

1. A two-inch by two-inch passport-size photograph of the employee;

2. A list of all criminal offenses of which the employee has been convicted, including the date and place of each conviction and the name under which the employee was convicted, if other than the name on the written notification provided to the Committee;

3. The employee's fingerprints provided in such manner as directed by the Division;

4. Evidence of practical experience and professional competence as set forth in N.J.A.C. 13:31A-2.7, if the work of the employee is not directly supervised; and

5. A certified check or money order payable to the Committee in the amount of the employee listing fee set forth in N.J.A.C. 13:31A-1.4. Payment for the criminal history records check shall be in the amount and by the means set forth in the application. The employer shall bear the cost of the records check.

(d) If the Committee determines that the evidence of practical experience and professional competency provided pursuant to (c)4 above fails to satisfy the requirements of N.J.A.C. 13:31A-2.7, the Committee shall advise the licensee of the employee's unfitness to engage in the provision of locksmithing services.

Amended by R.2004 d.303, effective August 2, 2004.  
See: 35 N.J.R. 2815(a), 36 N.J.R. 3556(a).  
In (a), rewrote 3.

### 13:31A-2.7 Locksmith employees

(a) Any person employed by a locksmith licensee to perform locksmithing services shall be of good moral character.

(b) Any person employed by a licensee to perform unsupervised locksmithing services shall:

1. Have at least three years of practical hands-on experience in the provision of locksmith services as defined in N.J.A.C. 13:31A-1.2; and

2. Have successfully completed a total of four hours of training in the Barrier Free Subcode, N.J.A.C. 5:23-7, the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, and the Americans with Disabilities Act Code, 36 C.F.R. § 1191, four hours of training in basic electronics and four hours of training in trade-related subjects, or have successfully passed a competency examination administered by the Committee, or have obtained a Certified Registered Locksmith rating by the Associated Locksmiths of America (ALOA).

(c) A person employed to perform locksmithing services by an applicant for licensure who files an application by July 13, 2004 and who is identified as an employee on the application, shall not be required to satisfy the competency requirements of (b) above until the first renewal of the employee's identification card.

### 13:31A-2.8 Supervision of locksmith employees

(a) The business qualifier shall assume full responsibility for the inspection and supervision of all locksmithing services performed by the business firm, and shall ensure compliance with all applicable Federal, State and local laws and codes.

(b) The business qualifier shall:

1. Supervise the provision of locksmithing services to ensure that such work is performed in compliance with all applicable Federal, State and local laws and codes;

2. Personally inspect the work of employees pursuant to (d) and (e) below;

3. Ensure that employees are afforded the degree of personal on-site supervision commensurate with their level of competence and the complexity of the work to be performed pursuant to (d) and (e) below; and

4. Be present, on a regular and continuous basis, at the principal office of the business firm, where the business license holder maintains a New Jersey office, or at work sites of locksmithing services performed in New Jersey, where the business license holder does not maintain a New Jersey office pursuant to N.J.A.C. 13:31A-2.6(a).

(c) Every 10 employees who are performing locksmithing services at either one job site or who are performing such work at several jobs at different sites simultaneously shall be supervised, pursuant to (d) below, by the business qualifier, a licensee, or a supervising employee who has satisfied the requirements of N.J.A.C. 13:31A-2.7(b).

(d) The business qualifier, a licensee or a supervising employee shall indirectly supervise an employee performing the functions listed in (d)1 through 5 below, and shall ensure that the work has been completed. For purposes of this section, "indirect supervision" means that the business qualifier, the licensee or the supervising employee shall be reachable either in person or by electronic means to provide consultation to the employee. Indirect supervision shall be required for the following functions:

1. Opening existing locks;
2. Making keys for existing locks;
3. Repairing or recombining existing locks;

4. Installing mechanical security hardware on doors that are not designated as emergency exits; and

5. Performing the survey of a premises, the design and preparation of specifications, and the demonstration of electronic security systems.

(e) If an employee is performing any locksmithing services, other than the work specified in (d) above, the business qualifier, the licensee or the supervising employee shall directly supervise the employee and shall ensure a final inspection of the work upon completion. For purposes of this section, "direct supervision" means that the business qualifier, the licensee or the supervising employee shall provide constant on-site supervision of the employee.

(f) A business qualifier who violates any provision of this section shall be deemed to have engaged in professional misconduct within the meaning of N.J.A.C. 13:31A-1.14 and N.J.S.A. 45:1-21(e) and shall be subject to the provisions of N.J.S.A. 45:1-21.

### 13:31A-2.9 Identification cards

(a) While engaged in the provision of locksmithing services, all licensed locksmiths, employees or other persons shall display an identification card issued by the Committee which shall contain the following information:

1. The name, photograph, date of birth and signature of the person to whom the identification card has been issued;
2. The business name, business address and business license number of the business license holder, and if the cardholder is a licensee, his or her license number; and
3. The expiration date of the card.

(b) All identification cards shall be issued for a three-year period. All identification cards issued to licensees shall be renewed on a triennial basis which corresponds to the triennial renewal of licenses issued by the Committee, subject to the payment of the fee set forth in N.J.A.C. 13:31A-1.4.

(c) A licensee shall present the identification card issued by the Committee to all appropriate Federal, State or local agencies in order to obtain applications for permits and inspections, if required, for all work performed by the business firm.

(d) All employees or other persons holding identification cards shall apply for renewal of the identification card at least 45 days prior to the expiration date of the card and shall pay the fee set forth in N.J.A.C. 13:31A-1.4 for renewal of employee listing. Any employer who permits an employee to work without a valid identification card shall be deemed to have engaged in professional misconduct within the meaning of N.J.A.C. 13:31A-1.14 and N.J.S.A. 45:1-21(e) and shall be subject to the provisions of N.J.S.A. 45:1-21.

(e) All identification card holders shall advise the Committee of any changes to the information contained on the identification card and shall apply to the Committee for an updated identification card within five days of the occurrence of any change. The updated identification card shall be issued for the unexpired term of the original identification card.

(f) Identification cards shall not be transferable. Upon termination of employment, identification cards shall be immediately returned to the Committee. Upon change in employment, identification cards shall be returned to the Committee and application for a new identification card shall be made to the Committee.

(g) A photocopy of an application for an identification card shall serve as temporary identification for an applicant and shall be displayed by the applicant until the issuance of the identification card. The photocopy of the application shall be clearly marked with the word "COPY." The temporary identification shall be valid for no longer than 60 days from the date of application for the identification card and the applicant shall work under direct supervision until the identification card is issued by the Committee.

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## SUBCHAPTER 3. BURGLAR ALARM OR FIRE ALARM LICENSURE

### 13:31A-3.1 Requirements for burglar alarm or fire alarm licensure

(a) All applicants seeking licensure to engage in the burglar alarm or fire alarm business shall:

1. Be at least 18 years of age;
2. Be of good moral character pursuant to N.J.S.A. 45:5A-27;
3. Not have been convicted of a crime of the first, second or third degree with 10 years prior to the filing of the application for licensure;
4. Not have been convicted of the fourth degree offense of engaging in the unlicensed practice of electrical contracting;
5. Hold a high school diploma or equivalency certificate;
6. Have successfully completed the burglar alarm or fire alarm examination, as applicable to the field in which the applicant is seeking licensure, set forth in N.J.A.C. 13:31A-3.2; and