

# HOUSE . . . . . No. 4129

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## The Commonwealth of Massachusetts

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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.

**HOUSE . . . . . No. 4129**

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**The Commonwealth of Massachusetts**

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

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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.

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

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

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

UNIFORM NOTICE OF A LOW-VOLTAGE

ALARM SYSTEM PROJECT

Owner's or Customer's Name

Owner's or Customer's Address

City

State / Zip

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

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

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

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

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

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