems, effective January 1, 2000, the Certified Alarm Technician certification of the National Training School (NTS) of the Electronic Security Association (ESA), formally the National Burglar and Fire Alarm Association (NBFAA), must be passed in a proctored exam in order to obtain a license. A license will not be issued to a burglar alarm company unless the company has a licensed Qualifying Agent. Effective January 1, 2001, Level 2 or Advanced Burglar Alarm Technician (ABAT) of the National Training School (NTS) of ESA must be passed in a proctored exam in order to obtain a license.

1. (b) To ensure continued competency, effective January 1, 2005, all Qualifying Agents must demonstrate completion of educational requirements equivalent to those required for current status (12 hours of approved continuing education) or current status with their NTS Certified Alarm Technician certification in order to obtain or renew a license.

2. (c) Effective January 1, 2011, all ~~renewing~~ Qualifying Agents at alarm system companies which also install or service electronic access control (A) systems must demonstrate that they have taken the NTS Electronic Access Control class or the ALOA 2 day Comprehensive Access Control class and passed the proctored exam in order to obtain or renew a license.

(d) Effective January 1, 2012, all Qualifying Agents at companies which install or service CCTV systems must show that they have passed the NTS Video System Technology course and proctored exam or Board approved CCTV training in order to obtain or renew a license.

~~(b) Registrant Licensee for an Installer of Alarm Systems. A registrant who performs the duties of an alarm system installer must have passed the NTS Certified Alarm Technician proctored test or Board approved exam in order to obtain a license on January 1, 2000, and thereafter.~~

~~1. Effective January 1, 2005, a registrant who performs the duties of an alarm system installer and is applying for a license as a new applicant must pass the AESBL test or pass the NTS Certified Alarm Technician proctored test within six (6) months of beginning employment with an electronic security business operating in Alabama. New applicants must complete NTS Certified Alarm Technician and pass the proctored test within twelve (12) months of beginning employment with a burglar alarm system business operating in Alabama.~~

~~2. To ensure continued competency, all renewing registrants who perform the duties of an alarm system installer on or after January 1, 2005, must demonstrate completion of educational requirements equivalent to those required for current status with NTS Certified Alarm Technician certification in order to obtain or renew a license.~~

~~3. Effective January 1, 2011, all renewing alarm system registrants who also perform the duties of an electronic access control system (A) installer must demonstrate that they have taken the NTS Electronic Access Control class or the ALOA 2 day Comprehensive Access Control class.~~

~~(e) Registrant Licensee for an Alarm Systems Sales Person. A registrant who is primarily in alarm systems sales must pass the NTS Level I test, the NTS or Board approved sales equivalent, or the "NTS Understanding Alarms," in order to obtain a license.~~

~~1. To ensure continued competency, all renewing registrants who perform the duties of a salesperson on or after January 1, 2012, must demonstrate on an annual basis the completion of four (4) hours of Board approved continuing education units.~~

(2) Central Station Operators

(a) Central Station Personnel. After January 1, 2000, a central station operator is required to prove attendance at a 1 day NTS approved course for Central Station persons or an Alabama Electronic Security Board of Licensure approved program with input given by law enforcement agency or NTS Level I in order to obtain or renew a license.

(3) CCTV Installers

(a) A Qualifying Agent. Effective January 2000, a CCTV Qualifying Agent must show that they have a NTS Level I certification or eight (8) hours of CCTV Course that is approved by the Alabama Electronic Security Board of Licensure in order to obtain a license. ~~To ensure continued competency, all renewing registrants who perform the duties of a CCTV Qualifying Agent on or after January 1, 2005, must demonstrate completion of educational requirements equivalent to those required for current status with NTS Certified Alarm Technician certification in order to obtain or renew a license. Effective January 1, 2012, a CCTV Qualifying Agent must show that they have passed the NTS Video System Technology course and proctored exam or Board approved training in order to obtain or renew a license.~~ A registrant who performs the

duties of an alarm system installer must have passed the NTS Certified Alarm Technician (Level 1) proctored test or Board approved exam in order to obtain or renew a license on January 1, 2000, and thereafter.

~~(b) A Registrant CCTV Installer must have at least six (6) hours of CCTV training in a course approved by the Alabama Electronic Security Board of Licensure or the NTS Certified Alarm Technician course and proctored exam in order to obtain a license. Effective January 1, 2011, all alarm system installers who also perform the duties of an electronic control system (A) installer must demonstrate that they have passed the NTS Certified Alarm Technician (Level 1) proctored test, or the NTS Electronic Access Control class or the ALOA 2 day Comprehensive Access Control class and proctored exam in order to obtain or renew a license.~~

~~1. Effective January 1, 2005, a registrant who performs the duties of a CCTV installer and is applying for a license as a new applicant must pass the AESBL test, Board approved CCTV training, or the NTS Certified Alarm Technician course and proctored exam within six (6) months of beginning employment with an electronic security business operating in Alabama.~~

~~2. (c) Effective January 1, 2012, all CCTV installers must show that they have passed the NTS Certified Alarm Technician (Level 1) proctored test, or the NTS Video System Technology course and proctored exam or Board approved training in order to obtain or renew a license.~~

~~3. (d) To ensure continued competency, all renewing registrants who perform the duties of a CCTV an installer on or after January 1, 2005, must demonstrate completion of educational requirements equivalent to those required for current status (12 hours of approved continuing education units) or current status with NTS Certified Alarm Technician (Level 1) certification in order to obtain or renew a license.~~

~~(e) A Registrant in CCTV Sales. Must have at least (6) hours of CCTV training sponsored by a manufacturer company and approved by the Alabama Electronic Security Board of Licensure, the NTS or Board approved sales equivalent, or the "NTS Understanding Alarms", in order to obtain a license.~~

~~1. To ensure continued competency, all renewing registrants who perform the duties of a CCTV salesperson on or after January 1, 2012, must demonstrate on an annual basis the completion of four (4) hours of Board approved continuing education units.~~

~~(4) Electronic Access Control~~

~~(a) An Electronic Access Control Qualifying Agent. Effective January~~

~~1, 2011, all Qualifying Agents at companies which install or service electronic access control (A) systems must demonstrate that they have taken the NTS Electronic Access Control class or the Associated Locksmiths of America (ALOA) 2 day Comprehensive Access Control class.~~

~~(b) ————— To ensure continued competency, effective January 1, 2011, all Qualifying Agents at companies which install or service electronic access control (A) systems must demonstrate completion of educational requirements equivalent to those required for current status with their NTS certification consisting of twelve (12) hours of Board approved continuing education units in order to obtain or renew a license.~~

~~(c) ————— Effective January 1, 2011, all registrants who perform the duties of an electronic access control system installer must demonstrate that they have taken the NTS Electronic Access Control class or the ALOA 2 day Comprehensive Access Control class.~~

~~(d) ————— To ensure continued competency, all renewing registrants who perform the duties of an electronic access control system installer on or after January 1, 2012, must demonstrate completion of educational requirements equivalent to those required for current status with NTS certification consisting of twelve (12) hours of Board approved continuing education units in order to obtain or renew a license.~~

~~(e) ————— Registrant Licensee for an electronic access control Sales Person. A registrant who is primarily in sales must pass the NTS Level I test; the NTS Electronic Access Control class or the ALOA 2 day Comprehensive Access Control class; the NTS or Board approved sales equivalent, or the "NTS Understanding Alarms," in order to obtain a license.~~

~~(f) ————— To ensure continued competency, all renewing registrants who perform the duties of a salesperson on or after January 1, 2012, must demonstrate on an annual basis the completion of four (4) hours of Board approved continuing education units.~~

(5) (4) Locksmiths

(a) Registrant License for a Locksmith. A registrant who performs the duties of a locksmith must have passed the mandatory section of the Proficiency Registration Program (PRP) of the Associated Locksmiths of America (ALOA) or a Board approved exam in order to obtain or renew a license on January 1, 2012, and thereafter.

~~(b) ————— Effective January 1, 2012, a registrant who performs the duties of a locksmith and is applying for a license as a new applicant must pass the AESBL locksmith test or mandatory section of the PRP in a proctored test within six (6) months of beginning employment with a locksmith business operating in Alabama.~~

(e) (b) To ensure continued competency, all renewing registrants who perform the duties of a locksmith on or after January 1, 2010, must demonstrate on an annual basis the completion of twelve (12) hours of Board approved continuing education units.

(d) (c) Effective January 1, 2011, all renewing locksmith registrants who perform the duties of installing or servicing electronic access control (A) systems must demonstrate that they have taken the NTS Electronic Access Control class or the ALOA 2 day Comprehensive Access Control class.

(5) Salesperson

(a) A registrant who is primarily in burglar alarm, electronic access control or CCTV systems sales must pass the NTS Level 1 test, the NTS or Board approved sales equivalent, or the "NTS Understanding Alarms", in order to obtain or renew a license.

(b) To ensure continued competency, all renewing registrants who perform the duties of a salesperson on or after January 1, 2012, must demonstrate on an annual basis the completion of four (4) hours of Board approved continuing education units.

(6) General Comments

(a) Beginning on January 1, 2000, an applicant for licensure, after obtaining employment, has ten (10) days to complete an application; submit forms, fingerprint cards and fees for an Alabama Bureau of Investigation (ABI) and Federal Bureau of Investigation (FBI) Criminal History and show proof of their existing educational qualifications in order to obtain a license.

(b) A monitoring company that is using or is referred to by a burglar alarm company must be licensed in order for the burglar alarm company to gain a permit on or after January 1, 1999. The burglar alarm company should obtain a copy of that license.

(c) The Alabama Electronic Security Board of Licensure may offer qualifying tests to any individual at a central location in the state on an annual basis. Individuals may also take the NTS tests referred to above through any authorized agency that is allowed to give the exams.

(d) Beginning January 1, 2011, an owner, manager or administrator

who has direct contact with customers and offers to undertake, represents himself or herself as being able to undertake, or does undertake the sales, installation, service, or monitoring of burglar alarm systems, electronic access control systems, closed circuit television systems, or locks must meet the educational requirements in 304-X-1-.04 for the activities performed.

(e) _____ Companies should provide Helpers access to at least twelve (12) hours on industry related training on an annual basis.

(f) _____ Alarm and Locksmith companies that have been licensed with the Alabama Electronic Security Board of Licensure (the Board) for the previous five (5) calendar years that have had no complaints filed with the Board against them or their employees that have resulted in disciplinary action being taken by the Board during the previous five (5) years, and have not had documented violations of the Board's law or Administrative Code may file a written request for a waiver from the additional educational requirements of this Sections 304-X-1-.04(1)(d) for their Qualifying Agents by providing the Board written certification that they have had no written complaints filed against the company or employees and have had no documented violations of noncompliance during the past five (5) years.

(g) _____ Locksmith companies that only work on residential mechanical locks and have been licensed with the Alabama Electronic Security Board of Licensure (the Board) for the previous three (3) calendar years and have had no complaints filed with the Board against them or their employees that have resulted in disciplinary action being taken by the Board during the previous three (3) years, and have not had documented violations of the Board's law or Administrative Code may file a written request for a waiver from the continuing educational requirements of this Sections 304-X-1-.04(4)(b) for their locksmiths by providing the Board written certification that they have had no written complaints filed against the company or employees and have had no documented violations of noncompliance during the past three (3) years.

(h) _____ The receipt of a written complaint by the Board against the company or an employee may result in the loss of its waiver for educational requirements.

(i) _____ Failure to comply with Code of Alabama 1975, Section 34-1A, and this Administrative Code 304-X-1 may result in the loss of a company's waiver of these educational requirements.

Author: Fred Crawford

Statutory Authority: Code of Ala. 1975, § 34-1A

History: **New Rule:** Filed October 23, 1998; effective November 27, 1998.
Amended: Filed April 26, 2000; effective May 31, 2000.
Amended: Filed September 18, 2002; effective October 23, 2002.
Amended: Filed May 25, 2004; effective June 29, 2004.
Amended: Filed November 16, 2004; effective December 21, 2004.
Amended: Filed November 13, 2007; effective December 18, 2007.
Amended: Filed November 21, 2008; effective December 26, 2008.
Amended: Filed February 18, 2010; effective March 25, 2010.
Amended: Filed August 20, 2010; effective September 24, 2010.