

Tenn. Code Ann. § 62-32-305. Exclusions from requirements of part.

The following persons, firms, associations or corporations are specifically excluded from the requirements of this part:

- (1) Equipment manufacturers not providing direct sales, monitoring and/or installation of service to system end users;
- (2) Telephone installers/dealers not providing direct sales, monitoring, installation and/or maintenance service of alarm systems;
- (3) Equipment distributors or suppliers not offering sales, monitoring or installation services directly to the system user;
- (4) Retail stores or catalog sales not offering installation or consulting services to the system user;
- (5) Utility companies not installing, selling, servicing or monitoring alarm systems;
- (6) Sprinkler contractors not providing direct sales, monitoring, installation and/or maintenance service of alarm systems;
- (7) Electrical, mechanical or HVAC contractors, licensed under chapter 6 of this title, who do provide direct sales, monitoring, installation and/or maintenance service of alarm systems, but who derive less than fifty percent (50%) of their gross annual revenues from such business;**
- (8) Architects and engineers not providing direct sales, monitoring, installation and/or maintenance service of alarm systems;
- (9) Individual property owners personally installing an alarm system within the owner's residence or other building not open to the general public;
- (10) Direct sellers and installers dealing exclusively with alarm systems for motor vehicles;
- (11) (A) Locksmiths not providing direct sales, monitoring, installation and/or maintenance service of alarm systems. Locksmiths who install only mechanical locks or mechanical locks that have an integral alarm as part of their design without electrical components and electro-mechanical locks such as self-contained, low voltage exit alarm devices that secure a single entry point, which are not part of an integrated system, are also exempt from the requirements of this part; and
(B) Applicants for certification as alarm systems contractors and/or licensure as qualifying agents who have, prior to July 1, 1993, submitted to the board fully completed application forms, requisite application fees and all information and documentation required by the board, but only until such date as the board has granted or denied the respective application;
- (12) A company which does not provide monitoring services and which has fifty million dollars (\$50,000,000) or more in annual sales and whose product requires no internal building wiring to install;

(13) Medical alert or medical monitoring services to individuals made available by a hospital or an affiliate of a hospital;

(14) The monitoring and minor maintenance of alarm systems by a hospital or an affiliate of a hospital solely for its own use; and

(15) The sale or installation of delayed egress locks by a company when such locks are used to detect and monitor the wandering of residents of a nursing home.

[Acts 1991, ch. 400, § 5; 1993, ch. 429, §§ 7, 10-12; 1996, ch. 848, § 24; 1998, ch. 681, § 1; 2000, ch. 641, § 3.]

ALARM SYSTEMS CONTRACTORS BOARD ADMINISTRATIVE RULES AMENDED EFFECTIVE AUGUST 9, 2009

0090-1-.03 RESTRICTIONS AND EXCLUSIONS.

(1) As used in these rules, the prohibited activities as set forth in *T.C.A. §62-32- 304*, paragraphs (a) through (k), and exclusions as set forth in *T.C.A. §62-32-305*, paragraphs (1) through (11) are applicable.

(2) Mechanical locks without electrical components and electro-mechanical locking devices securing a single entry point, which are not part of either an integrated system involving multiple access points or other alarm systems shall not be considered an “alarm system” as defined in *T.C.A. §62-32-303* paragraph (1).

(3) A contractor qualifying for the exclusion under T.C.A. § 62-32-305(7) who intends to engage in the business of an alarm systems contractor shall file with the Board:

- (a) a notarized statement to the effect that the contractor derives less than fifty percent (50%) of its gross annual revenue from such business;**
- (b) a photocopy of the contractor's license; and**
- (c) such exclusion is only available to contractors who hold Contractors Licenses as follows: Mechanical (MC), HVAC (HVAC), and/or Electrical Contractor (E and EB only). [CE – Electrical Contractor; CE-B – Electrical Building Contractor]**

(4) Motor vehicle alarm systems are not subject to regulation under *T.C.A.*, Title 62, Chapter 32, or these rules.

(5) The Board recognizes that Portable Investigative Equipment is not an alarm system as defined by *T.C.A. §62-32-303(1)(A)*.

(6) A unitized or self-contained alarm device with a single function (e.g. smoke or intrusion detector) that requires no wiring to install, that is not interconnected or linked to other alarm devices, and that does not send a signal outside the protected premises by means of buzzers, bells, sirens or remote communication shall not be considered an alarm system as defined in *T.C.A. §62-32-303(1)*.

(7) An employee of a contract security company, licensed under *T.C.A. § 62-35-102*, who holds active security guard registration, may also act as an alarm runner, and is not subject to regulation under *T.C.A.*, Title 62, Chapter 32, or these rules.

(8) Telemarketers who do not have access to confidential information regarding an existing or proposed alarm system are not subject to regulation under T.C.A., Title 62, Chapter 32, or these rules.

Authority: T.C.A. §§62-32-303(1)(A) and (2), 62-32-305(7) and 62-32-307(a). **Administrative History:** Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed October 17, 1994; effective December 30, 1994. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 26, 2009; effective August 9, 2009.