

HOUSE No. 5890

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 3, 1977.

The committee on Public Safety, to whom was referred the petition (accompanied by bill, Senate, No. 945) of Joseph F. Tilty and William Mosher for legislation relative to the repair and maintenance of burglar alarm systems, report recommending that the accompanying bill (House, No. 5890) ought to pass.

For the committee,

JOHN F. COFFEY.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT RELATIVE TO THE REPAIR AND MAINTENANCE OF BURGLAR ALARM SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of Chapter 141 of the General Laws is
2 hereby stricken and the following section is substituted therefor: —

3 *Section 1.* No person, firm or corporation shall enter into,
4 engage in, or work at the business of installing wires, conduits,
5 apparatus, fixtures or other appliances for carrying or using
6 electricity for light, heat or power, security or signalling systems or
7 any other electrical purposes, unless such person, firm or
8 corporation shall have received a license and a certificate therefor,
9 issued by the state examiners of electricians and in accordance with
10 the provisions hereinafter set forth.

11 The words “journeyman electrician” as used in this chapter shall
12 mean a person qualified to do any work of installing, repairing and
13 maintaining wires, conduits, apparatus, fixtures and other
14 appliances used for heat, light, power, security or signalling
15 systems or any other electrical purposes.

16 Security System — for the purpose of this Chapter, the term
17 “security system” shall refer to security systems activated
18 electronically or electrically.

19 The words “security system contractor” as used in this chapter
20 shall mean a person, firm or corporation having a regular place of
21 business, who by the employment of security system technicians,
22 learners or apprentices, perform the work of installing security
23 systems, provided that no security system technician in his employ
24 shall have more than three such learners or apprentices under his
25 supervision; and provided, further, that not more than three such
26 learners or apprentices be employed for each such security system
27 technician.

28 The words “security system technician” as used in this chapter
29 shall mean a person qualified to do any work of installing,
30 repairing and maintaining security systems.

31 *Section 1A.* Registration of persons, firms or corporations to
32 engage in the business of installing security systems of under 90
33 volts and conduits as may be required for security systems.

1 SECTION 2. Section 3 of Chapter 141 of the General Laws is
2 hereby stricken and the following section is substituted therefor: —

3 Four forms of licenses shall be issued. The first, hereinafter
4 referred to as "Certificate A," shall be known as "master
5 electrician's license," the second, hereinafter referred to as
6 "Certificate B," shall be known as "journeyman electrician's
7 license," the third, hereinafter referred to as "Certificate C," shall
8 be known as "security system contractor's license," and the fourth
9 hereinafter referred to as "Certificate D," shall be known as
10 "security system technician's license."

11 (1) "Certificate A" shall be issued to any person, firm or
12 corporation engaged in or about to engage in the business of
13 installing electrical wires, conduits, apparatus, fixtures and other
14 electrical appliances, qualified under this chapter.

15 "Certificate C" shall be issued to any person, firm or corporation
16 engaged in or about to engage in the business of installing security
17 systems qualified under this chapter. The certificates shall specify
18 the name of the person, who in the case of a firm shall be one of its
19 members, and in the case of a corporation, one of its officers,
20 passing said examination, by which he or it shall be authorized to
21 enter upon or engage in business as set forth therein. The holding
22 of "Certificate A" shall not entitle the holder individually to engage
23 in or perform the actual work of installing electric wires, conduits
24 and appliances as previously described in this chapter, but shall
25 entitle him to conduct business as a master electrician. The holding
26 of a "Certificate C" shall not entitle the holder individually to
27 engage in or perform the work of installing security systems, but
28 shall entitle him to conduct business as a security system
29 contractor.

30 (2) "Certificate B" shall be granted to any person who has passed
31 an examination before the state examiners of electricians. It shall
32 specify the name of such person, who shall thereby be authorized
33 to engage in the occupation of a journeyman electrician.

34 "Certificate D" shall be granted to any person who has passed an
35 examination before the state examiners of electricians and it shall

36 specify the name of such person who shall thereby be authorized to
37 engage in the occupation of a security system technician.

38 (3) Persons desiring an examination shall make written
39 application therefor, accompanied by an examination fee, which
40 shall be twenty-five dollars for "Certificate A" or "Certificate C"
41 and five dollars for "Certificate B" or "Certificate D". For each
42 reexamination for "Certificate A" or "Certificate C", he shall pay
43 twenty dollars and for "Certificate B" or "Certificate D" three
44 dollars. A person passing an examination for a master electrician's
45 license or security system contractor's or a journeyman elec-
46 trician's license or a security system technician's license shall,
47 before being issued his license, pay a fee of twenty-five dollars for
48 "Certificate A" or "Certificate C" or three dollars for "Certificate
49 B" or "Certificate D", as the case may be.

50 (4) Each "Certificate A" or "Certificate C" shall expire on July
51 thirty-first in each odd numbered year, but may be renewed by the
52 same person, or the same firm or corporation acting by one or
53 more of its members or officers, without further examination,
54 upon payment of a fee of forty dollars, application therefor being
55 made during said month. In case of failure to renew a license as
56 aforesaid on or before July thirty-first in an odd numbered year,
57 the person named therein may, upon payment of said fee and, at
58 the discretion of the examiners, a deferred renewal fee of ten
59 dollars, increased by such additional fees as would have been
60 payable had such license been continuously renewed, receive a
61 deferred renewal thereof which shall expire on July thirty-first in
62 the ensuing odd numbered year; provided, that such renewed
63 license shall not constitute its holder a licensee for any period
64 preceding its issue.

65 (5) Each "Certificate B" or "Certificate D" shall expire on July
66 thirty-first in each odd numbered year, but may be renewed upon
67 payment of a fee of ten dollars, and upon the same conditions set
68 forth in clause (4).

69 (6) Holders of "Certificate A" or "Certificate C" shall keep their
70 certificate of registration displayed in a conspicuous place in their
71 principal offices or places of business. Holders of "Certificate B" or
72 "Certificate D" shall be furnished by the examiners with evidence
73 of having been so licensed, in card form or otherwise, which shall
74 be carried on the person of the licensee and exhibited on request.

75 (7) Any certificate expiring while the holder thereof is in the
76 military or naval service of the United States shall be renewed
77 without further examination, upon payment of the prescribed fee,
78 at any time within four months after such person's discharge from
79 the service.

80 (8) Examination papers and applications for "Certificate A",
81 "Certificate C", "Certificate B", or "Certificate D" shall be
82 preserved for at least two years, after which time they may, at the
83 discretion of the examiners, be destroyed.

84 (9) Records of the meetings of the examiners shall be open for
85 inspection at all times, and they shall have printed annually a
86 manual of their regulations.

87 (10) No person, firm or corporation shall enter into, engage in,
88 or work at the business of installing wires, conduits or apparatus
89 for security systems, unless such person, firm or corporation shall
90 have provided the state examiners of electricians a certificate of a
91 Fidelity Bond in the amount of \$5,000.00.

1 SECTION 3. Section 6 of Chapter 141 of the General Laws is
2 hereby amended by adding after the words "Certificate A" the
3 following words: — or "Certificate C".

1 SECTION 4. Section 9 of Chapter 141 of the General Laws is
2 hereby stricken and the following section is substituted therefor:

3 Any person applying for a journeyman's license or security
4 system technician's license and making any misstatement as to his
5 experience or other qualifications, or any person, firm or
6 corporation subscribing to or vouching for any such misstatement,
7 shall be subject to the penalties set forth in section four of Chapter
8 141.

1 SECTION 5. Chapter 141 of the General Laws is hereby
2 amended by inserting after section 10 the following: —

3 *Section 11.* The state examiners of electricians as defined by
4 chapter 13 section 32 of the General Laws shall be charged with the
5 enforcement of the provisions of section 1 through 15 inclusive. If
6 any person, firm or corporation refuses to obey any decision of the

7 state examiners of electricians they shall file a petition for the
8 enforcement of such decision to the superior court of the county in
9 which the building or installation concerned is situated. After due
10 hearing, the court shall order the enforcement of such decision or
11 any part thereof, if legally and properly made by the state
12 examiners of electricians.

1 SECTION 6. Chapter 141 is hereby amended by adding the
2 following new section.

3 *Section 12.* The state examiners of electricians as established by
4 section 32 of chapter 13 of the General Laws shall —

5 (1) Establish rules and regulations stipulating what information
6 is to be furnished in a certified statement of registration for the fee
7 of one dollar, and stipulating that, in case any additional
8 information is furnished, the fee shall be two dollars.

9 (2) Furnish to any applicant the certified statement of
10 registration applied for, provided that the application therefor is
11 accompanied by the fee prescribed by its rules and regulations
12 established as provided above.

13 (3) Issue a duplicate certificate of registration upon satisfactory
14 evidence that the original certificate has been lost or destroyed, and
15 the fee therefore shall be five dollars, provided, however, that if the
16 original certificate or registration issued under said sections has
17 been lost or destroyed by fire, flood or hurricane, a duplicate
18 certificate or registration may be issued for the unexpired term
19 without fee.

1 SECTION 7. Chapter 141 of the General Laws is hereby
2 amended by adding the following new section.

3 *Section 13.* No person, firm or corporation shall solicit, by sign,
4 listing or any other form of advertisement other than the name so
5 stated on his license and further provided, that his license
6 certificate number shall be listed in soliciting, by sign, listing or any
7 other form of advertisement if properly licensed by the state
8 examiners of electricians.

1 SECTION 8. Chapter 141 of the General Laws is hereby
2 amended by adding the following new section.

3 *Section 14.* No journeyman electrician or security system
4 technician shall solicit, by sign, listing or any other form of

5 advertisement other than the name so stated on his license, with the
6 exception of the words Licensed Electrician or Security System
7 Technician and he shall list his license certificate number.

1 SECTION 9. Section 32 of Chapter 13, as most recently
2 amended by Chapter 835 of the Acts of 1974, is hereby stricken and
3 the following section substituted therefor.

4 *Section 32.* The state examiners of electricians, hereinafter
5 called the board, shall consist of the personnel administrator, the
6 state fire marshal, the associate commissioner for the division of
7 occupational education in the department of education, ex officio,
8 and six persons to be appointed for terms of three years each by the
9 governor. One of said appointees shall be a representative of the
10 public, subject to the provisions of section nine B. One of said
11 appointees shall be a local wiring inspector who shall be an
12 electrician licensed under chapter one hundred and forty-one. One
13 of said appointees shall be a master electrician holding a
14 "Certificate A" license issued under chapter one hundred and
15 forty-one, a citizen of the commonwealth, and shall have had at
16 least ten years' experience as an employing master electrician and
17 one shall be a journeyman electrician holding a "Certificate B"
18 license issued under said chapter, shall be a wage earner, a citizen
19 of the commonwealth, and shall have had at least ten years'
20 practical experience in the installation of wires and appliances for
21 carrying electricity for light, heat or power purposes. One of the
22 appointees shall be a Security System Contractor holding a
23 "Certificate C" license issued under Chapter one hundred and
24 forty-one, citizen of the commonwealth and shall have had at least
25 ten years' experience principally engaged as an employing security
26 system contractor and one shall be a Security System Technician
27 holding a "Certificate D" license issued under said chapter, shall be
28 a wage earner, citizen of the commonwealth and shall have had at
29 least ten years' practical experience in the installation of wires and
30 appliances principally for security alarm systems.

31 The state fire marshal shall be chairman. The board shall
32 appoint an executive secretary who shall be a wage earner, a citizen
33 of the commonwealth, and a practical electrician of at least ten
34 years' experience in such installation. The board may also appoint,
35 subject to chapter thirty-one, such other clerical and technical

36 assistants as may be necessary to discharge its duties under chapter
37 one hundred and forty-one and shall establish their duties. The
38 members, ex officio, shall receive no compensation for their
39 services thereunder a salary of seven hundred and fifty dollars. The
40 board may expend for the salaries of the appointive members of
41 the secretary and other employees and for necessary travelling and
42 other expenses for themselves and their employees such as are
43 annually appropriated therefor.

1 SECTION 10. All persons, firms, or corporations in the
2 business of security signalling in the Commonwealth of
3 Massachusetts one year preceding the enactment of this law who
4 submit a notarized affidavit signed under the pains and penalties of
5 perjury shall be issued a "Certificate C" by the state examiners of
6 electricians without examination providing application is made
7 within one year after the enactment of this law; All persons
8 submitting a notarized affidavit under the pains and penalties of
9 perjury as having been engaged or employed as a technician in the
10 Commonwealth of Massachusetts for a period of not less than 5
11 years immediately preceding the enactment of this law shall be
12 issued a "Certificate C" license without examination by the state
13 examiners of electricians providing application is made within 1
14 year after the enactment of this law; All persons submitting a
15 notarized affidavit under the pains and penalties of perjury of
16 employment as a technician in the Commonwealth of
17 Massachusetts for a period of not less than 2 years immediately
18 preceding the enactment of this law shall be issued a "Certificate
19 D" license without examination by the state examiners of
20 electricians providing application is made within 1 year after the
21 enactment of this law.