

# Oklahoma Department of Labor

## Alarm, Locksmith, and Fire Sprinkler Industry Act and Administrative Rules 59 O.S. § 1800.1, *et seq.*

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## Leslie Osborn Commissioner of Labor

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# **Alarm, Locksmith, and Fire Sprinkler Industry Act and Administrative Rules**

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## **Alarm, Locksmith, and Fire Sprinkler Industry Act**

### **59 O.S. § 1800.1 Short Title**

Sections 1800.1 through Section 3 of this act shall be known and may be cited as the "Alarm, Locksmith and Fire Sprinkler Industry Act".

### **59 O.S. § 1800.2 Definitions**

As used in the Alarm, Locksmith and Fire Sprinkler Industry Act:

1. "Alarm industry" means the sale, except as provided in Section 1800.3 of this title, installation, alteration, repair, replacement, service, inspection, or maintenance of alarm systems or service involving receipt of alarm signals for the purpose of employee response and investigation of such signals or any combination of the foregoing activities except inspections on one- and two-family dwellings are exempt;
2. "Alarm system" means one or more devices designed either to detect and signal an unauthorized intrusion or entry or to signal a fire or other emergency condition, which signals are responded to by public law enforcement officers, fire department personnel, private guards or security officers;
3. "Battery-charged security fence" means an alarm system and ancillary components or equipment attached to such a system including, but not limited to, a fence, a battery-operated energizer, which is intended to periodically deliver voltage impulses to the fence connected to it, and a battery-charging device used exclusively to charge the battery;
4. "Committee" means the Alarm, Locksmith and Fire Sprinkler Industry Committee;
5. "Commissioner" means the Commissioner of Labor;
6. "Integrated security system" means a mechanical and/or electronic security device that includes, but is not limited to, multiple integrated locks, burglar alarm systems, access control systems, fiber optic security systems, video surveillance systems, and nurse call systems, but does not include a stand-alone-single-element of an integrated security system;
7. "Licensee" means any person licensed pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act;
8. "Lock" means mechanical or electronic devices consisting entirely of Class 2 or Class 3 circuits and power source requirements as established by the National Electrical Code and designed to control use of a device or control ingress or egress of a structure or automobile, including, but not limited to, peripheral devices to alarm systems, safes, vaults, safe deposit boxes, bio-metric/retina readers and mechanical or electronic key systems;

9. "Locksmith industry" means the sale, servicing or installing, repairing, rebuilding, readying, rekeying, repinning, adjusting or installing locks, mechanical or electronic security devices, annunciation devices not designed to require a response by law enforcement or opening or bypassing a lock by a means other than those intended by the manufacturer of such devices. For the purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act, "mechanical or electronic security devices" includes, but is not limited to, access control systems including peripheral devices to alarm systems, fiber optic security systems, fire sprinklers, closed circuit television, video surveillance and nurse call systems; and
10. "Person" means an individual, sole proprietorship, firm, partnership, association, limited liability company, corporation, or other similar entity; and
11. "Residential alarm monitoring or service contract" means a contract with end users for alarm monitoring and/or services for individual residential premises for their own use.

**59 O.S. § 1800.3 Individuals and Actions to Which Act is Inapplicable**

The Alarm, Locksmith and Fire Sprinkler Industry Act shall not apply to:

1. An officer or employee of this state, the United States or a political subdivision of either, while the employee or officer is engaged in the performance of official duties;
2. An individual who owns and installs alarm devices, mechanical or electronic security devices and locks on the individual's own property or, if the individual does not charge for the device or its installation, installs it for the protection of the individual's personal property located on another's property, and does not install the alarm devices, mechanical or electronic security devices and locks as a normal business practice on the property of another;
3. The sale of alarm or lock systems designed or intended for customer or user installation;
4. The sale, installation, service, or repair of alarm systems or electronic security devices such as electronic access control, closed circuit television, video surveillance, nurse call systems and the like by individuals licensed pursuant to the Electrical License Act;
5. The locksmith industry activities of tow truck operators from their towing vehicles or repossession agents within the execution of their duties;
6. Locksmith industry activities of persons primarily engaged in selling lumber and other building materials who hold a sales tax permit as a Group One vendor authorized to engage in business within this state

pursuant to Sections 1363 and 1364 of the Oklahoma Sales Tax Code;  
or

7. The solicitation of a potential alarm system customer by a person via telephone or electronic device on behalf of an Oklahoma licensed alarm company for the sale of an alarm system.
8. The sale of alarm or locksmith products or systems by a retail counter sales agent upon the conditions required by Section 1800.6a of this title.

**59 O.S. § 1800.3a Exemption from Licensure Requirement of Electrical Licensing Act**

Any person engaged in any activity regulated by the Alarm, Locksmith and Fire Sprinkler Industry Act, when installing or repairing electrical circuits consisting entirely of Class 2 or Class 3 circuits and power source requirements as established by the National Electrical Code shall not be required to obtain any license as required by the Electrical Licensing Act, if such person is licensed pursuant to the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act; provided, however, persons performing installations, repairs or other work on any electrical circuits other than Class 2 or Class 3 circuits shall be required to be properly licensed or registered pursuant to the Electrical Licensing Act.

**59 O.S. § 1800.4 Alarm and Locksmith Industry Committee – Members – Term of Office – Removal – Vacancies – Meetings – Elections**

- A. There is hereby created the Alarm, Locksmith and Fire Sprinkler Industry Committee, which shall consist of nine (9) members. One member shall be the Commissioner of Labor or the Commissioner's designated representative and eight members shall be appointed by the Governor with the consent of the Senate. Seven of the appointed members shall have at least five (5) years of experience in the alarm, locksmith or fire sprinkler industry or in a closely related field with broad working knowledge of the alarm or locksmith industry and active employment status in such field during the term of appointment. At least one of the appointed members shall be from each working field or closely related industries of burglar alarm, fire alarm, fire sprinkler, electronic access control, locksmith, closed circuit television, video surveillance, and nurse call system, except when a qualified candidate for appointment is not available in the working field. One of the appointed members shall be a lay member. No member shall be employed by the same person as any other member of the Committee.
- B. The term of office of each appointed member shall be a staggered term of four (4) years with a limit of two full terms. Notwithstanding the term of office, each appointed member shall continue to serve until his or her successor has been duly qualified and appointed. All

appointees must qualify under the Alarm, Locksmith and Fire Sprinkler Industry Act.

- C. Members of the Committee may be removed from office by the Governor for cause at any time. A member missing two or more committee meetings in a single year without justifiable cause may be removed and replaced by the Governor at the request of the Committee.
- D. Vacancies shall be filled by appointment by the Governor with the consent of the Senate for the unexpired term of the vacancy. Should an appointment from a working field become vacant or be without qualified candidates for appointment, that working field may be filled by a person from another working field.
- E. The members of the Committee shall serve without pay but may be reimbursed for actual expenses pursuant to the State Travel Reimbursement Act.
- F. The Committee shall elect from among its membership a chair, vice-chair and secretary to serve terms of not more than two (2) years ending on May 31 of the year designated by the Committee. The chair or vice-chair shall preside at all meetings. The chair, vice-chair and secretary shall perform such duties as may be decided by the Committee in order to effectively administer the Alarm, Locksmith and Fire Sprinkler Industry Act or as directed by the Commissioner of Labor.
- G. A majority of Committee members shall constitute a quorum to transact official business.
- H. The Committee shall meet at such times as the Committee deems necessary to implement the Alarm, Locksmith and Fire Sprinkler Industry Act.
- I. The Committee shall assist and advise the Commissioner on all matters relating to the formulation of rules, regulations and standards in accordance with the Alarm and Locksmith Industry Act.

**59 O.S. § 1800.5 Alarm and Locksmith Industry Committee – Duties and Powers**

- A. The Alarm, Locksmith and Fire Sprinkler Industry Committee shall have the following duties and powers:
  - 1. To assist the Commissioner of Labor in licensing and otherwise regulating persons engaged in an alarm or locksmith industry business;
  - 2. To assist the Commissioner in determining qualifications of applicants pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act;

3. To assist the Commissioner in prescribing and adopting forms for license applications and initiate mailing of such application forms to all persons requesting such applications;
  4. To assist the Commissioner in disciplinary actions, including the denial, suspension or revocation of licenses as provided by the Alarm, Locksmith and Fire Sprinkler Industry Act;
  5. To assist the Commissioner with charging and collecting such fees as are prescribed by the Alarm, Locksmith and Fire Sprinkler Industry Act;
  6. To assist the Commissioner in establishing and enforcing standards governing the materials, services and conduct of the licensees and their employees in regard to the alarm, locksmith and fire sprinkler industry;
  7. To assist the Commissioner in promulgating rules necessary to carry out the administration of the Alarm, Locksmith and Fire Sprinkler Industry Act;
  8. To investigate or assist in investigating alleged violations of the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act and any rules and regulations promulgated thereto;
  9. To assist the Commissioner in identifying advances in technology and establishing categories of licenses for the Alarm, Locksmith and Fire Sprinkler Industry Act and application requirements for each category including, but not limited to, individual license, experience requirements, educational requirements, fingerprints, photographs, examinations, and fees;
  10. To assist the Commissioner in providing for grievance and appeal procedures pursuant to the Administrative Procedures Act for any person whose license is denied, revoked or suspended; and
  11. To exercise such other powers and duties as are necessary to implement the Alarm, Locksmith and Fire Sprinkler Industry Act.
- B. The Department of Labor is authorized to regulate any advancements in technology that apply to the alarm, locksmith and fire sprinkler industry.

**59 O.S. § 1800.6 License Requirement**

No person shall engage in an alarm, locksmith or fire sprinkler industry business in this state without first having obtained a license pursuant to the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act; provided, however, a business or person licensed pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act shall not be required to obtain multiple licenses to install, repair or modify any component of an integrated security system, excluding commercial fire alarm and fire sprinkler systems.



**59 O.S. § 1800.6a Retail Counter Sales Agent**

- A. For purposes of this section and paragraph 8 of Section 1800.3 of this title, "retail counter sales agent" means an individual employed by or working on behalf of an Oklahoma licensed alarm or locksmith company for the purpose of selling technology devices and services to the general public in a commercial retail setting, including alarm, locksmith and fire sprinkler services and equipment.
- B.
  - 1. Every retail counter sales agent shall undergo a national criminal history records search by a third party or the Department of Labor. The Department of Labor, upon establishing good cause, may demand that an alarm, locksmith or fire sprinkler company provide the results of a criminal history records search for an individual retail counter sales agent. Upon receipt of any such demand, an alarm, locksmith or fire sprinkler company shall have a reasonable period of time to provide the results to the Department of Labor. The Department of Labor shall not disseminate the results of any criminal history records search described in this subsection, and such records shall not be subject to the Open Records Act. For purposes of this subsection, "selling" means the initial communications with the customer to determine the appropriate alarm products or systems to be purchased and installed, but shall not include actual installation locations or the final design, plan or laying out of the alarm products or systems. No person shall act as a retail counter sales agent if the results of the criminal background check are unsuccessful in accordance with the Arrest and Conviction Records in Employment Best Practices brochure published by the United States Equal Employment Opportunity Commission.
  - 2. A retail counter sales agent shall not be permitted access to any customer's unique alarm access codes or other confidential information aside from the information necessary to complete a retail sale transaction.
- C. Any alarm, locksmith or fire sprinkler company failing to comply with the provisions of this section shall be deemed in violation of the Alarm, Locksmith and Fire Sprinkler Industry Act. The Department of Labor may revoke or suspend the license of the person for a violation of this section.

**59 O.S. § 1800.7 Qualifications**

- A. Any person applying for a license to engage in an alarm or locksmith industry business pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act shall provide evidence to the Alarm, Locksmith and Fire Sprinkler Industry Committee that the individual within this state having direct supervision over the function and local operations of such

alarm, locksmith or fire sprinkler industry business or a branch thereof has the following qualifications:

1. Is at least eighteen (18) years of age;
  2. Has not been declared by any court of competent jurisdiction incompetent by reason of mental defect or disease, and has not been restored to competency;
  3. Is not a habitual user of intoxicating liquors or a user of any illegal or illicit drug or controlled substance, including, but not limited to, the non-medical use of any prescription drug or other intoxicating substance;
  4. Has not been discharged from the Armed Services of the United States under dishonorable conditions; and
  5. Meets such other standards as may be established by the Commissioner of Labor relating to experience or knowledge of the alarm, locksmith or fire sprinkler industry.
- B. The applicant shall advise the Committee and furnish full information on each individual described in subsection A of this section of any conviction of a felony crime which substantially relates to the occupation of an individual in an alarm or locksmith industry business and poses a reasonable threat to public safety for which a full pardon has not been granted and furnish a recent photograph of a type prescribed by the Commissioner and two classifiable sets of fingerprints of such individual.
- C. As used in this section:
1. "Substantially relates" means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation; and
  2. "Poses a reasonable threat" means the nature of criminal conduct for which the person was convicted involved an act or threat of harm against another and has a bearing on the fitness or ability to serve the public or work with others in the occupation.

**59 O.S. § 1800.8 Application for Company License – Contents – Fees**

- A. An application for a company license shall include:
1. The address of the principal office of the applicant and the address of each branch office of the applicant located within this state;
  2. The name per business location under which the applicant intends to do business as a licensee;
  3. A statement explaining the extent and scope of the applicant's alarm, locksmith or fire sprinkler industry business;

4. A photograph taken by the Department of Labor or an entity approved by the Department in accordance with the licensing procedures adopted by the Department. If the applicant is a sole proprietor, the photo shall be of the applicant, or if the applicant is an entity, the photo shall be of each officer and of each partner or shareholder who owns an interest in the entity of twenty-five percent (25%) or greater;
  5. Two classifiable sets of fingerprints of the applicant, if the applicant is a sole proprietor, or of each officer and of each partner or shareholder who owns a twenty-five percent (25%) or greater interest in the applicant, if the applicant is an entity; and
  6. Such other information, statements or documents as may be required by the Commissioner of Labor.
- B. An applicant for an individual license shall provide such documents, statements or other information as may be required by the Commissioner, including two classifiable sets of fingerprints of the applicant. The fingerprints may be used for a national criminal history record check as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.
- C. Fees for license and renewal issued pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act shall be adopted by the Department of Labor. Provided, the fees provided for in this subsection shall not exceed Two Hundred Fifty Dollars (\$250.00). An applicant shall pay the license fee at the time the applicant makes application. All fees shall be nonrefundable.

**59 O.S. § 1800.9 Issuance of License to Applicants – Renewal – Expiration**

- A. Upon receiving proper application, payment of the proper license fee, and certification of recommendation by the Alarm, Locksmith and Fire Sprinkler Industry Committee, the Commissioner of Labor shall issue a license to the applicant. The license shall be valid for a one-year term.
- B. Renewal of a license shall not prohibit disciplinary proceedings for an act committed prior to the renewal.
- C. The Commissioner may adopt a system under which licenses expire on various dates throughout the year. For any change in such expiration dates, license fees shall be prorated on an appropriate periodic basis.

**59 O.S. § 1800.10 Licenses – Requirements**

- A. A license shall not be altered or assigned.
- B. A company license shall be posted in a conspicuous place in each alarm, locksmith or fire sprinkler industry business location of the licensee.
- C. A company licensee shall notify the Commissioner of Labor within fourteen (14) days of any change of information furnished on the

licensee's application for license or on the licensee's license including, but not limited to, change of ownership, address, business activities, or any developments related to the qualifications of the licensee or the individual described in Section 1800.7 of this title. If the licensee for any reason ceases to engage in an alarm or locksmith industry business in this state, the licensee shall notify the Committee within fourteen (14) days of such cessation. If the required notice of cessation is not given to the Committee within fourteen (14) days, the license may be suspended or revoked by the Commissioner on recommendation of the Committee.

- D. No person shall represent falsely that the person is licensed or employed by a licensee. Any such action shall constitute a violation of the Alarm, Locksmith and Fire Sprinkler Industry Act.
- E. Each company licensee shall maintain, update and provide a record containing such information relative to the licensee's employees as may be required by the Commissioner.

**59 O.S. § 1800.11 Responsibilities of Licensee**

The licensee shall be responsible to the Alarm, Locksmith and Fire Sprinkler Industry Committee in matters of conduct of business activities covered by the Alarm, Locksmith and Fire Sprinkler Industry Act. The licensee shall be responsible for the activities on the part of the licensee's employees. For purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act, improper conduct on the part of any employees which occurs within the scope of employment may be considered by the Committee as acts of the licensee.

**59 O.S. § 1800.12 Authority to Levy and Collect Charges for Alarm Installation Connections**

- A. Any municipality or county may levy and collect reasonable charges for alarm installation connections located in or at a police or fire department which is owned, operated or monitored by the municipality or county. Any municipality or county may require discontinuance of service of any alarm signal device which, due to mechanical malfunction or faulty equipment, causes excessive false alarms and, in the opinion of the appropriate county or municipal official, becomes a detriment to the functions of the department involved. The municipality or county may cause the disconnection of the device until the same is repaired to the satisfaction of the appropriate official; however the municipality or county shall advise the owner or user of the device of the disconnection in advance or as soon as reasonably practicable. The municipality or county may levy and collect reasonable reconnection fees. Mechanical malfunction and faulty equipment shall not include, for the purpose of the Alarm, Locksmith

and Fire Sprinkler Industry Act, false alarms caused by human error or an act of God.

- B. No municipality may adopt any ordinance concerning the licensing of any alarm, locksmith or fire sprinkler industry business or individual which is or may be licensed pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act.
- C. No municipality or county may adopt any ordinance, order, or regulation concerning the installation, operation, or usage of a battery-charged security fence as long as the installation, operation, and usage of the battery-charged security fence follows the requirements and standards prescribed in Section 3 of this act.

**59 O.S. § 1800.13 Suspension or Revocation of License**

- A. The Commissioner of Labor on recommendation of the Alarm, Locksmith and Fire Sprinkler Industry Committee may suspend any license, upon the conviction of any individual named on the license or on the application for license of a felony, for a period not to exceed thirty (30) days pending a full investigation by the Committee. Such investigation shall be initiated within the thirty-day period of the suspension. A final determination by the Committee shall result in either removal of the suspension or such sanction as the Commissioner considers appropriate, as provided by the Alarm, Locksmith and Fire Sprinkler Industry Act.
- B. The Commissioner may revoke or suspend any license, reprimand any licensee or deny any application for license or renewal if, in the judgment of the Committee:
  - 1. The applicant or licensee has violated any provision of the Alarm, Locksmith and Fire Sprinkler Industry Act or any rule or regulation promulgated thereto;
  - 2. The applicant or licensee has committed any offense resulting in the applicant's or licensee's conviction of a felony or crime involving moral turpitude. Provided, however, if the applicant has had no felony convictions at least ten (10) years prior to making application for a license and the applicant has shown the Committee that the applicant has been rehabilitated, the Committee may recommend the applicant for a license;
  - 3. The applicant or licensee has practiced fraud, deceit, theft, larceny, arson, or misrepresentation;
  - 4. The applicant or licensee has made a material misstatement in any information required by the Committee; or
  - 5. The applicant or licensee has demonstrated incompetence or untrustworthiness in the applicant's or licensee's actions.
- C. The Committee shall, before final action under subsection B of this section, provide a thirty-day written notice to the applicant or licensee

involved, of the action intended and give sufficient opportunity for such person to request an administrative hearing and to be represented by an attorney. A hearing shall be scheduled by the Commissioner if so requested as provided in the Administrative Procedures Act.

- D. In the event the Commissioner denies the application for, or revokes or suspends, any license or imposes any reprimand, a record of such action shall be in writing and officially signed by the Commissioner. The original copy shall be filed with the Department of Labor and a copy mailed to the affected applicant or licensee within two (2) days of the final action taken by the Commissioner.
- E. Notice of the suspension or revocation of any license shall be made public record.
- F. A suspended license shall be subject to expiration and may be renewed as provided by the Alarm, Locksmith and Fire Sprinkler Industry Act, regardless of the term of suspension; provided, a renewal shall not remove the suspension term.
- G. A revoked license terminates on the date of revocation and cannot be reinstated; provided, the Commissioner may reverse the revocation action. Any licensee whose license is revoked shall apply for a new license and meet all requirements for a license as stated in the Alarm, Locksmith and Fire Sprinkler Industry Act prior to engaging in any alarm, locksmith or fire sprinkler industry business activities. The Committee and the Commissioner shall take action on the new application and may require additional safeguards against such acts by the applicant as may have been the cause of the revocation of the prior license.

**59 O.S. § 1800.14 Alarm and Locksmith Industry Revolving Fund**

There is hereby created in the State Treasury a revolving fund for the Department of Labor, to be designated the "Alarm, Locksmith and Fire Sprinkler Industry Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Alarm, Locksmith and Fire Sprinkler Industry Committee or the Department of Labor pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Commissioner of Labor for the purpose of administration, implementing, and enforcement of the Alarm, Locksmith and Fire Sprinkler Industry Act, including, but not limited to, office administration and personnel expense, licensing and training, reimbursements in accordance with the State Travel Reimbursement Act, and other necessary expenses relating to the Alarm, Locksmith and Fire Sprinkler Industry Act. The Commissioner shall not expend or transfer any monies from this fund for any purpose not relating to

the Alarm, Locksmith and Fire Sprinkler Industry Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

**59 O.S. § 1800.15 Costs of Administration of the Act**

The Commissioner of Labor shall pay all costs of administration of the Alarm, Locksmith and Fire Sprinkler Industry Act from fees, monies and other revenue collected pursuant to the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act. At no time shall a claim for payment be submitted to the Director of the Office of Management and Enterprise Services or the State Treasurer if the revenue deposited in the Alarm, Locksmith and Fire Sprinkler Industry Revolving Fund to the current date does not equal or exceed the total claims for payments made to that date.

**59 O.S. § 1800.16 Violations of Act – Penalties – Disposition of Fines**

- A. Any person violating any of the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act, upon conviction, shall be guilty of a misdemeanor punishable by confinement in the county jail for a period not to exceed one (1) year or by the imposition of a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.
- B.
  - 1. In addition to any other penalties provided by law, if after a hearing in accordance with Article II of the Administrative Procedures Act, the Commissioner of Labor finds any person to be in violation of any of the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act or the rules promulgated pursuant thereto, the person may be subject to an administrative fine of not more than Two Hundred Dollars (\$200.00) for each violation. Each day a person is in violation may constitute a separate violation. The maximum fine shall not exceed One Thousand Dollars (\$1,000.00).
  - 2. All administrative fines collected pursuant to the provisions of this subsection shall be deposited in the Alarm, Locksmith and Fire Sprinkler Industry Revolving Fund.

**59 O.S. § 1800.17 Authority to Promulgate, Adopt, Amend, and Repeal Rules**

The Commissioner of Labor is hereby authorized to promulgate, adopt, amend, and repeal rules consistent with the provisions of the Alarm, Locksmith and Fire Sprinkler Industry Act for the purpose of governing the establishment and levying of administrative fines and the examination and licensure of alarm, locksmith or fire sprinkler companies, managers, technicians, and salespersons.

**59 O.S. § 1800.18**

- A. On and after November 1, 2018, no contract for residential alarm industry monitoring or services shall provide that after the initial term of the contract the services will automatically continue for any fixed term, except a month-to-month term.
- B. On and after November 1, 2018, every contract for residential alarm industry monitoring services shall conspicuously state that the person receiving the services has the right, without additional cost or penalty, to terminate such contract at the end of the initial term, at any time, by giving a thirty-day notice to the provider of the intent to terminate the services.
- C. Any contract for residential alarm industry monitoring or services entered into before November 1, 2018, which is renewed on or after November 1, 2018, in violation of the provisions of subsection A or B of this section may be either terminated or changed to a month-to-month term at any time as set forth in subsection A and B of this section.

**59 O.S. § 1800.19**

A battery-charged security fence shall meet the following requirements:

- 1. Interfaces with a monitored alarm device in a manner that enables the alarm system to transmit a signal intended to summon the business or law enforcement in response to an intrusion or burglary;
- 2. Is located on a property that is not designated by a municipality or county exclusively for residential use;
- 3. Has an energizer that is powered by a commercial storage battery that is not more than twelve (12) volts of direct current;
- 4. Has an energizer that meets the standards set forth by the International Electrotechnical Commission Standard 60335-2-76, current edition;
- 5. Is completely surrounded by a non-electric perimeter fence or wall that is not less than five (5) feet in height;
- 6. Does not exceed ten (10) feet in height or two (2) feet higher than the non-electric perimeter fence or wall described in paragraph 5 of this section, whichever is higher; and



7. Is marked with conspicuous warning signs that are located on the battery-charged security fence at not more than thirty-foot intervals and display: "WARNING – ELECTRIC FENCE".

## **Administrative Rules**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **380:75-1-1. Purpose**

The rules in this Chapter implement the Alarm and Locksmith Industry Act, Title 59 O.S. Section 1800.1 *et seq.*

#### **380:75-1-2. Definitions**

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Burglar alarm company"** means a business that provides burglar alarm systems to others by any means, including, but not limited to, the sale, lease, rent, design, planning with the intent to pre-wire, pre-wiring, installation, maintenance, repair, testing, modification, improvement, alteration, inspection, or servicing of a burglar alarm system; holding oneself or one's company out for hire to perform any such task; or otherwise offering to perform any such task for compensation, either directly or indirectly.

**"Burglar alarm company manager"** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such alarm company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**"Burglar alarm salesperson"** means a person who sells, with the authority to sign a binding proposal to others on behalf of a burglar alarm company by any means, including, but not limited to, telephone or electronic device, public notice or advertisement, door-to-door, or any other type of personal interaction, and/or a person who participates in design, plan, specification and/or lay out of a burglar alarm system on behalf of a burglar alarm company but shall not include individuals who participate in marketing only.

**"Burglar alarm technician"** means an individual who is employed by an Oklahoma licensed burglar alarm company to design, plan, lay out, sell, pre-wire, install, maintain, repair, test, inspect, or service burglar alarm equipment.

**"Burglar alarm trainee"** means an individual who is employed by an Oklahoma licensed burglar alarm company to assist burglar alarm

technicians or managers and learn to properly install, service, and sell burglar alarm equipment.

**"CABO"** means The Council of American Building Officials.

**"Certificate of course completion"** means a document acceptable to the Committee which signifies satisfactory completion of course work.

**"Certification of a system"** shall mean testing per applicable code of any burglar alarm, fire alarm, electronic access control, closed circuit television, nurse call, locksmithing equipment, or fire sprinkler alarm system by a properly licensed individual working for a properly licensed company to verify that the system complies with all of the requirements of the applicable code or standard.

**"Closed circuit television or (CCTV)"** means a system that provides video surveillance of an area or a client-prescribed area primarily by means of transmitting and/or recording of visual signals through cameras, receivers, monitors, and/or other visual imaging equipment.

**"Closed circuit television company"** means a business that provides closed circuit television systems to others by any means, including but not limited to, the sale, lease, rent, design, planning with the intent to pre-wire, pre-wiring, installation, maintenance, repair, testing, modification, improvement, alteration, inspection, and/or servicing of a CCTV system; holding one's company out for hire to perform any such task; or otherwise offering to perform any such task for compensation, either directly or indirectly.

**"Closed circuit television manager"** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**"Closed circuit television technician"** means an individual who is employed by an Oklahoma licensed closed circuit television company to design, plan, lay out, sell, pre-wire, install, maintain, repair, test, inspect, or service closed circuit television equipment.

**"Closed circuit television trainee"** means an individual who is employed by an Oklahoma licensed closed circuit television company to learn to properly install and service closed circuit television equipment.

**"Closed circuit television salesperson"** means a person who sells, with the authority to sign a binding proposal to others on behalf of a closed circuit television company by any means, including but not limited to, telephone or electronic device, public notice or advertisement, door-to-door, or any other type of personal interaction, and/or a person who participates in the sale, design, plan, and/or lay out of a closed circuit television system on behalf of a closed circuit company, but shall not include individuals who participate in marketing only.

**“Commercial building”** means a building or structure used for any purpose or occupancy that is not defined in this section as a Residential Building.

**“Commercial fire alarm license”** means the category of license which authorizes a fire alarm company, manager, technician, trainee or salesperson to engage in the fire alarm industry activities in compliance with this Chapter for any work performed in residential or commercial application.

**“Commercial fire sprinkler license”** means the category of license which authorizes a fire sprinkler company, manager, trainee, and/or technician to engage in the fire sprinkler alarm industry activities in compliance with this Chapter for any residential or commercial application.

**“Commissioner”** means the Commissioner of Labor or the Commissioner’s designee.

**“Committee”** means the Alarm and Locksmith Industry Committee.

**“Department”** means the Oklahoma Department of Labor.

**“Electronic access control”** means the use of qualifying devices or identification methods at various points to control the movement of people within pre-defined perimeters through the use of electronic card readers, keypads, biometrics devices, or a combination of technologies that receives its primary power from an external source.

**“Electronic access control company”** means a business that offers to, or engages in, the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of electronic access control systems.

**“Electronic access control company manager”** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**“Electronic access control technician”** means an individual who is employed by an Oklahoma licensed electronic access control company to design, plan, lay out, sell, pre-wire, install, maintain, repair, test, inspect, and/or service electronic access control equipment.

**“Electronic access control trainee”** means an individual who is employed by an Oklahoma licensed electronic access control company to learn to properly install and service electronic access control equipment.

**“Electronic access control salesperson”** means a person who sells, with the authority to sign a binding proposal to others on behalf of an electronic access control company by any means, including, but not limited to, telephone or electronic device, public notice or advertisement, door-to-door or any other type of personal interaction, and/or a person who participates in design, plan, and/or lay out of an electronic access control

system on behalf of an electronic access control company, but shall not include individuals who participate in marketing only.

**"Fire alarm company"** means a business that provides fire alarm systems to others by any means including but not limited to, the sale, lease, rent, design, planning with the intent to pre-wire, pre-wiring, installation, maintenance, repair, testing, modification, improvement, alteration, inspection, and/or servicing of fire alarm system; holding oneself or one's company out for hire to perform any such task; or otherwise offering to perform any such task for compensation, either directly or indirectly. The company shall be licensed as a residential or commercial fire alarm company as defined by this Chapter.

**"Fire alarm company manager"** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such alarm company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**"Fire alarm salesperson"** means a person who sells, with the authority to sign a binding proposal to others on behalf of a fire alarm company by any means including but not limited to, telephone or electronic device, public notice or advertisement, door-to-door or any other type of personal interaction, and or a person who participates in design, plan and/or lay out of an fire alarm system on behalf of a fire alarm company, but shall not include individuals who participate in marketing only. The salesperson shall be licensed as a residential or commercial fire alarm salesperson as defined by this Chapter.

**"Fire alarm technician"** means an individual who is employed by an Oklahoma licensed fire alarm company to design, plan, lay out, sell, pre-wire, install, maintain, repair, test, certify, inspect, or service fire alarm equipment. The fire alarm technician shall be licensed as a residential or commercial fire alarm technician as defined by this Chapter

**"Fire alarm trainee"** means an individual who is employed by an Oklahoma licensed fire alarm company to assist fire alarm technicians or managers and learn to properly install, service and sell fire alarm equipment.

**"Fire sprinkler company"** means a business that provides fire sprinkler systems to others by any means, including but not limited to, the sale, lease, rent, design, planning with the intent to install, maintenance, repair, testing, modification, improvement, alteration, inspection, or servicing of a fire sprinkler system; holding oneself or one's company out for hire to perform any such task; or otherwise offering to perform any such task for compensation either directly or indirectly. The company shall be licensed as a residential or commercial company as defined by this Chapter.

**"Fire sprinkler company manager"** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**"Fire sprinkler inspector"** means an individual who is employed by an Oklahoma licensed alarm company to inspect and test a fire alarm sprinkler system to determine if it has been installed and is operating according to the appropriate code or standard.

**"Fire sprinkler technician"** means an individual who is employed by an Oklahoma licensed fire sprinkler company to install, service and sell, maintain, repair, and/or test fire sprinkler equipment. The fire sprinkler technician shall be licensed as a residential or commercial fire sprinkler technician as defined by this Chapter.

**"Fire sprinkler technician trainee"** means an individual who is employed by an Oklahoma licensed fire sprinkler company to assist fire sprinkler technicians or managers and learn to properly install and service fire sprinkler systems.

**"IBC"** means the International Building Code.

**"ICC"** means the International Code Council, Inc.

**"Inspection"** shall mean the visual observation or system test of any burglar alarm system, fire alarm system, electronic access control system, closed circuit television system, nurse call system, lock system, or fire sprinkler system to determine if the system has been installed and is operating according to the applicable code or standard.

**"Locksmith company"** means a business that provides locksmithing to others by any means, including but not limited to, design, install, service, repair, re-key, re-pin, sell, inspect, rebuild, record, adjust, unlock mechanical or electronic locks or advertisement of locksmith services; holding oneself or one's company out for hire to perform any such task; or otherwise offering to perform any such task for compensation, either directly or indirectly.

**"Locksmith company manager"** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**"Locksmith salesperson"** means a person who sells, with the authority to sign a binding proposal to others on behalf of a locksmith company by any means, including, but not limited to, telephone or electronic device, public notice or advertisement, door-to-door, or any other type of personal interaction, or a person who participates in design, plan, and/or lay

out of locksmithing equipment on behalf of a locksmith company, but shall not include individuals who participate in marketing only.

**“Locksmith technician”** means an individual who is employed by an Oklahoma licensed locksmith company to design, install, service, inspect, repair, re-key, re-pin, sell, rebuild, record, adjust, or unlock mechanical or electronic locks on behalf of a locksmith company.

**“Locksmith trainee”** means an individual who is employed by an Oklahoma licensed locksmith company to learn to properly install, service, repair, rebuild, re-key, re-pin, sell, or unlock mechanical or electronic locks on behalf of a locksmith company.

**“Locksmith tool”** means any tool designed specifically to aid in removal, disassembly, re-assembly, installation, or maintenance of, or to be used to defeat or by-pass any electric or mechanical lock or system.

**“Manufactured housing”** means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet (2438 body mm) or more in width or 40 body feet (12 192 body mm) or more in length, or, when erected on site, is 320 square feet (30 m<sup>2</sup>) or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. For the purpose of these rules, a mobile home shall be considered a manufactured home, and each shall be regarded as manufactured housing.

**“Marketing”** means the distribution or collecting of general or basic information about products or services by any means including but not limited to telephone, electronic device, public notice, advertisement, or any other type of direct or indirect personal interaction.

**“Monitoring company”** means a business that offers to, or does monitor burglar alarms, electronic access control systems, closed circuit television, nurse call systems, and/or fire alarms located in Oklahoma.

**“Monitoring company manager”** means an individual who is employed by an Oklahoma licensed monitoring company and has control of the monitoring of systems located in Oklahoma.

**“Multiple activity office”** means a location where more than one regulated activity is performed or conducted.

**“Multipurpose fire sprinkler system”** means a single piping system within residential building and manufactured housing where the same piping system simultaneously serves both domestic and fire protection needs and are not independent systems in any manner as described by the Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings (NFPA 13D).

**“NFPA”** means the National Fire Protection Association.

**"NICET"** means the National Institute of Certification in Engineering Technologies, a certification program sponsored by the National Society of Professional Engineers.

**"Nurse call system"** means a device or a series or assembly of interconnected devices which, when activated by automatic or manual means, produces an audible, visual, or electronic signal intended to detect or announce a need to summon response by a local medical staff or local medical personnel.

**"Nurse call company"** means a business that provides nurse call systems to others by any means, including but not limited to, the sale, lease, rent, design, planning with the intent to pre-wire, pre-wiring, installation, maintenance, repair, testing, modification, improvement, alteration, inspection, or servicing of nurse call systems; holding oneself or one's company out for hire to perform any such tasks; or otherwise offering to perform any such tasks for compensation, either directly or indirectly.

**"Nurse call company manager"** means an officer or manager of a company, corporation, partnership or proprietorship, with the authority to bind the company by contract, who shall provide supervision over the regulated function and operations of such company within the state of Oklahoma. The manager shall not be the manager of record for more than one company unless he/she is a majority owner of each company.

**"Nurse call technician"** means an individual who is employed by an Oklahoma licensed nurse call system company to design, plan, lay out, sell, pre-wire, install, maintain, repair, test, inspect, or service nurse call system equipment.

**"Nurse call trainee"** means an individual who is employed by an Oklahoma licensed nurse call system company to learn to properly install and service nurse call system equipment.

**"Nurse call system salesperson"** means a person who sells, with the authority to sign a binding proposal to others on behalf of a nurse call company by any means, including, but not limited to, telephone or electronic device, public notice or advertisement, door-to-door or any other type of personal interaction, and/or a person who participates in design, plan and/or lay out of a nurse call system on behalf of a nurse call company, but shall not include individuals who participate in marketing only.

**"OUBCC"** means the Oklahoma Uniform Building Code Commission.

**"Ownership"** means the dominion, title, or proprietary right in a company subject to the Alarm and Locksmith Industry Act and this Chapter.

**"Qualifying devices"** means a device or combination of devices such as retina readers, finger print pads, bio-metric readers, card swipes, etc. that are used to identify persons who have authorized entry through electronic access control systems.

**"Residential building"** shall mean buildings arranged for the use of one (1)- or two (2)-family dwelling units, including not more than five (5)

lodgers or boarders per family and multiple single-family dwellings where each unit has an independent means of egress and is separated by a two (2)-hour fire separation assembly and all detached one (1)- or two (2)-family dwellings not more than three (3) stories in height, and the accessory structures as indicated in the ICC One and Two Family Dwelling Code.

**“Residential fire alarm license”** means the category of license which authorizes a fire alarm company, manager, technician, trainee or salesperson to engage in the fire alarm industry activities in compliance with this Chapter for fire alarm systems used in residential building and manufactured housing.

**“Residential fire sprinkler license”** means the category of license which authorizes a fire sprinkler company, manager, or technician or trainee to engage in the fire sprinkler industry activities in compliance with this Chapter for fire sprinkler systems used in residential building and manufactured housing.

**“Residential stand-alone CCTV systems designed for the purpose of self-monitoring by the end user”** means a camera or cameras installed in a residence that are not monitored or accessible by any person other than the residential end user and are not integrated with any alarm system, integrated security system, lock, or mechanical or electronic security device(s) as defined in 59 O.S. § 1800.2.

**“Rough-in cabling or wiring”** means the act of installing the cabling or wiring required for the activities regulated by this Chapter. This will include the preparation of the site for cabling or wiring, but shall not include the installation or connection of any electronic devices or parts thereof.

**“Security verification”** means information submitted to the appropriate authority on each applicant to verify any criminal records.

**“Supervision”** means on-site supervision by a licensed manager, technician or salesperson.

**“System”** means a burglar alarm system, fire alarm system, fire sprinkler system, closed circuit television system, electronic access control system, locksmithing system, or a nurse call system, all as defined in these rules, or a portion or combination of such alarms or systems. However, the term “system” shall not include the following: (i) an alarm system installed in a motor vehicle; (ii) a burglar alarm system or household fire warning system sold at retail to an individual end user for self-installation; (iii) a single station fire alarm device sold at retail to an individual end user for self-installation or installed by a fire department, the State Fire Marshal, a public agency, a volunteer fire association, or their designated representatives.

**“Trainee”** means an individual who is employed by an Oklahoma licensed company to learn to properly engage in the activities regulated by this Chapter that can engage in any licensed category pursuant to this



Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.

**380:75-1-3. Adopted references**

The Department of Labor hereby incorporates by reference the following standards as adopted by the OUBCC as the minimum standards of installation for the alarm and locksmith industry in Oklahoma: International Code Council (ICC) International Building Code (IBC), National Electrical Code (NFPA 70), National Fire Alarm Code (NFPA 72), Standard for the Installation of Sprinkler Systems (NFPA 13), Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings (NFPA 13D), Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four stories in Height (NFPA 13R), Standard for the Installation of Standpipe and Hose Systems (NFPA 14), Standard for Water Spray Fixed Systems for Fire Protection (NFPA 15), Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems (NFPA 16), Standard for the Installation of Stationary Pumps for Fire Protection (NFPA 20), Standard for the Installation of Private Fire Service Mains and Their Appurtenances (NFPA 24), Standard for the Inspection, Testing, and Maintenance Water-Based Fire Protection Systems (NFPA 25), and Code for Safety to Life from Fire in Buildings and Structures (NFPA 101). If a conflict exists between any of the above referenced installation standards, the more stringent standard shall apply. If a conflict exists between any of the above referenced codes or standards and this Chapter, the requirements in this Chapter shall apply.

**380:75-1-4. Compliance with intent of Chapter**

Where no specific standards or requirements are specified in this Chapter or within other codes or regulations adopted by the Department of Labor, compliance with the applicable standards of the National Fire Protection Association, American National Standard Institute (ANSI), or other nationally recognized fire safety standards approved by the State is prima facie evidence of compliance with the intent of this Chapter.

**SUBCHAPTER 3. LICENSE REQUIREMENTS**

**380:75-3-1. General application and license requirements**

The categories of licensing in the alarm and locksmith industry shall be:

- (1) Burglar alarm;
- (2) Residential fire alarm;
- (3) Commercial fire alarm;
- (4) Alarm Monitoring;
- (5) Fire sprinkler;

- (6) Locksmith;
- (7) Electronic access control;
- (8) Closed circuit television; and
- (9) Nurse call.

**380:75-3-2. Application and license fees, period and display, and examination alternatives or prerequisites**

(a) **Application and license fees.** The following fees apply to alarm and locksmith industry licensure:

- (1) Initial application and licensing fees
  - (A) Company application and license - \$250.00. A company that is owned and operated by the company manager, with only a locksmith category license and which employs no additional employees, shall be exempted from a company license fee. A company shall submit a list of employees licensed in accordance with the Alarm and Locksmith Industry Act, to the Department, with each application or renewal application for a company license.
  - (B) Company manager and plan and design - Application \$70.00 and Licensing fee \$100.00
  - (C) Inspector, technician, salesperson - Application \$14.00 and Licensing fee \$35.00
  - (D) Technician trainee - Application \$40.00 and License Fee \$35.00.
  - (E) Fire Sprinkler Technician Trainee \$20.00
  - (F) Duplicate or revised license - \$25.00
- (2) Renewal fees
  - (A) Company license - \$250.00; A company that is owned and operated by the company manager, with only a locksmith category license and which employs no additional employees, shall be exempted from a company license fee.
  - (B) Company manager and plan and design - \$100.00
  - (C) Inspector, technician, salesperson - \$35.00
  - (D) Trainee - \$25.00
  - (E) Fire Sprinkler Technician Trainee \$15.00

(b) **License period.**

- (1) All individual licenses shall expire annually on the last day of the licensee's birth month. Each such license shall be prorated in accordance with the licensing procedures adopted by the Department. All company licenses shall expire annually on the last day of the month the license was initially issued. A manager may choose to renew the company license in the same month as the manager license. An expired license may be renewed by paying the renewal fee no later than thirty (30) days after the

license's expiration date. An expired license may be renewed later than thirty (30) days after the license's expiration date by paying double the renewal fee. Any individual license renewal shall require the licensee to be listed as an employee of a licensed company on the companies' renewal form or in a separate letter from the company which has been signed by the licensed manager of record. If an individual licensee cannot supply to the Department the required employment information, the licensee may request the Department to designate his or her license as inactive. The inactive designation of the license shall remain until the employment information is provided to the Department. The requirement of employment by an employer specifically licensed as a company under this Section shall not apply for individual licensees employed by a general services provider engaged by the Department of Defense for broad, general DOD facility services which would include fire sprinkler, locksmith, alarm, access control, nurse call or locksmith services.

- (2) Initial applications for managers, technicians, salespersons, plan and design and trainees shall be submitted to the Department. Each applicant shall comply with the licensing procedures adopted by the Department. This registration shall be contingent on a security background investigation. Each license applicant shall provide either:
  - (A) An application and a current criminal history record check dated within thirty (30) days of application from the Oklahoma State Bureau of Investigation. If the applicant has resided in any other state within the past ten (10) years, a current criminal history record check from each state of previous residence will be required. In addition, the applicant shall submit two (2) classifiable sets of fingerprints. The Commissioner may allow for the option of electronic submission of the applicant's fingerprints under licensing procedures adopted by the Department. The applicant shall be photographed by the Department of Labor or an entity approved by the Department in accordance with the licensing procedures adopted by the Department. (This provides for temporary licensure for trainees only.); or
  - (B) An application and two (2) classifiable sets of fingerprints. The Commissioner may allow for the option of electronic submission of the applicant's fingerprints under licensing procedures adopted by the Department. The applicant shall be photographed by the Department of Labor or an entity

approved by the Department in accordance with the licensing procedures adopted by the Department. (This does not provide for temporary licensure.)

- (3) A license which has been expired for more than two (2) years shall not be renewed. An individual may obtain a valid license by successful completion of the appropriate examination and/or certification and other licensure requirements.
- (4) A temporary trainee license will be issued to an individual who has provided the documents required in 380:75-3-2(b)(2)(A). The temporary license will be valid for a period not to exceed (90) ninety days. An individual may be issued a second temporary license for good cause shown as determined by the Department. An applicant for a temporary fire sprinkler trainee license may work for a licensed fire sprinkler company on unoccupied commercial new-construction projects only, upon application for licensure while the applicant's application is being processed by the Department of Labor, for up to (30) thirty days, subject to the requirements of 380:75-3-6(a)(4), and provided the applicant has first undergone a national criminal history records search by a third party commercial provider of national criminal history records search services and the applicant meets the requirements of 59 O.S. § 1800.7 and 59 O.S. § 1800.13. The applicant, prior to licensure, shall not be authorized to perform work or otherwise be present at any job site located at or immediately adjacent to a school, church, long-term care facility, or hospital.
- (c) **Examination and re-examination.** Any applicant failing to pass the appropriate examination shall be required to retake the same category examination after payment of a retest fee. Any person who fails to appear for a scheduled examination shall forfeit his/her examination fee.
- (d) **Company license display.** While actively engaged in any activity regulated by this Chapter, the state issued company license number, or a statement referring to a website or toll free phone number to obtain licensing information shall be placed on all advertising and marketing materials including but not limited to, letterhead stationery, business cards, invoices, statements, contracts, bids, estimates, printed advertisements, electronic media advertisements, decals and yard signs. The license number shall be prominently displayed on any publicly accessible website, either on the home page or on every page advertising a product or service regulated by this Chapter. The state issued license number shall be displayed in numerals of two (2) inches or more in height and shall be located on all vehicles that display the company name while actively engaged in any activity regulated by this

Chapter. The license number shall be placed on every side of the vehicle which displays the company name. Display shall be in letters and numerals of two (2) inches or more in height. The required license number and company name shall be displayed in either a temporary or permanent manner on at least one company vehicle at any job site unless exempted by a specific written request of the customer, except that a licensed fire sprinkler company may prominently display a durable sign, at least 2'x2' in size, bearing the company name and license number in letters and numerals of two (2) inches or more in height, at the main location of vehicle ingress to a commercial job site in lieu of having a vehicle bearing the company name and license number present at the job site while work is being performed.

- (e) **Personal license display.** Each manager, technician, technician trainee, or salesperson, shall possess the state issued card any time the person is working in such capacity. The individual license shall be presented to any authorized representative of the Department of Labor or other authorities having jurisdiction. In addition the individual shall have a valid, state-issued photo I.D. in their possession while engaged in the licensed activity.
- (f) **Personal license information.**
  - (1) Each individual license holder shall notify the Department of Labor, on a form specified and provided by the Department, within fourteen (14) days of the following:
    - (A) Any change in the home address.
    - (B) Any separation from an employer or change in employer.
    - (C) Any conviction for a felony or entry of a plea of guilty or nolo contendere to a felony charge.
  - (2) No individual licensed under this Chapter shall contract for his/her services as an independent contractor without applying for and being issued a company and manager license under this Chapter. No company shall contract for the independent services of a holder of an individual license under this Section.

**380:75-3-3. Burglar alarm license requirements**

Licensing requirements for the burglar alarm industry are as follows:

- (1) **Company.**
  - (A) Each burglar alarm company shall employ an Oklahoma licensed burglar alarm manager who is responsible for the operations of the company's office. A burglar alarm company shall notify the Department within fourteen (14) days in event of the death of the burglar alarm company manager or the manager's separation from the company for any other reason, and the company shall designate

another licensed burglar alarm manager within (30) thirty days from separation.

- (B) A licensed burglar alarm technician or manager shall be on site for any work being performed.
- (C) A burglar alarm company may operate multiple activity offices provided each office has the same name and ownership of the parent company and shall operate in compliance with 380:75-3-3(1)(A). The company will notify the Department of the physical address and telephone number for each office in accordance with 59 O.S. Section 1800.10.
- (D) Each alarm company engaged in alarm business that sells a burglar alarm system to a consumer upon request from the consumer shall within forty-eight (48) hours return the lockout, installer, or programming code of the system to the factory default setting when the consumer cancels the contract on customer-owned equipment. If a system is installed without a written contract with the consumer, the system shall have the lockout code, installer or programming code set at default.
- (E) A company shall maintain and provide the customer with the following information prior to any agreement for service becoming effective. Any early termination clause applicable to military personnel, or the lack of such a clause, shall be fully disclosed in writing and shall be separately acknowledged by the customer. All monitoring and/or lease contracts shall include, as a minimum, the following information: the initial term of the agreement, the renewal term of the agreement, the terms for notification of cancellation of the agreement as well as the costs involved of all the terms of the agreement, the company name and the state issued license number, the sales representative's name and state issued license number, and the address where service will be provided. The minimum contract information described above shall be disclosed in one of the following ways:
  - (i) Printed on the front or face of the written contract in not less than twelve (12) point bold type and at least two (2) points larger than the rest of type size of the remaining text in the written contract;
  - (ii) On a separate disclosure form appended to the written contract and dated, and signed by the customer and the licensed alarm company representative who made the sale; or

- (iii) Electronically in a format and language that is understandable to the average consumer using bold type which is at least two (2) points larger than the type size of the remaining text in the contract.
- (2) **Manager.**
  - (A) Each application for licensure as a manager shall include verification of four (4) years of experience in the burglar alarm business. The experience shall include two (2) years verified/or licensed experience as a burglar alarm technician or other related experience approved by the Committee.
  - (B) Each burglar alarm manager applicant must pass an examination or examinations prescribed by the Commissioner.
  - (C) Each licensed burglar alarm company manager shall be responsible for all activities conducted within the State of Oklahoma by the office where they are listed as manager.
  - (D) Each licensed burglar alarm company manager shall have a security background verification.
  - (E) Each licensed burglar alarm company manager shall also be licensed as a residential fire alarm manager.
- (3) **Technician.**
  - (A) Each technician shall work for a licensed burglar alarm company and under the supervision of a burglar alarm company manager.
  - (B) Each burglar alarm technician applicant must pass an examination prescribed by the Commissioner.
  - (C) Each technician shall have a security background verification.
  - (D) Each licensed burglar alarm technician shall also be licensed as a residential fire alarm technician.
  - (E) An individual that holds a technician license in this category can engage in any licensed category as a trainee pursuant to this Chapter.
- (4) **Technician/Salesperson Trainee.**
  - (A) A technician/salesperson trainee shall be employed by a licensed Oklahoma burglar alarm company.
  - (B) A technician/salesperson trainee shall work under the direct supervision of a licensed burglar alarm company manager, burglar alarm technician or a burglar alarm salesperson.
  - (C) There shall be no more than three (3) technician/salesperson trainees per burglar alarm company

- manager, burglar alarm technician or burglar alarm salesperson per job site or project.
- (D) Each technician/salesperson trainee shall have security background verification.
  - (E) Each licensed burglar alarm trainee shall also be licensed as a residential fire alarm trainee.
  - (F) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.
  - (G) An individual who holds a trainee license can engage in the rough-in cabling or wiring under the direct supervision of a licensed company holding the appropriate license category.
  - (H) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a burglar alarm company.
- (5) **Salesperson.**
- (A) Each salesperson shall work for a licensed burglar alarm company and under the supervision of a burglar alarm company manager.
  - (B) Each salesperson shall have a security background verification.

**380:75-3-4. Fire alarm license requirements**

Licensing requirements for the fire alarm industry are as follows:

- (1) **Company.**
- (A) Each fire alarm company shall employ an Oklahoma licensed fire alarm manager who is responsible for the operations of the company's office. In the event of the death of the fire alarm company manager or his/her separation from the company for any other reason, a fire alarm company shall notify the Department within fourteen (14) days and name a licensed fire alarm manager within thirty (30) days after separation.
  - (B) A licensed fire alarm technician or manager shall be on site for any work being performed.
  - (C) A company whose manager only holds a residential fire alarm manager license shall be issued a residential fire alarm company license.
  - (D) A company whose manager holds a commercial fire alarm manager license shall be issued a commercial fire alarm company license.



- (E) A company with a residential fire alarm company license shall only offer to, or engage in the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of fire alarms for use in residential building and manufactured housing.
  - (F) A company with a commercial fire alarm company license may offer to, or engage in the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of fire alarm systems for any residential or commercial use.
  - (G) Any equipment installed by a company as part of a fire alarm system shall be listed by Underwriters Laboratories, Factory Mutual or any other nationally recognized testing entities for such purpose.
  - (H) A fire alarm company may operate multiple activity offices provided each office has the same name and ownership of the parent company and shall operate in compliance with 380:75-3-4(1)(A). The company will notify the Department of the physical address and telephone number for each office in accordance with 59 O.S. Section 1800.10.
  - (I) A properly licensed fire alarm technician or manager of a properly licensed alarm company shall perform the initial testing, inspection, or certification of the entire fire alarm system, and that licensed alarm company shall assume full responsibility for the installation of the alarm system.
  - (J) Each fire alarm company that sells a fire alarm system to a consumer upon request from the consumer shall within forty-eight (48) hours return the central station monitoring programming code of the system to the factory default setting when the consumer cancels the contract on customer owned equipment. If a system is installed without a written contract with the consumer, the system shall have the central station monitoring programming code set at default.
- (2) **Manager.**
- (A) Each application for licensure as a fire alarm manager shall include verification of four (4) years of experience in the fire alarm business. The experience shall include two (2) years verified/or licensed experience as a fire alarm technician. If applying for residential fire alarm manager, experience must show residential technical experience. If applying for commercial fire alarm manager, experience must show commercial technical experience.

- (B) Each residential fire alarm manager applicant must pass an examination or examinations prescribed by the Commissioner.
  - (C) Each commercial fire alarm manager applicant must pass an examination or examinations prescribed by the Commissioner.
  - (D) Each licensed company manager shall be responsible for all activities of the office they are listed as manager for within the State of Oklahoma.
  - (E) Each licensed company manager shall have a security background verification.
  - (F) A manager with a residential fire alarm manager license shall only offer to, engage in, or supervise the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of fire alarm systems for use in residential building and manufactured housing. Each licensed fire alarm company manager that engages in residential systems must also be licensed as a burglar alarm manager.
  - (G) A manager with a commercial fire alarm manager license may offer to, engage in, or supervise the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of fire alarm systems for any residential or commercial use.
- (3) **Technician.**
- (A) Each technician shall work for a licensed Oklahoma fire alarm company and under the supervision of a fire alarm company manager.
  - (B) Each residential fire alarm technician applicant must pass an examination prescribed by the Commissioner.
  - (C) Each commercial fire alarm technician applicant must pass an examination prescribed by the Commissioner.
  - (D) Each technician shall have a security background verification.
  - (E) Each technician shall perform or supervise only fire alarm work within the fire alarm license category for which the fire alarm company is licensed. Each licensed fire alarm technician that engages in residential systems must also be licensed as a burglar alarm technician.
  - (F) An individual that holds a technician license in this category can engage in any licensed category as a trainee pursuant to this Chapter.
- (4) **Technician/salesperson trainee.**

- (A) A technician/salesperson trainee shall be employed by a licensed Oklahoma fire alarm company.
  - (B) A technician/salesperson trainee shall work under the direct supervision of a licensed fire alarm company manager, fire alarm technician or a fire alarm salesperson.
  - (C) There shall be no more than three (3) technician/salesperson trainees per fire alarm company manager or fire alarm technician per job site.
  - (D) Each technician/salesperson trainee shall have a security background verification.
  - (E) Each technician/salesperson trainee shall only install, repair, alter, maintain, service, sell, or inspect fire alarm systems within the fire alarm license category for which the supervisor is licensed. Each licensed fire alarm trainee that engages in residential systems must also be licensed as a burglar alarm trainee.
  - (F) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.
  - (G) An individual who holds a trainee license can engage in the rough-in cabling or wiring under the direct supervision of a licensed company holding the appropriate license category.
  - (H) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a fire alarm company.
- (5) **Salesperson.**
- (A) Each salesperson shall work for a licensed Oklahoma fire alarm company and under the supervision of a fire alarm company manager.
  - (B) Each commercial fire alarm salesperson applicant must pass an examination required by the Department and prescribed by the Commissioner which determines if the applicant is sufficiently knowledgeable in fire alarms to design and sell fire alarm systems that meet applicable code standards when installed.
  - (C) Each salesperson shall have a security background verification.
  - (D) Each salesperson shall design and sell only fire alarm systems in the license category for which the fire alarm company is licensed.

### **380:75-3-5. Monitoring license requirements**

Licensing requirements for the alarm monitoring industry are as follows:

(1) **Company.**

- (A) Each monitoring company shall employ an Oklahoma licensed alarm monitoring manager. A monitoring license shall be required for any company which offers and/or provides monitoring services to residential or commercial properties located within the state of Oklahoma.
- (B) Enhanced call verification
  - (i) Except as provided in this subsection, a monitoring company shall attempt to verify that an activated signal from an alarm system designed to detect and signal an unauthorized intrusion or entry, before requesting a law enforcement response by:
    - (I) Calling the alarm user at the site of the alarm system with the activated signal.
    - (II) If no contact is made with the alarm user at the site, calling a second telephone number provided by the alarm user of an individual authorized to cancel a response.
  - (ii) A monitoring company is not required to contact an alarm user who has obtained a written exemption from response verification from the local chief law enforcement officer or his/her designee.
  - (iii) A monitoring company is not required to call an alarm user if the system provides visual or audible verification of an unauthorized intrusion or entry by electronic means incorporated into the alarm system.
  - (iv) A monitoring company is not required to contact an alarm user for signals from medical, emergency, holdup, panic, ambush, nurse call systems, and/or fire alarms.

(2) **Manager.**

- (A) Each manager shall be responsible for all activities of the company within the State of Oklahoma. In the event of the death of the monitoring company manager or his/her separation from the company for any other reason, a monitoring company shall notify the Department with fourteen (14) days and name another licensed burglar alarm manager within thirty (30) days from separation.
- (B) Each manager shall have a security background verification.

**380:75-3-6. Fire sprinkler license requirements**

Licensing requirements for the fire sprinkler industry are as follows:

(1) **Company.**

- (A) Each fire sprinkler company shall employ an Oklahoma licensed fire sprinkler manager who shall attend the operations of that office. In the event of the death of the fire sprinkler manager or his/her separation from the company for any other reason, a fire sprinkler company shall notify the Department within fourteen (14) days and name another licensed fire sprinkler manager within thirty (30) days from separation.
- (B) A licensed fire sprinkler technician or manager must be on job site of any work being performed.
- (C) A company whose manager only holds a residential fire sprinkler manager license shall be issued a residential fire sprinkler license.
- (D) A company whose manager holds a commercial fire sprinkler manager license shall be issued commercial fire sprinkler license.
- (E) A company with a residential fire sprinkler company license shall only offer to, or engage in the planning, sales, installation, repair, alteration, service, and inspection of residential multipurpose fire sprinkler systems on residential building and manufactured housing.
- (F) A company with a commercial fire sprinkler company license may offer to, or engage in the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of fire sprinkler systems for any residential or commercial use.

(2) **Manager.**

- (A) Each residential fire sprinkler applicant must pass an examination prescribed by the Commissioner.
- (B) Each licensed residential or commercial company manager accepts full responsibility for all activities of his/her company within the State of Oklahoma.
- (C) A fire sprinkler company manager is a specialty contractor whose principal contracting business is the execution of contracts requiring the art, ability, experience, knowledge, science, and skill to design, fabricate, install, inspect (other than electrical), alter or repair, fire sprinkler systems, piping or tubing and appurtenances and equipment pertaining thereto, including both overhead and underground non-potable water mains, fire hydrant mains, standpipes, and hose connections to fire sprinkler systems,

- air line systems used in connection with fire sprinkler systems, and tanks and pumps connected thereto, in compliance with nationally recognized standards including state and local codes and standards for layout, installation and maintenance of fire sprinkler systems.
- (D) Each commercial fire sprinkler manager applicant must pass an examination or examinations prescribed by the Commissioner.
  - (E) A residential fire sprinkler manager shall only offer to, engage in, or supervise the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of multipurpose fire sprinkler systems for use in residential building and manufactured housing.
  - (F) A commercial fire sprinkler manager may offer to, engage in, or supervise the planning, installation, repair, alteration, maintenance, service, sale, inspection, or advertisement of fire sprinkler systems for any residential of commercial use.
  - (G) Each commercial or residential fire sprinkler manager shall have a security background verification.
- (3) **Technician.**
- (A) Each residential or commercial fire sprinkler technician must work for a licensed Oklahoma fire sprinkler company and work under the supervision of a fire sprinkler company manager.
  - (B) Each residential fire sprinkler technician applicant must pass an examination required by the Department.
  - (C) Each commercial fire sprinkler technician applicant must pass an examination prescribed by the Commissioner.
  - (D) A commercial fire sprinkler technician working for a fire sprinkler company with a residential license shall only perform fire sprinkler work for which the company is licensed.
  - (E) Each fire sprinkler technician shall have a security background verification.
- (4) **Technician Trainee.**
- (A) A technician trainee shall be employed by a licensed Oklahoma fire sprinkler company.
  - (B) A technician trainee shall work under the direct supervision of a licensed fire sprinkler company manager or fire sprinkler technician.
  - (C) There shall be no more than three (3) technician trainees per fire sprinkler company manager or fire sprinkler technician per job site.

- (D) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a fire sprinkler company.
  - (E) Each fire sprinkler technician trainee shall have a security background verification.
- (5) **Inspector.**
- (A) An applicant for initial licensure as a fire sprinkler inspector applicant must pass an exam prescribed by the Commissioner.
  - (B) Each fire sprinkler inspector shall work for a licensed fire sprinkler company.
  - (C) Each fire sprinkler inspector shall inspect and test each fire sprinkler system to determine if the system has been installed and is operating according to the appropriate code and standard before certifying the system.
  - (D) Each fire sprinkler inspector shall work for a fire sprinkler company which possesses an unlimited fire sprinkler company license.
  - (E) Each fire sprinkler inspector shall have a security background verification.

**380:75-3-7. Locksmith license requirements**

Licensing requirements for the locksmith industry are as follows:

- (1) **Company.**
- (A) Each locksmith company shall employ an Oklahoma licensed locksmith manager who is responsible for the operations of the company's office. In the event of the death of the locksmith company manager or his/her separation from the company for any other reason, a locksmith company shall notify the Department within fourteen (14) days and name another licensed locksmith manager within thirty (30) days from separation.
  - (B) A licensed locksmith technician or manager shall be on site for any work being performed.
  - (C) A locksmith company may operate multiple offices provided each office has the same name and ownership of the parent company and shall operate in compliance with 380:75-3-7(1)(A). The company shall notify the Department of the physical address and telephone number for each office in accordance with 59 O.S. Section 1800.10.
  - (D) The initial retail sales and pinning of locks and lock system shall not require a locksmith license. However, the repinning of locks subsequent to the initial sales shall require a locksmith license.

- (E) Tow truck companies/operators licensed by the Department of Public Safety are exempted from the requirements of licensure and this Chapter when performing automotive locksmith services at their business location, and when performing automotive locksmith roadside services in a vehicle appropriately licensed and identified in accordance with the Department of Public Safety requirements for tow truck companies/operators (OAC 595:25) existing at the time of the adoption of this rule or as may subsequently enumerated or adopted.
  - (F) An individual, company, corporation, institution, industry, business or religious organization, or employee thereof, is exempt from the requirements of this Chapter when performing locksmith category activities on the property of the same, provided the locksmith category services are not performed as a normal business practice on the property of another.
- (2) **Manager.**
- (A) Each application for licensure as a manager shall include verification of experience in the locksmith business. The experience shall include verified/or licensed experience as a locksmith technician.
  - (B) Each locksmith manager applicant must pass an examination or examinations prescribed by the Commissioner.
  - (C) Each licensed locksmith company manager shall be responsible for all activities conducted within the State of Oklahoma by the office where they are listed as manager.
  - (D) Each licensed locksmith company manager shall have a security background verification.
- (3) **Technician.**
- (A) Each technician shall work for a licensed Oklahoma locksmith company and under the supervision of a locksmith company manager.
  - (B) Each locksmith technician applicant must pass an examination prescribed by the Commissioner.
  - (C) Each technician shall have a security background verification.
  - (D) An individual that holds a technician license in this category can engage in any licensed category as a trainee pursuant to this Chapter.
- (4) **Technician Trainee.**
- (A) A technician trainee shall be employed by a licensed Oklahoma locksmith company.



- (B) A technician trainee shall work under the direct supervision of a licensed locksmith company manager or a locksmith technician.
  - (C) There shall be no more than three (3) technician trainees per locksmith company manager or locksmith technician per job site.
  - (D) Each technician trainee shall have security background verification.
  - (E) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.
  - (F) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a locksmith company.
- (5) **Salesperson.**
- (A) Each salesperson shall work for a licensed Oklahoma locksmith company and under the supervision of a locksmith company manager.
  - (B) Each salesperson shall have a security background verification.

**380:75-3-8. Electronic Access Control license requirements**

Licensing requirements for the electronic access control are as follows:

- (1) **Company.**
- (A) Each electronic access control company shall employ an Oklahoma licensed electronic access control manager who is responsible for the operations of the company's office. In the event of the death of the electronic access control company manager or his/her separation from the company for any other reason, an electronic access control company shall notify the Department within fourteen (14) days and name another licensed electronic access control manager within thirty (30) days from separation.
  - (B) A licensed electronic access control technician or manager shall be on site for any work being performed.
  - (C) An electronic access control company may operate multiple offices provided each office has the same name and ownership of the parent company and shall operate in compliance with 380:75-3-8(1)(A). The company shall notify the Department of the physical address and telephone number for each office in accordance with 59 O.S. Section 1800.10.

- (2) **Manager.**
  - (A) Each application for licensure as a manager shall include verification of experience in the electronic access control business. The experience shall include verified and/or-licensed experience as an electronic access control technician.
  - (B) Each electronic access control manager applicant must pass an examination or examinations prescribed by the Commissioner.
  - (C) Each licensed electronic access control company manager shall be responsible for all activities conducted within the State of Oklahoma by the office where they are listed as manager.
  - (D) Each licensed electronic access control company manager shall have a security background verification.
- (3) **Technician.**
  - (A) Each technician shall work for a licensed Oklahoma electronic access control company and under the supervision of an electronic access control company manager.
  - (B) Each electronic access control technician applicant must pass an examination prescribed by the Commissioner.
  - (C) Each technician shall have a security background verification.
  - (D) An individual that holds a technician license in this category can engage in any licensed category as a trainee pursuant to this Chapter.
- (4) **Technician/ Salesperson Trainee.**
  - (A) A technician/salesperson trainee shall be employed by a licensed Oklahoma electronic access control company.
  - (B) A technician/salesperson trainee shall work under the direct supervision of a licensed electronic access control company manager, electronic access control technician or an electronic access control salesperson.
  - (C) There shall be no more than three (3) technician/salesperson trainees per electronic access control company manager, electronic access control technician or electronic access control salesperson per job site.
  - (D) Each technician/salesperson trainee shall have a security background verification.
  - (E) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the

appropriate license in the category of activity being performed.

- (F) An individual who holds a trainee license can engage in the rough-in cabling or wiring under the direct supervision of a licensed company holding the appropriate license category.
  - (G) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by an electronic access control company.
- (5) **Salesperson.**
- (A) Each salesperson shall work for a licensed Oklahoma electronic access control company and under the supervision of an electronic access control company manager.
  - (B) Each salesperson shall have a security background verification.

**380:75-3-9. Closed circuit television license requirements (CCTV)**

Licensing requirements for the CCTV industry are as follows:

- (1) **Company.**
- (A) Each CCTV company shall employ an Oklahoma licensed CCTV manager who is responsible for the operations of the company's office. In the event of the death of the CCTV company manager or his/her separation from the company for any other reason, a CCTV company shall notify the Department within fourteen (14) days and name another licensed CCTV manager within thirty (30) days from separation.
  - (B) A licensed CCTV technician or manager shall be on site for any work being performed.
  - (C) A CCTV company may operate multiple offices provided each office has the same name and ownership of the parent company and shall operate in compliance with 380:75-3-9(1)(A). The company will notify the Department of the physical address and telephone number for each office in accordance with 59 O.S. Section 1800.10.
- (2) **Manager.**
- (A) Each application for licensure as a CCTV manager shall include verification of experience in the CCTV business. The experience shall include verified and/or licensed experience as a CCTV technician.
  - (B) Each closed circuit television manager applicant must pass an examination or examinations prescribed by the Commissioner.

- (C) Each licensed CCTV company manager shall be responsible for all activities conducted within the State of Oklahoma by the office where they are listed as manager.
  - (D) Each licensed CCTV company manager shall have a security background verification.
- (3) **Technician.**
- (A) Each technician shall work for a licensed Oklahoma CCTV company and under the supervision of a CCTV company manager.
  - (B) Each closed circuit television technician applicant must pass an examination prescribed by the Commissioner.
  - (C) Each technician shall have a security background verification.
  - (D) An individual that holds a technician license in this category can engage in any licensed category as a trainee pursuant to this Chapter.
- (4) **Technician – residential stand-alone CCTV systems designed for the purpose of self-monitoring by the end user.**
- (A) Each technician who shall only install residential stand-alone CCTV systems designed for the purpose of self-monitoring by the end user shall work for a licensed CCTV company and under the supervision of a CCTV company manager.
  - (B) Each technician who shall only install residential stand-alone CCTV systems designed for the purpose of self-monitoring by the end user shall have a security background verification.
- (5) **Technician/salesperson trainee.**
- (A) A technician/salesperson trainee shall be employed by a licensed Oklahoma CCTV company.
  - (B) A technician/salesperson trainee shall work under the direct supervision of a licensed CCTV company manager, CCTV technician or a CCTV salesperson.
  - (C) There shall be no more than three (3) technician/salesperson trainees per CCTV company manager, CCTV technician or CCTV salesperson per job site.
  - (D) Each technician/salesperson trainee shall have a security background verification.
  - (E) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the

appropriate license in the category of activity being performed.

- (F) An individual who holds a trainee license can engage in the rough-in cabling or wiring under the direct supervision of a licensed company holding the appropriate license category.
- (G) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a CCTV company.

(6) **Salesperson.**

- (A) Each salesperson shall work for a licensed Oklahoma CCTV company and under the supervision of a CCTV company manager.
- (B) Each salesperson shall have a security background verification.

**380:75-3-10. Nurse call system license requirements**

Licensing requirements for the nurse call industry are as follows:

(1) **Company.**

- (A) Each nurse call company shall employ an Oklahoma licensed nurse call manager who is responsible for the operations of the company's office. In the event of the death of the nurse call company manager or his/her separation from the company for any other reason, a nurse call company shall notify the Department within fourteen (14) days and name another licensed nurse call manager within thirty (30) days from separation.
- (B) A licensed nurse call technician or manager shall be on site for any work being performed.
- (C) A nurse call company may operate multiple offices provided each office has the same name and ownership of the parent company and shall operate in compliance with 380:75-3-10(1)(A). The company shall notify the Department of the physical address and telephone number for each office in accordance with 59 O.S. Section 1800.10.

(2) **Manager.**

- (A) Each application for licensure as a manager shall include verification of experience in the nurse call business. The experience shall include verified and/or licensed experience as a nurse call technician.
- (B) Each nurse call manager applicant must pass an examination or examinations prescribed by the Commissioner.

- (C) Each licensed nurse call company manager shall be responsible for all activities conducted within the State of Oklahoma by the office where they are listed as manager.
  - (D) Each licensed nurse call company manager shall have a security background verification.
- (3) **Technician.**
- (A) Each technician shall work for a licensed Oklahoma nurse call company and under the supervision of a nurse call company manager.
  - (B) Each nurse call technician applicant must pass an examination prescribed by the Commissioner.
  - (C) Each technician shall have a security background verification.
  - (D) An individual that holds a technician license in this category can engage in any licensed category as a trainee pursuant to this Chapter.
- (4) **Technician/salesperson trainee.**
- (A) A technician/salesperson trainee shall be employed by a licensed Oklahoma nurse call company.
  - (B) A technician/salesperson trainee shall work under the direct supervision of a licensed nurse call company manager, nurse call technician or a nurse call salesperson.
  - (C) There shall be no more than three (3) technician/salesperson trainees per nurse call company manager, nurse call technician or nurse call salesperson per job site.
  - (D) Each technician/salesperson trainee shall have a security background verification.
  - (E) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.
  - (F) An individual who holds a trainee license can engage in the rough-in cabling or wiring under the direct supervision of a licensed company holding the appropriate license category.
  - (G) A technician trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a nurse call company.
- (5) **Salesperson.**
- (A) Each salesperson shall work for a licensed Oklahoma nurse call company and under the supervision of a nurse call company manager.

- (B) Each salesperson shall have a security background verification.

## **SUBCHAPTER 5. SPECIAL PROVISIONS**

### **380:75-5-1. Commercial fire alarm tagging requirements**

- (a) **White Tag (installation sticker).** The White Tag shall be the permanent visual record of the original installation and certification. The following additional requirements shall apply to the use of the White Tag:
  - (1) The tag must be permanently affixed to the main control panels as long as the system is in service.
  - (2) The tag shall be five inches (5") in height by four inches (4") in width and shall be water durable and have a self-adhesive backing.
  - (3) The tag shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) The certifying company's name, address, and telephone number (local office);
    - (C) The certifying company's commercial fire alarm license number;
    - (D) The signature and license number of the commercial fire alarm technician certifying the system;
    - (E) The fire alarm permit number;
    - (F) The model of the control panel;
    - (G) The date of certification; and
    - (H) The code, edition and year under which the system was installed.
  - (4) Only the fire code official may remove an installation tag.
- (b) **Traffic Light Bright Green Tag (Annual inspection tag/sticker and inspection deficiency repair tag).** The Green Tag shall be the visual record of the last annual inspection, initial certification testing, or deficiency repair testing where the system was found to be operable with no impairments. The following additional requirements shall apply to the use of the Green Tag:
  - (1) The annual inspection must be conducted in accordance with NFPA testing standards and manufacturer's specifications.
  - (2) The annual inspection's deficiency repairs must be conducted in accordance with NFPA testing standards and manufacturer's specifications.

- (3) The tag shall be five inches (5") in height by four inches (4") in width and shall have a self-adhesive backing or made of colored card stock placed in a plastic sleeve.
  - (4) The tag shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) "Annual Inspection Tag" or "Deficiency Repair Tag";
    - (C) The service company's name, address, and telephone number (local office);
    - (D) The service company's commercial fire alarm license number;
    - (E) The signature and license number of the commercial fire alarm technician certifying the system;
    - (F) The date the inspection or deficiency repair(s) was/were performed; and
    - (G) The inspection company's name, ODOL company license number, and the date of the inspection.
  - (5) Within five (5) days of the inspection deficiency repairs, a copy of the repair document is to be provided to the authority having jurisdiction.
  - (6) Only a commercial fire alarm technician, employed by a fire alarm company or the fire code official may remove the tag.
- (c) **Traffic Light Bright Yellow Tag (Annual inspection tag/sticker) Operational Fire Alarm System but with minor impairments.** The intent of the Yellow Tag is to provide notification to the authority having jurisdiction of a system that is operable with impairments that do not severely compromise the system's functional operation. The Yellow Tag shall be the visual record of the last annual inspection where the system was found to be operable but with minor impairments. The following additional requirements shall apply to the use of the Yellow Tag:
- (1) The annual inspection must be conducted in accordance with NFPA testing standards and manufacturer's specifications.
  - (2) The tag shall be five inches (5") in height by four inches (4") in width and shall have a self-adhesive backing or made of colored card stock placed in a plastic sleeve.
  - (3) The tag shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) The service company's name, address, and telephone number (local office);
    - (C) The service company's commercial fire alarm license number;



- (D) The signature and license number of the commercial fire alarm technician certifying the system;
  - (E) The date the inspection was performed; and
  - (F) A list of the impairments.
- (4) Only a commercial fire alarm technician, employed by a commercial fire alarm company or the fire code official may remove the tag.
  - (5) If a Yellow Tag is placed on a fire alarm system the commercial fire alarm company shall notify the building owner or agent and the fire code official in writing of all impairments immediately or as soon as practicable, but no later than seventy-two (72) hours.
- (d) **Traffic Light Bright Red Tag (Annual inspection tag/sticker) Fire Alarm System Inoperable.** The intent of the Red Tag is to provide notification to the authority having jurisdiction of a fire alarm system that is inoperable.
- (1) The annual inspection must be conducted in accordance with NFPA testing standards and manufacturer's specifications.
  - (2) The tag shall be five inches (5") in height by four inches (4") in width and shall have a self-adhesive backing or made of colored card stock placed in a plastic sleeve.
  - (3) The tag shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) The service company's name, address, and telephone number (local office);
    - (C) The service company's commercial fire alarm license number;
    - (D) The signature and license number of a commercial fire alarm technician certifying the system;
    - (E) The date the inspection was performed;
    - (F) A list of the deficiencies that render the system inoperable; and
    - (G) A list of any deficiencies present that do not render the system inoperable.
  - (4) Only a commercial fire alarm technician, employed by a commercial fire alarm company or the fire code official may remove an annual inspection tag.
  - (5) If a Red Tag is placed on a fire alarm system the commercial fire alarm company shall notify the building owner or agent and the fire code official in writing of all impairments immediately or as soon as practicable, but no later than twenty-four (24) hours.

### **380:75-5-2. Fire sprinkler tagging requirements**

- (a) **White Sticker.** The white sticker shall be made from water durable material and permanently affixed to the riser of the fire protection system. The white sticker shall be affixed at the time of acceptance. The sticker shall be completed with waterproof ink. The following additional requirements shall apply to the use of the White Sticker:
- (1) The sticker shall be a permanently affixed sticker (glued back) that is completed by the contractor. This installation sticker shall be affixed to the riser directly adjacent to the data plate. This sticker will stay on the riser indefinitely. The sticker will be five inches (5") in height and four inches (4") in width.
  - (2) The sticker shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) The contractor's name;
    - (C) The contractor's complete address;
    - (D) The contractor's phone number;
    - (E) The contractor's Oklahoma state license number;
    - (F) The applicable version of NFPA 13 which the system was installed under;
    - (G) The date of installation;
    - (H) The technician's name responsible for installation; and
    - (I) The name of the authority having jurisdiction (AHJ).
  - (3) All information shall be printed and be legible.
  - (4) Any subsequent addition(s) to the sprinkler shall require a new white sticker with the same data referenced above. The new sticker shall be placed on top of the previous sticker.
- (b) **Traffic Light Bright Green Inspection/Service Tag.** The Traffic Light Bright Green Inspection/Service Tag shall be placed in a clear plastic sleeve and attached to the system after the system has been thoroughly inspected by a licensed fire sprinkler inspector or a licensed fire sprinkler company manager of a licensed sprinkler company and found to be operational. The following additional requirements shall apply to the use of the Traffic Light Bright Green Inspection/Service Tag:
- (1) After annual inspection or initial installation of a sprinkler system the Traffic Light Bright Green Inspection/Service Tag shall be affixed to the riser when no impairments are found and the system appears to be operational.
  - (2) A Traffic Light Bright Green Inspection/Service Tag shall be attached to the riser each time the system is serviced or repaired and the appropriate block punched. Any necessary

comments shall be printed in the provided space on the rear of the tag.

- (3) The Traffic Light Bright Green Inspection/Service Tag shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) The licensed fire sprinkler contractor's name and address;
    - (C) The licensed fire sprinkler contractor's Oklahoma state license number;
    - (D) The day, month and year inspected in print, and punched;
    - (E) The fire licensed sprinkler inspector or licensed fire sprinkler company manager's signature; and
    - (F) The type of work performed punched in the appropriate block for each type of work, installation, service and inspection performed.
  - (4) The tag shall be "traffic light bright" green in color, five and one fourth inches (5 1/4") in height and two and five-eighths inches (2 5/8") in width.
  - (5) The tag shall be printed with dates and may be established for any six-year period. After each printing a copy of the tag shall be sent to the State Fire Marshall and the Department of Labor.
  - (6) The tag can be removed only by a licensed sprinkler inspector or a licensed company manager of a licensed sprinkler company, an employee of the local or State Fire Marshal's office or an authorized representative of a governmental agency with regulatory authority. Unnecessary tags shall be removed and discarded each time a new tag is installed. The new tag shall be placed in the clear plastic sleeve.
- (c) **Traffic Light Bright Yellow Inspection Tag.** The Traffic Light Bright Yellow Inspection Tag shall be placed in a clear plastic sleeve and be attached to the fire protection system after the system has been thoroughly inspected by a licensed fire sprinkler inspector or a licensed fire sprinkler company manager of a licensed sprinkler company and found to contain deficiencies. The application of this inspection tag requires notification to the fire code official within seventy-two (72) hours. The following additional requirements shall apply to the use of the Traffic Light Bright Yellow Inspection Tag:
- (1) The Traffic Light Bright Yellow Inspection Tag cannot be removed and/or replaced by a Traffic Light Bright Green Inspection/Service Tag until the condition that caused or created the deficiency or deficiencies has been corrected. The following are some examples of deficiencies where the use of the Traffic Light Bright Yellow Inspection Tag would be appropriate,

provided the said deficiencies do not render the system inoperable:

- (A) Minor loading of heads;
  - (B) Spare wrench or spare heads missing;
  - (C) Escutcheon rings missing;
  - (D) Minor head clearance violations (stock or storage);
  - (E) FDC cap missing;
  - (F) Glass on a gauge missing or broken;
  - (G) Stock piled within three feet of a riser;
- (2) The tag shall be attached to the riser.
  - (3) The tag shall bear the following information:
    - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
    - (B) The licensed fire sprinkler contractor's name and address;
    - (C) The licensed fire sprinkler contractor's Oklahoma state license number;
    - (D) The day, month and year inspected in print, and punched; and
    - (E) The licensed fire sprinkler inspector or licensed sprinkler company manager's signature.
  - (4) The tag shall be "traffic light bright" yellow in color, five and one-fourth inches (5 1/4") in height and two and five-eighths inches (2 5/8") in width.
  - (5) The tag shall be printed with dates and may be established for any six-year period. After each printing a copy of the tag shall be sent to the State Fire Marshal and the Department of Labor.
  - (6) The tag can be removed only by a licensed fire sprinkler inspector or a licensed fire sprinkler company manager of a licensed sprinkler company, an employee of the local or State Fire Marshal's office or an authorized representative of a governmental agency with regulatory authority, after a determination of the system's condition has been made consistent with subsection (1) above. Unnecessary tags shall be removed and discarded each time a new tag is installed. The new tag shall be placed in the clear plastic sleeve.
  - (7) After the Traffic Light Bright Yellow Inspection Tag is placed on the sprinkler system the person or authority affixing the tag shall, in addition to notifying the fire code official within seventy-two (72) hours, notify the building owner or agent immediately or as soon as practicable. Notification to the fire code official shall be accomplished by transmission of a copy of the inspection form, preferably by telephonic facsimile transmission, that was completed by the person or authority affixing the tag. When the

impairments are corrected the system shall be re-inspected and the appropriate colored tag placed upon the system.

- (d) Traffic Light Bright Red Inspection Tag. The Traffic Light Bright Red Inspection Tag shall be placed in a clear plastic sleeve and be attached to the fire protection system after the system has been thoroughly inspected by a licensed fire sprinkler inspector or a licensed fire sprinkler company manager of a licensed sprinkler company and found to contain impairments that could, or do in fact, render it inoperable. The application of this inspection tag requires notification to the fire code official within twenty-four (24) hours. The following additional requirements shall apply to the use of the Traffic Light Bright Red Inspection Tag:

- (1) The Traffic Light Bright Red Inspection Tag cannot be removed and or replaced by a Traffic Light Bright Yellow Inspection Tag or a Traffic Light Bright Green Inspection/Service Tag until the condition that caused it to be inoperable has been corrected. The following deficiencies are appropriate for the use of the Traffic Light Bright Red Inspection Tag:
  - (A) Water turned off to the system;
  - (B) Frozen pipes;
  - (C) Inability of a licensed contractor to test the system because of obstructed drains; or
  - (D) Inoperable fire department connection.
- (2) The tag shall be attached to the riser.
- (3) The tag shall bear the following information:
  - (A) "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL";
  - (B) The licensed fire sprinkler contractor's name and address;
  - (C) The licensed fire sprinkler contractor's Oklahoma state license number;
  - (D) The day, month and year inspected in print, and punched;
  - (E) The licensed fire sprinkler inspector or licensed fire sprinkler company manager's signature; and
  - (F) The appropriate impairments check boxes and comment lines.
- (4) The tag shall be "traffic light bright" red in color, five and one-fourth (5 1/4") inches in height and two and five-eighths (2 5/8") inches in width.
- (5) The tag shall be printed with dates and may be established for any six-year period. After each printing, a copy of the tag shall be sent to the State Fire Marshal and the Department of Labor.
- (6) The tag can be removed only by a licensed fire sprinkler Inspector or a licensed fire sprinkler company manager of a licensed sprinkler company, an employee of the local or State

Fire Marshal's office or an authorized representative of a governmental agency with regulatory authority, after a determination of the system's condition has been made consistent subsection (1) above. Unnecessary tags shall be removed and discarded each time a new tag is installed. The new tag shall be placed in the clear plastic sleeve.

- (7) After the Traffic Light Bright Red Inspection Tag is placed on the sprinkler system the person or authority affixing the tag shall, in addition to notifying the fire code official within twenty-four (24) hours, notify the building owner or agent immediately or as soon as practicable but not later than twenty-four (24) hours. Notification to the fire code official shall be accomplished by transmission of a copy of the inspection form, preferably by telephonic facsimile transmission, that was completed by the person or authority affixing the tag. When the impairments are corrected the system shall be re-inspected and the appropriate colored tag placed upon the system.

### **380:75-5-3. Residential alarm tagging requirements**

A white sticker shall be permanently affixed to the residential fire alarm panel or if the panel is a self-contained unit, the sticker shall be placed on the breaker panel door. The white sticker shall be affixed at the time of installation acceptance. The following additional requirements shall apply to the use of the white sticker:

- (1) The white sticker shall be a permanently affixed sticker that is completed by the alarm panel contractor. The sticker shall remain on the panel indefinitely. The sticker shall be five inches (5") in length and four inches (4") in width.
- (2) The white sticker shall contain the following information:
  - (A) "DO NOT REMOVE BY ORDER OF THE CODE OFFICIAL";
  - (B) The contractor's full name, complete address and phone number;
  - (C) The contractor's Oklahoma license number;
  - (D) The applicable version of the NFPA which the system was installed;
  - (E) The date of installation; and
  - (F) The installer's name and license number.
- (3) All information on the white sticker shall be printed and legible.

## **SUBCHAPTER 7. ENFORCEMENT**

### **380:75-7-1. License revocation and suspension**

- (a) The employment or use of unlicensed individuals may be grounds to suspend, revoke, or deny renewal of the license of the person so employing or using unlicensed individuals.
- (b) The repeated violation of any rule or provision of the Act, or the violation of multiple sections of this Chapter or provisions of the Act, may be grounds to suspend or revoke a licensee's license.
- (c) Any person convicted in a court of competent jurisdiction of burglary, larceny, arson, forgery, fraud, conspiracy to defraud, or any similar offense, or pleading guilty or nolo contendere to any such offense may be subject to license suspension or revocation.
- (d) Any person failing to comply with a fine assessment or other administrative order of the Department within ninety (90) days of issuance of such assessment or order shall be subject to license suspension.
- (e) Any person whose license is revoked pursuant to these rules may not perform alarm or locksmith industry work before attaining licensure pursuant to OAC 380-75.

### **380:75-7-2. Prohibited acts**

- (a) No person, entity, or firm may perform burglar alarm, fire alarm, sprinkler alarm, locksmithing, electronic access control, closed circuit television, nurse call or monitoring work without first obtaining a license pursuant to these rules.
- (b) No person shall offer to engage in burglar alarm, fire alarm, sprinkler alarm, locksmithing, electronic access control, closed circuit television, nurse call or monitoring work during the period his/her license is suspended or revoked.
- (c) No employing firm shall employ or use an unlicensed person to perform alarm and locksmith industry work.
- (d) No person, entity, or firm may transfer a license or registration.
- (e) No person, licensed pursuant to these rules, shall enter into an agreement for the use of his/her license with any firm or person who is, or has been adjudicated to be, in violation of any provision of the Act, or whose license is currently suspended or has within the last year been revoked, unless or until otherwise approved by the Department.
- (f) No person shall make a materially false or fraudulent statement in an application for license, engage in cheating, or otherwise commit an act in violation of the Alarm and Locksmith Industry Act, 59 O.S. Section 1800, *et seq.*

**380:75-7-3. Schedule of fines for the alarm and locksmith industry**

The fine schedule for citations issued by the Department for violations of the Alarm and Locksmith Industry Act or the rules promulgated thereunder shall be subject to the fines as follows:

- (1) Engaging in an Alarm and Locksmith Industry business without a license in the appropriate category or classification:
  - (A) First - \$200
  - (B) Subsequent - \$200
- (2) Company employing unlicensed person to perform Alarm and Locksmith Industry work (per person):
  - (A) First - \$100
  - (B) Subsequent - \$200
- (3) Altering a license:
  - (A) First - \$200
  - (B) Subsequent - \$200
- (4) Failure to display company license in conspicuous place:
  - (A) First - \$50
  - (B) Subsequent - \$200
- (5) Individual not carrying a personal license:
  - (A) First - \$50
  - (B) Subsequent - \$200
- (6) Failure to display company license number as required by statute or rule:
  - (A) First - \$200
  - (B) Subsequent - \$200
- (7) Company employing person to perform Alarm and Locksmith Industry work without supervision of properly licensed manager:
  - (A) First - \$200
  - (B) Subsequent - \$200
- (8) Failure to have properly licensed manager or technician on site:
  - (A) First - \$200
  - (B) Subsequent - \$200
- (9) Failure to correct code violations per day after NOV compliance date:
  - (A) First - \$200
  - (B) Subsequent - \$200
- (10) Failure to comply with a specific provision of the Alarm and Locksmith Industry Regulations:
  - (A) First - \$50
  - (B) Subsequent - \$200