

TENNESSEE LOCKSMITH LICENSING LAW

- Require locksmiths and their employees to be registered or licensed with the Commissioner of Commerce and Insurance.
- Prohibits an unlicensed person from possessing, using, selling, or offering to sell any code book, lock picking tool, manipulation key, try-out key, safe opening tool, car opening tool, or to design, make, manufacture, or install any master key or system of change keys and master keys. Prohibits any person from selling such items to an unlicensed person
- A locksmith is required to obtain personal identification from a person requesting service before opening a vehicle or real property. The information must be on a work order or invoice and available for law enforcement with a proper court order during normal business hours.
- The following persons and entities are exempt from these requirements: an individual property owner personally installing locks on the individual's residence or other private building; retail stores that offer re-keying or key duplication services on the business premises of retail store; federal, state, or local law enforcement agents and fire and rescue personnel performing openings in their official duties; emergency service vehicles for the sole purpose of towing or allowing the owner entry into a vehicle when such owner is locked out of the vehicle. Drivers of such vehicles would be required to meet certain requirements.
- Prohibits a locksmith from providing services for a bank, savings and loan association, or trust company without the consent of such bank, savings and loan, or trust company. This amendment would exempt from this bill's provisions a bank, savings and loan association, trust company, or an employee of such financial institution providing services in connection with safe deposit box, vault or safekeeping activities of such financial institution.
- The Commissioner will develop rules to enforce this bill and establish fees to cover direct and indirect expenses. The Commissioner will establish categories of licensing and establish minimum qualifications, education, experience, training, and continuing education standards for license applicants.
- Applicants will be investigated and approved including background checks by the commissioner, the TBI, and the FBI.
- The Commissioner will also prepare a written and practical exam. The commissioner shall appoint a testing advisory board, consisting of two licensed locksmiths from each grand division of the state who are members of a Tennessee professional locksmith organization and one licensed locksmith appointed from the organizations.
- The Commissioner could deny, suspend, or revoke any license or renewal issued or to be issued to any applicant, registrant, or licensee who fails to satisfy the bill's requirements or violates this bill or any rules or the terms of the license. The commissioner would seek civil remedies at law or equity to restrain or enjoin any unauthorized practice or other violation.
- A locksmith license applicant will be required to maintain liability insurance.
- Provides for registration of an apprentice (starting at 16 years old).
- A person desiring to be licensed as a locksmith would have to make a written application to the commissioner detailing the applicant's training, experience, and other relevant qualifications, including a statement of criminal records in each place the applicant has lived. The commissioner may consider rehabilitation of individuals and find some crimes do not prohibit licensing. However, any person who has a criminal conviction for an offense involving fraud or theft from being licensed or registered as a locksmith.
- Any person who to engage in locksmithing services without a license, violates any provision of this act, or any rule of the commissioner promulgated pursuant to this act is subject to a civil penalty of not more than \$5000.

THIS IS A BRIEF OVERVIEW OF THE LAW AND DOES NOT INTEND TO REPRESENT THE ENTIRE SET OF QUALIFICATIONS OR REQUIREMENTS. FOR FULL TEXT OF THE LAW GO TO: www.aloa.org/legislation/Leg_Map/ALOA_Map.htm