

Tenn. Code Ann. § 62-11-101

TENNESSEE CODE ANNOTATED

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*** CURRENT THROUGH THE 2011 REGULAR SESSION ***

Title 62 Professions, Businesses and Trades
Chapter 11 Locksmith Licensing Act of 2006

Tenn. Code Ann. § 62-11-101 (2011)

62-11-101. Short title.

This chapter shall be known and may be cited as the "Locksmith Licensing Act of 2006."

HISTORY: Acts 2006, ch. 885, § 2.

62-11-102. Purpose of chapter.

The purpose of this chapter is to provide uniform procedures and qualifications throughout this state for licensing and regulation of locksmiths, to protect the public of this state by prohibiting the unauthorized use of lock picking, safe opening and car opening tools by making it illegal for persons convicted of certain crimes to obtain or possess such tools, and to protect the safety and security of persons and property by assuring that individuals or companies offering locksmithing services to the general public are competent in locksmithing services and are trained in applicable regulations and laws, such as the Americans With Disabilities Act, building codes and life safety codes.

HISTORY: Acts 2006, ch. 885, § 3.

62-11-103. Chapter definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Car opening tool" means any tool that is designed by the manufacturer of the tool, or intended by the user, to be used to open any vehicle by means other than that intended by the manufacturer of the vehicle;
- (2) "Change key" means a key planed and cut to operate a specific lock or a group of specific locks that all have the same combination of tumblers, pins or wafers;
- (3) "Code book or computer code software" means a compilation, in any form, of key codes;
- (4) "Commissioner" means commissioner of commerce and insurance;
- (5) "Emergency service vehicle" means a vehicle used for police, fire, or emergency medical services or to assist a person from getting in and out of a vehicle;
- (6) "Key machine" means any device that is designed to copy or reproduce keys or is designed to make original keys;
- (7) "Lock" means any device whose primary function is to prevent or limit movement of one (1) object in relation to another object and requires a tool, device or special knowledge to activate or deactivate;

(8) "Lock picking tool" means any tool or combination of tools that is designed by the manufacturer of the tool, or intended by the user, to be used to open a lock by means other than that intended by the manufacturer of the lock to be the normal operation of the lock;

(9) "Locksmith" means any natural person who provides locksmithing services for any type of compensation;

(10) "Locksmithing services" means:

(A) Repairing, rebuilding, repinning, recombining, servicing, adjusting or installing any lock, safe or vault; or

(B) Operating a lock, safe or vault by means other than those intended by the manufacturer of the lock, safe or vault;

(11) "Manipulation key" means any key other than a change key or master key that can be variably positioned or manipulated in a keyway to operate a lock. For purposes of this chapter, "manipulation key" shall also include wiggle keys;

(12) "Master key" means a key planed and cut to operate all locks in a series or group of locks, each lock having its own change key and each lock constructed as an act of the series or group for operation with the master key. For purposes of this chapter, submaster keys, grand master keys, great grand master keys, emergency keys, maid's master keys, over-riding keys or any other similar keys shall be considered as master keys;

(13) "Registered locksmith apprentice" means any natural person who is providing locksmithing services as an employee, contractor or agent, with or without compensation, under the supervision of a licensed locksmith with any sole proprietorship, partnership, association or corporation providing locksmithing services;

(14) "Safe opening tool" means any tool that is designed by the manufacturer of the tool, or intended by the user, to be used to open a safe, strongbox, safe deposit box, vault or similar object by means other than that which is intended by the manufacturer of the safe, strongbox, safe deposit box, vault or similar object for normal opening; and

(15) "Try-out key" means a manipulation key that may or may not be one (1) of a set of similar keys, used for a specific series, keyway or brand of lock.

HISTORY: Acts 2006, ch. 885, § 4; 2007, ch. 526, §§ 1, 2.

62-11-104. Registration or licensing requirement -- Identification requirement -- Broad construction -- Financial institutions.

(a) No partnership, association, company, or corporation shall engage in, or hold itself out as engaging in, the business of locksmithing in this state without first registering as a locksmith business in accordance with this chapter. No person, partnership, association, corporation, or local or state governmental employee shall engage in, or hold themselves out as engaging in, the business of locksmithing in this state without first registering or licensing any employee, agents, or contractors operating as locksmith apprentices or locksmiths in accordance with this chapter; provided, however, that employees of state higher education institutions may provide locksmithing services at facilities operated by the board of trustees of the University of Tennessee or the state board of regents in accordance with Chapter 54 of the Public Acts of 2011.

(b) Persons who are not licensed under this chapter shall not provide any locksmithing services in violation of this chapter or any rule adopted pursuant to this chapter. No person or business who is not licensed under this chapter shall use the designation "locksmith," "locksmith apprentice" or "locksmith company," a designation which compounds, modifies or qualifies the words

"locksmith," "locksmith apprentice" or "locksmith company" or which gives or is designed to give the impression that the person or business using such designation is a locksmith, locksmith apprentice or locksmith company.

(c) No locksmith may participate in a joint venture to provide equipment or services that require licensing under this chapter, unless all parties to the joint venture are licensed in accordance with this chapter.

(d) No locksmith may subcontract the provision of equipment or services requiring a license under this chapter to any unlicensed person, firm, association or corporation, except as provided in § 62-11-105.

(e) No locksmith shall employ, hire, contract with or associate with any person who is required to be licensed or registered with the commissioner in accordance with this chapter, unless the employee, agent or contractor is properly licensed or registered with the commissioner in compliance with § 62-11-111 or § 62-11-112.

(f) No locksmith shall retain as a registered employee any person known not to be of good moral character.

(g) No person who is not licensed under this chapter shall possess, use, sell or offer to sell any code book, lock picking tool, manipulation key, try-out key, safe opening tool or car opening tool; provided, that the provisions of this subsection (g) restricting the possession or use of the items listed in this subsection (g) shall not apply to students involved in locksmithing training programs or courses, so long as those tools are not used by the students other than in accordance with the programs.

(h) No person shall sell, offer to sell or give to any person not licensed under this chapter any code book, lock picking tool, manipulation key, try-out key, safe opening tool or car opening tool.

(i) No person who is not licensed under this chapter shall design, make, manufacture or install any master key or any system of change keys and master keys.

(j) No locksmith shall open any vehicle or real property, whether or not a fee is charged, without first obtaining personal identification from the person requesting the service. The personal identification may include, but is not limited to, personal knowledge, a driver license or other photo identification, address, telephone number, reference from any reliable source or a description of specific or unusual items that may be found upon entry. The information shall be recorded on a work order or invoice and shall be made available to a law enforcement officer with a properly executed court order at any reasonable time during normal business hours.

(k) Notwithstanding any provision of law to the contrary, no locksmith licensed under this chapter shall be prohibited from providing locksmithing services because of the manner of construction or operation of the lock or because of the location of the lock or application of the lock, whether the lock is applied to any door, window, hatch, lid, gate or other opening in or on any safe, vault, building, vehicle, aircraft or boat. It is the intent of the general assembly that this subsection (k) shall be construed in their broadest possible sense; provided, however, that nothing in this section shall authorize a locksmith to provide services for any bank, savings and loan association or trust company without the consent of the bank, savings and loan association or trust company.

(l) All persons or entities licensed pursuant to this chapter shall provide the department of commerce and insurance with a permanent, fixed business location. The failure to provide such shall cause such persons or entities to be in violation of the Consumer Protection Act, compiled in title 47, chapter 18.

HISTORY: Acts 2006, ch. 885, § 5; 2007, ch. 526, §§ 3-5; 2010, ch. 1076, §§ 1, 2; 2010, ch. 1107, § 1; 2011, ch. 54, § 1.

62-11-105. Exclusions from requirements of chapter -- Transferring locksmithing tools and supplies by sale or gift.

(a) The following persons, firms, partnerships, associations or corporations not offering any other locksmithing services are specifically excluded from the requirements of this chapter:

(1) An individual property owner or the owner's agent installing locks or assisting in a lock-out situation without compensation on the owner's property, public or private;

(2) Property owners or their agent maintaining a file of key cutting data for a master key system for their property;

(3) Persons, sole proprietorships, partnerships, associations or corporations having and using key machines and key blanks for their own use;

(4) Retail stores or catalog sales not offering locksmithing services nor selling locksmithing tools or retail stores that offer rekeying or key duplication services on the business premises of retail stores;

(5) Locksmith trade publications or equipment manufacturers or distributors not providing direct locksmithing services to the public;

(6) Contractors licensed under chapter 6 of this title providing direct sales or installation of lock hardware, but who derive less than twenty-five percent (25%) of their gross annual revenue from that business;

(7) Architects and engineers not providing direct sales, adjustment or installation of locks;

(8) New or used motor vehicle dealers;

(9) Emergency service vehicles, for the sole purpose of towing a motor vehicle or allowing the owner entry into a vehicle when the owner is locked out of the vehicle;

(10) A bank, savings and loan association, trust company or employee of a bank, savings and loan association or trust company providing services in connection with safe deposit box, vault or safekeeping activities of the financial institution;

(11) Federal, state or local law enforcement agents or fire and rescue personnel performing openings in their official line of duty; and

(12) Notwithstanding § 62-11-104(a) or any other law to the contrary, employees of state higher education institutions who provide locksmithing services at facilities operated by the board of trustees of the University of Tennessee or the state board of regents;

(b) Nothing in this chapter shall prevent any previously licensed locksmith, the agent of an incapacitated locksmith or the personal representative of the estate of a deceased locksmith from transferring locksmithing tools and supplies by sale or gift to anyone licensed under this chapter or to anyone exempted from this chapter.

HISTORY: Acts 2006, ch. 885, § 6; 2007, ch. 526, § 6; 2011, ch. 54, § 2.

62-11-106. Duties of the commissioner.

In accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the commissioner shall:

(1) Promulgate rules reasonably necessary to implement and administer this chapter in an efficient and effective manner, including rules to require submission of reports and information by licensees and registrants under this chapter and promulgate rules and regulations that the

commissioner deems necessary for internal management and control;

(2) (A) Establish fees sufficient to pay the annual direct and indirect anticipated expenses of this chapter, including:

(i) A nonrefundable application fee to include the cost of a Tennessee bureau of investigation (TBI) and federal bureau of investigation (FBI) background check for licensure;

(ii) A nonrefundable fee for licensure;

(iii) A biennial licensure renewal fee; and

(iv) An identification card replacement fee;

(B) The anticipated revenues shall not cause more than twenty-five percent (25%) of the current budget to be carried over at the end of the fiscal year;

(3) Establish categories of licensing, such as general locksmithing, safe and vault work and automotive work, that may have different initial qualification and continuing education requirements;

(4) Establish minimum qualifications, minimum education, experience and training standards for applicants for licensure under this chapter. The commissioner may seek assistance from the locksmith organizations of this state, including the Tennessee Organization of Locksmiths, Middle Tennessee Locksmith Association, East Tennessee Locksmith Association, West Tennessee Chapter of ALOA, and any independent locksmiths willing to provide the assistance to the commissioner;

(5) Investigate and approve applicants to be licensed or registered under this chapter including a background check conducted by the commissioner and investigation by the TBI and FBI;

(6) Prepare a written examination. In preparing the examination, the commissioner may appoint a testing advisory board. Members of the testing advisory board shall serve without compensation. The testing advisory board shall include two (2) licensed locksmiths from each grand division of the state who are each members of a Tennessee professional locksmith association or organization and one (1) licensed locksmith appointed from those organizations from any of the grand divisions, as well as other members whom the commissioner may select;

(7) Promulgate rules to establish the minimum necessary standards for continuing education, with such minimum standards to include twelve (12) hours of continuing education, two (2) of which shall be dedicated to life safety;

(8) Conduct investigations regarding alleged violations and make evaluations as may be necessary to determine if licensees and registrants under this chapter are complying with this chapter;

(9) Investigate allegations regarding possible violations of this chapter by unregistered persons and seek enforcement under § 62-11-109;

(10) Investigate complaints containing allegations of violations of applicable laws and rules;

(11) Issue subpoenas to compel the attendance of witnesses and the production of pertinent books, accounts, records and documents;

(12) Deny, suspend or revoke any license, licensure, or renewal issued or to be issued under this chapter to any applicant, registrant, or licensee who fails to satisfy the requirements of this chapter or for any of the reasons stated in § 62-11-109, or who fails to follow the rules established by the commissioner;

(13) Seek civil remedies at law or equity to restrain or enjoin any unauthorized practice or other violation of this chapter; and

(14) Maintain a registry of licensed locksmithing businesses, whether a sole proprietorship, partnership, association, corporation or other entity offering locksmithing services to the public in the state, showing who is licensed and employed by those businesses as locksmiths and apprentices.

HISTORY: Acts 2006, ch. 885, § 7; 2007, ch. 526, §§ 7-11; 2010, ch. 1076, § 3; 2010, ch. 1107, § 2.

62-11-107. Register of applications.

(a) The commissioner shall keep a register of all applications for licensure or for a licensee, showing on each the date of application, name, qualifications, place of business, place of residence and whether a license was granted or refused.

(b) The books and register of the commissioner shall be prima facie evidence of all matters recorded in the books and register.

HISTORY: Acts 2006, ch. 885, § 8.

62-11-108. Liability insurance coverage -- Liability insurance certificates.

(a) No license shall be issued under this chapter unless the applicant files with the commissioner evidence of all of the following liability insurance with the following minimum coverages:

(1) One hundred thousand dollars (\$100,000) because of bodily injury or death of one (1) person as a result of the negligent act or acts of the principal insured or the principal insured's agents operating in the scope and course of the agent's employment;

(2) Subject to the limit for one (1) person, three hundred thousand dollars (\$300,000) because of bodily injury or death of two (2) or more persons as the result of the negligent act or acts of the principal insured or the principal insured's agent operating in the course and scope of the agent's employment; and

(3) One hundred thousand dollars (\$100,000) because of injury to or destruction of property as a result of the negligent act or acts of the principal insured or the principal insured's agent operating in the course and scope of the agent's employment.

(b) The state shall be listed as a certificate holder on the liability insurance policies.

(c) The insurance certificates shall be available for inspection during normal business hours on the request of the commissioner or duly appointed and identified representatives. The certificates shall provide that the insurance shall not be modified or cancelled without ten (10) days prior notice to the commissioner.

HISTORY: Acts 2006, ch. 885, § 9; 2007, ch. 526, § 12.

62-11-109. Hearings and judicial review in contested cases -- Written charges for violations -- Suspension, nonrenewal or revocation of license.

(a) The Uniform Administrative Procedures Act, compiled in title 4, chapter 5, shall govern all matters and procedures regarding the hearing and judicial review of any contested case arising under this chapter.

(b) Any person may present charges in writing to the commissioner against any licensee or registrant, or other person, firm or business offering locksmithing services in violation of this chapter.

(c) The commissioner may, after notice and an opportunity for hearing, suspend, refuse to renew or revoke a license or licensure issued under this chapter if it is determined that the licensee or

registrant has:

- (1) Made any false statement or given any false information in connection with any application for licensure or a license or for the renewal or reinstatement of licensure or a license;
- (2) Violated this chapter;
- (3) Violated any rule promulgated by the commissioner pursuant to the authority contained in this chapter;
- (4) Been convicted of any crime that may be grounds for denial of licensing as a locksmith or licensure as a registered employee;
- (5) Failed to comply with an order of the commissioner;
- (6) Impersonated or permitted or aided and abetted any other person to impersonate a law enforcement officer of the United States, this state or any of its political subdivisions;
- (7) Engaged in or permitted any employee to engage in any locksmithing business when not in possession of a valid license under this chapter;
- (8) Been found guilty by the commissioner of misconduct, gross negligence or incompetence;
- (9) Committed any act that is grounds for the denial of an application or a license under this chapter;
- (10) Failed to maintain insurance as required by this chapter; or
- (11) Engaged in or permitted any employee to engage in any improper, fraudulent or dishonest dealing with the public.

HISTORY: Acts 2006, ch. 885, § 10.

62-11-110. Penalties.

(a) Any person, partnership, association or corporation who engages in or offers to engage in locksmithing services without a license, or who violates the terms and conditions of any licensure or license or renewal of any license granted by the commissioner pursuant to this chapter, shall be subject to a civil penalty of no more than two thousand five hundred dollars (\$2,500) per occurrence.

(b) Any person, partnership, association or corporation who engages in or offers to engage in locksmithing services without a license, as required by this chapter, shall be ineligible to apply for a license until twelve (12) months after the violation occurred.

(c) In addition to revocation or suspension of a license, a civil penalty of no more than two thousand five hundred (\$2,500) may be assessed by the commissioner against any person, partnership, association, or corporation who violates any provision of this chapter, or any rule of the commissioner promulgated pursuant to this chapter.

(d) (1) It is an offense for a person to knowingly engage in or offer to engage in locksmithing services if:

(A) The services are rendered in exchange for compensation; and

(B) The person does not have a valid license to do so.

(2) A violation of this subsection (d) is a Class B misdemeanor.

HISTORY: Acts 2006, ch. 885, § 11; 2010, ch. 1107, § 3.

62-11-111. Written application procedure and application fee -- Disclosure of ownership interest in business -- Interviews -- Photo identification card -- Expiration and renewal of license -- Penalty for late renewal.

(a) Any person desiring to be licensed as a locksmith shall make written application to the

commissioner on forms prescribed by the commissioner. The applicant shall have a street address and zip code at which a summons may be served, except that a walk-in shop open to the public is not required. The application shall contain details of the applicant's training, experience and other qualifications relevant to locksmithing. An application fee, as set by the commissioner, shall accompany the application. The application shall be accompanied by the following documents:

- (1) Proof that the applicant is at least eighteen (18) years of age;
- (2) Sets of classifiable fingerprints on standard FBI/TBI application cards;
- (3) Recent color photograph of acceptable quality for identification;
- (4) Proof of a valid business license for each business entity for the county and city in which the business is located or proof of employment by an association, corporation, partnership, institution or government agency exempt from paying privilege taxes under title 67, chapter 4 and a notarized statement that no locksmithing services are being offered directly to the public;
- (5) Proof of insurance as required by § 62-11-108;
- (6) Proof that the applicant has passed an examination approved by the commissioner pursuant to § 62-11-106; provided, that this subdivision (a)(6) shall not apply to any person who shows satisfactory proof to the commissioner that, on June 26, 2007, the person has the equivalent of, as determined by the commissioner, at least five (5) years of full-time locksmithing experience. If the person is a sole proprietor or an owner of a locksmith shop or business, proof may be established by providing to the commissioner the municipal or county business license, sales tax identification number or federal tax identification number of the business together with the date the license or tax identification number for the locksmithing shop or business was obtained and other information that the commissioner may require for the commissioner to reasonably determine the applicant's locksmithing experience. If the person is an employee, partner or officer of a locksmithing shop or business, the proof shall be established by the owner of the shop or business certifying to the commissioner the number of years the person has been a locksmith or employed by the owner as a locksmith and a description of the duties of the employee, partner or officer. If the person has not been associated with a shop or business or has been employed by a locksmith owner for fewer than five (5) years, the person shall provide the names of previous locksmithing shops or businesses with which the person was associated or for whom the person has been employed; and

(7) Statements of any criminal records. Certain criminal convictions may disqualify an applicant for licensure as a locksmith; however, rehabilitation of individuals with a criminal record or records may be considered in the commissioner's discretion. Persons convicted of offenses involving fraud or theft shall not be entitled to licensure as a locksmith.

(b) Applications shall disclose any and all persons, firms, associations, corporations or other entities that own or control ten percent (10%) or greater interest in the applicant's business. The applicant shall also submit an affidavit accompanying the application stating whether or not any of the persons, associations, corporations or other entities with a ten percent (10%) or greater interest in the locksmith company have been convicted of a felony. In the event the individual or entity has been convicted of a felony, the commissioner may deny the application.

(c) If the application is satisfactory to the commissioner, then the commissioner may issue the license as a locksmith. Included in the documents issued by the commissioner shall be a photo identification card, on which shall be provided the locksmith's name, address, license number and the expiration date of the license. The photo identification card shall be carried by the locksmith at all times when performing duties as a licensed locksmith and shall be shown upon request. The

commissioner shall have the authority to enter into agreements with any state agency for the production or distribution of the photo identification cards.

(d) Licenses as a locksmith shall expire on the last day of the twenty-fourth month following their issuance or renewal and shall become invalid on that date, unless renewed.

(e) It shall be the duty of the commissioner to notify every person licensed under this chapter of the date of expiration of the person's certificate of license and the fee required for its renewal for two (2) years. Renewal notices shall be mailed to the last known address of the locksmith ninety (90) days prior to the expiration date of the license.

(f) The renewal must be received in the office of the commissioner no less than thirty (30) nor more than sixty (60) days prior to the expiration of the license.

(g) The commissioner shall establish a late renewal fee in the event that a locksmith renews a license after the expiration of the license.

(h) Locksmith licenses may be renewed up to ninety (90) days after their expiration by payment of the renewal fee plus a penalty established by the commissioner for each month, or portion thereof, which elapses before payment is tendered. In the event that the renewal payment is not tendered within the specified time frame, the locksmith shall submit a new application for licensure as in the case of the issuance of the original license.

(i) The commissioner shall not grant renewal of a locksmith license until the commissioner has received satisfactory evidence of continuing education completed during the immediately preceding license period.

(j) All applications and documents required by subsection (a) shall be maintained by the commissioner in accordance with the policies of the department of commerce and insurance.

HISTORY: Acts 2006, ch. 885, § 12; 2007, ch. 526, §§ 13-19; 2010, ch. 1076, §§ 4-6.

62-11-112. Locksmith apprentices.

(a) All locksmith apprentices of any sole proprietorship, partnership, corporation, association, public or private institution or state agency with access to records, diagrams, key codes or other sensitive material pertaining to proposed or installed master key systems, any proposed or installed lock or any safe opening procedure shall be registered with the commissioner.

(b) Any person required to be registered shall make written application to the commissioner on forms prescribed by the commissioner. The application shall disclose the name of the business entity and the names of all locksmiths currently employed by the business entity. The commissioner shall verify that all named locksmiths are properly licensed locksmiths in the state. The application shall contain details of the applicant's training, experience and other qualifications relevant to locksmithing. An application fee as set by the commissioner shall accompany the application. The application shall also be accompanied by the following documents:

- (1) Proof that the applicant is at least sixteen (16) years of age;
 - (2) A set or sets of classifiable fingerprints on standard FBI/TBI applicant cards;
 - (3) A recent color photograph or photographs of acceptable quality for identification; and
 - (4) Statements of any criminal records. Certain criminal convictions may disqualify an applicant for registration as a locksmith apprentice; however, rehabilitation of individuals with a criminal record or records may be considered at the commissioner's discretion. Persons convicted of offenses involving fraud or theft shall not be entitled to registration as a locksmith apprentice.
- (c) If the application is satisfactory to the commissioner, then the commissioner shall issue to the applicant a certificate as a registered apprentice. Included in the documents issued by the

commissioner shall be a photo identification card on which the commissioner shall state the registrant's name, address, employer, licensure number and the expiration date of the licensure. The photo identification card shall be carried by the registrant at all times when performing duties as a registered apprentice and shall be shown upon request.

(d) Certificates of registration shall expire on the last day of the twenty-fourth month following their issuance or renewal and shall become invalid on that date, unless renewed.

(e) It shall be the duty of the commissioner to notify every person registered under this chapter by mail of the date of expiration of the person's certificate of registration and the amount of fee required for its renewal for two (2) years. Renewal notices shall be mailed to the last known address of the registrant ninety (90) days prior to the expiration date of the certificate.

(f) The renewal must be received in the office of the commissioner thirty (30) days prior to the expiration of the certificate.

(g) The fee to be paid before the renewal of a certificate of registration after the expiration date shall be increased ten percent (10%) for each month or fraction of a month that payment for renewal is late; provided, that the maximum fee for a late renewal shall not exceed twice the normal fee.

(h) Locksmith apprentice registrations may be renewed up to ninety (90) days after their expiration by payment of the renewal fee plus a penalty established by the commissioner for each month, or portion thereof, which elapses before payment is tendered. In the event that the renewal payment is not tendered within the specified time frame, the locksmith apprentice shall submit a new application for registration as in the case of the issuance of the original registration.

HISTORY: Acts 2006, ch. 885, § 13; 2010, ch. 1076, §§ 7, 8.

62-11-113. Locksmithing services prohibited by state agencies, counties and municipalities -- Supersession of local laws -- Local registration of businesses.

(a) State agencies, counties and municipalities are prohibited from offering locksmithing services to the general public, whether or not a fee is charged.

(b) No county or municipality shall enact any legislation or promulgate any rules or regulations relating to the licensing of locksmiths required to be licensed under this chapter.

(c) Any resolution, ordinance, law or rules or regulations of any county or municipality requiring the certifying or licensing of a locksmith, locksmith business or its employees shall be superseded by this chapter and shall no longer be effective.

(d) This chapter is not intended to and does not prevent the legally constituted authority of any county or municipality by legislation, rules or regulations and within the police power of the county or municipality from requiring locksmith businesses or licensed locksmiths to register their names, addresses and license certificate numbers with the county or municipality within which they operate. The county or municipality may also require that locksmith businesses give reasonable notice of termination of licenses of registered employees. No fee may be charged, nor any application be required, by any county or municipality for the licensure.

HISTORY: Acts 2006, ch. 885, § 14; 2007, ch. 526, § 20.

62-11-114. Authority to set and collect fees for photo identification card.

The commissioner shall have the authority to set and collect fees for the preparation of a photo identification card for each locksmith working in this state licensed under this chapter.

HISTORY: Acts 2006, ch. 885, § 15.

62-11-115. [Obsolete.]

62-11-116. Display of license number.

The license number of a locksmith shall be displayed prominently on all motor vehicles used in the course of business and all written advertising by the locksmith.

HISTORY: Acts 2006, ch. 885, § 17.

62-11-117. Listing of license in directories and advertising.

All sole proprietorships, partnerships, or corporations providing locksmith services in the state shall provide a current and valid locksmith license issued in this state when listing such license in directories, and for any other advertising purposes. Failure to list the license as required by this section is a violation of the Consumer Protection Act, compiled in title 47, chapter 18.

HISTORY: Acts 2010, ch. 1107, § 4.