

HOUSE No. 4129

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 28, 2016.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 3846) of Robert F. Fennell relative to low-voltage electrical or alarm system contracting permitted by local enforcement agencies, reports recommending that the accompanying bill (House, No. 4129) ought to pass.

For the committee,

JENNIFER E. BENSON.

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to streamlined low-voltage alarm system installation and permitting.

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. Chapter 40 of the General Laws is amended by adding the following
2 section:-

3 Section 70. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Contractor”, a person who is qualified to engage in the business of electrical or alarm
6 system contracting pursuant to a certificate or registration issued by the office of consumer
7 affairs and business regulation.

8 “Low-voltage alarm system project”, a project related to the installation, maintenance,
9 inspection, replacement or service of a new or existing alarm system, as defined in the NFPA 70:
10 National Electrical Code, and ancillary components or equipment attached to a new or existing
11 alarm system including, but not limited to, home-automation equipment, smoke detectors, carbon
12 monoxide detectors, thermostats and video cameras.

13 “Wireless alarm system”, a burglar alarm system or smoke detector that is not hardwired.

14 (b) This section shall not apply to the installation or replacement of a fire alarm governed
15 by sections 26A or 26C of chapter 148.

16 (c) Notwithstanding any general or special law to the contrary, this section applies to all
17 low-voltage alarm system projects for which a permit is required by the local enforcement
18 agency. However, a permit is not required to install, maintain, inspect, replace, or service a
19 wireless alarm system, including any ancillary components or equipment attached to the system.

20 (d) A local enforcement agency shall make uniform basic permit labels available for
21 purchase by a contractor to be used for the installation or replacement of a new or existing alarm
22 system at a cost of not more than \$55 per label per project per unit.

23 (e) This section shall not impose new or additional licensure requirements in residential
24 or commercial premises.

25 (f) A local enforcement agency may not require a contractor to: (i) submit, as a condition
26 of purchasing a label, information other than identification information of the licensee and proof
27 of registration or certification as a contractor; and (ii) secure permits other than a low-voltage
28 alarm system permit for installation of such a system provided that the system complies with the
29 definition of low-voltage alarm system project in subsection (a).

30 (g) A label shall be valid for 1 year after the date of purchase and may only be used
31 within the jurisdiction of the local enforcement agency that issued the label. A contractor may
32 purchase labels in bulk for 1 or more unspecified current or future projects.

33 (h) A contractor shall post an unused uniform basic permit label in a conspicuous place
34 on the premises of the low-voltage alarm system project site before beginning work on the
35 project.

36 (i) A contractor may not be required to notify the local enforcement agency before
37 commencing work on a low-voltage alarm system project; provided, however, that a contractor
38 shall submit a uniform notice of a low-voltage alarm system project as provided in subsection (h)
39 to the local enforcement agency within 14 days after completing the project. A local enforcement
40 agency may take disciplinary action against a contractor who fails to timely submit a uniform
41 notice of a low-voltage alarm system project.

42 (j) The uniform notice of a low-voltage alarm system project may be submitted
43 electronically or by facsimile if all submissions are signed by the owner, tenant, contractor or the
44 authorized representative. The uniform notice of a low-voltage alarm system project shall
45 contain the following:

46 UNIFORM NOTICE OF A LOW-VOLTAGE

47 ALARM SYSTEM PROJECT

48 Owner's or Customer's Name

49 Owner's or Customer's Address

50 City

51 State / Zip

52 Phone Number

53 E-mail Address

54 Contractor's Name

55 Contractor's Address

56 City

57 State / Zip

58 Phone Number

59 Contractor's License Number

60 Date Project Completed

61 Scope of Work

62 Notice is hereby given that a low-voltage alarm system project has been completed at the
63 address specified above. I certify that all of the foregoing information is true and accurate.

64 (Signature of Owner, Tenant, Contractor, or Authorized Representative)

65 (k) A low-voltage alarm system project may be inspected by the local enforcement
66 agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system
67 project fails an inspection, the contractor shall take corrective action as necessary to pass
68 inspection.

69 (l) A municipality, county, district or other entity of local government shall not adopt or
70 maintain in effect an ordinance or rule regarding a low-voltage alarm system project that is

71 inconsistent with this section, or require any permits for a low-voltage alarm system project in
72 addition to the uniform low-voltage alarm system permit required by this section.

73 (m) A uniform basic permit label shall not be required for the subsequent maintenance,
74 inspection or service of an alarm system that was permitted pursuant to this section.

75 SECTION 2. Notwithstanding any general or special law to the contrary, section 70 of
76 chapter 40 of the General Laws shall apply to low-voltage alarm system projects for which a
77 permit is required by a local enforcement agency without regard to the date of construction.

78 SECTION 3. (a) A local enforcement agency charging more than \$55 but less than \$175
79 for a uniform basic permit label as of January 1, 2016 may continue to charge the same amount
80 for a uniform basic permit label issued pursuant to subsection (c) of section 70 of chapter 40 of
81 the General Laws until January 1, 2017.

82 (b) A local enforcement agency charging more than \$175 for a uniform basic permit label
83 as of January 1, 2016 may charge a maximum of \$175 for a uniform basic permit label issued
84 pursuant to said subsection (c) of said section 70 of said chapter 40 until January 1, 2017.