

**RULES
OF
THE TENNESSEE ALARM SYSTEMS CONTRACTORS BOARD**

**CHAPTER 0090-01
GENERAL PROVISIONS**

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0090-01-.01 PURPOSE.

The purpose of these rules is to implement uniform procedures and qualifications throughout Tennessee for the certifying, licensing, registration, and regulation of alarm systems contractors and to protect the safety and security of persons and property by assuring the competence of individuals or companies offering alarm systems and services to the general public.

Authority: *T.C.A. §§62-32-302 and 62-32-307(a).* **Administrative History:** *Original rule filed January 14, 1993; effective February 28, 1993.*

0090-01-.02 DEFINITIONS.

As used in these rules, unless the context otherwise requires, the definitions of terms contained in *T.C.A. §62-32-303* of the Act are applicable. Additional definitions are listed as follows:

- (1) **QUALIFYING AGENT** - An individual licensed by the Board whose qualifications have been demonstrated to the Board for overseeing and supervising alarm systems contractor operations of fire, burglar, Closed Circuit Television, and/or monitoring.
- (2) **DESIGNATED QUALIFYING AGENT** - The Qualifying Agent designated by the certified contractor to be responsible for compliance with state law.
- (3) **RESPONSIBLE CHARGE** - Capable of answering questions relevant to the technical and business decisions regarding alarm systems contracting in sufficient detail as to leave little doubt as to the Qualifying Agent's proficiency for the work performed and familiarity with the alarm systems contractor's day to day business operations.
- (4) **CLERICAL EMPLOYEE** - An employee of an alarm systems contractor whose primary responsibility is maintenance of records, letters, or correspondence related to specific alarm systems.
- (5) **MANAGERIAL EMPLOYEE** - An employee of an alarm systems contractor whose primary responsibility is supervising the activity of other employees.
- (6) **TECHNICAL EMPLOYEE** - An employee of an alarm systems contractor whose primary responsibility is the installation, service, or repair of equipment used in alarm systems.

(Rule 0090-01-.02, continued)

- (7) SALES REPRESENTATIVE - An employee of an alarm systems contractor whose primary responsibility is direct contract with the existing or proposed customer with the intent to sell alarm equipment or services.
- (8) MONITORING CENTER EMPLOYER - An employee of an alarm systems contractor whose primary responsibility is to monitor alarm systems and/or receive alarm signals and provide an appropriate response to an alarm condition.
- (9) ALARM RUNNER – An employee of a licensed contract security company or alarm systems contractor whose primary responsibility is direct response to an alarm condition at the premises where the alarm signal originated.
- (10) CERTIFICATION - The authority granted by the Board to a business entity to do business as an alarm systems contractor.
- (11) REGISTRANT - An individual employee of an alarm systems contractor, other than a Qualified Agent, who has been found to meet the requirements established by the Board for their job classification.
- (12) LICENSURE - The authority granted by the Board for an individual to serve as a Qualifying Agent.
- (13) BOARD - The Alarm Systems Contractors Board as established by *T.C.A.*, Title 62, Chapter 32.
- (14) PORTABLE INVESTIGATIVE EQUIPMENT - Surveillance equipment, devices and associated wiring that is not permanently attached to a building or other structure.
- (15) NATIONALLY RECOGNIZED TRAINING PROGRAM - A course or educational training program, as further described in Chapter 0090-3 of the Board's rules, for one or more segments of the alarm industry that is recognized for high quality training of alarm professionals.
- (16) CLOSED CIRCUIT TELEVISION - An alarm system that provides video surveillance of events, primarily by means of transmission and recording of visual signals through the use of film, cameras, receivers, and other visual imaging systems. Closed circuit television systems may also include as secondary functions, audio and related electrical signals.
- (17) SERVICE - The inspection, maintenance or repair of an alarm system.
- (18) BURGLAR ALARM SYSTEM – an alarm or monitoring system, including but not limited to access control, which has the primary function of detecting and/or responding to emergencies other than fire.
- (19) ACCESS CONTROL - Electronic, electrical, or computer-based devices, designed to detect or signal an alarm, which controls the access of a person, vehicle, or object through a door, gate, or entrance into the controlled area of a residence or business. For licensing and certification purposes, access control would be considered a burglar alarm system. The term does not include:
 - (a) a mechanical device, such as a deadbolt or lock;
 - (b) an operator for opening or closing a commercial gate or door or an accessory, such as a fixed or portal transmitter, if the operator or accessory is used only to activate the gate or door and is not monitored by an alarm system.

(Rule 0090-01-.02, continued)

Authority: *T.C.A. §§62-32-304(b), 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. Amendments filed May 26, 2009; effective August 9, 2009.*

0090-01-.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 E-B only).
- (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. Amendments filed May 26, 2009; effective August 9, 2009.*

0090-01-.04 APPLICATION FOR CERTIFICATION, LICENSE OR REGISTRATION.

All companies or persons who seek to be certified, licensed, or registered must complete an application on forms prescribed by the Board and submit the completed application forms to the Board.

Authority: *T.C.A. §§62-32-304 and 62-32-307(a).* **Administrative History:** *Original rule filed January 14, 1993; effective February 28, 1993.*

0090-01-.05 EMPLOYEE REGISTRATION REQUIREMENTS.

- (1) All persons seeking registration with the Board must comply with the requirements set out in *T.C.A. §§62-32-307 and 62-32-312.*
- (2) An employee registration applicant shall either obtain electronically scanned fingerprints placed on standard FBI/TBI applicant cards through a company that has contracted with the State of Tennessee to provide a fingerprinting service or the applicant shall provide the Board with three (3) sets of classifiable fingerprints on standard FBI/TBI applicant cards for processing by the TBI/FBI.
- (3) All persons employed by an alarm systems contractor and required to be registered shall apply for registration with the Board on such forms as prescribed by the Board within thirty (30) days after employment and shall pay the applicable fees, and submit to a background check conducted by the Board, including investigation by the Tennessee Bureau of Investigation, and the Federal Bureau of Investigation.
- (4) The Board may deny, suspend, or revoke any registration issued, or to be issued under this part to any applicant or Registrant who fails to satisfy the requirements of *T.C.A. §62-32-301 et seq.* or the rules of the Board.
- (5) A registered employee may not be employed by a certified company other than the company the employee originally registered with unless the employee and the Qualifying Agency submit a completed transfer form to the Board.
- (6) An employee's registration may be suspended, revoked, or civil penalties can be assessed if the employee violates any rule of the Board or any provision of *T.C.A., Title 62, Chapter 32, Part 3.*
- (7) If a registered employee leaves the employment of a contractor the registered employee must be employed with a certified contractor within ninety (90) days or their registration will expire.
- (8) An applicant for registration shall respond promptly to all requests by the Board for further information. Failure to provide requested information within thirty (30) days of a request from the Board shall be a basis for the denial of an application.
- (9) Renewal
 - (a) A registration shall expire on the expiration date of the certification of the alarm systems contractor that employs the holder of the registration.
 - (b) An alarm systems contractor shall apply to the Board for the renewal of the registration of each registrant employed by the contractor as of the date the contractor submits its application for renewal of its certification.
 - (c) An alarm systems contractor is not required to apply to renew an employee who has submitted an application for initial registration which has not yet been determined by

(Rule 0900-01-.05, continued)

the Board by the date of the expiration of the contractor's certification provided that the contractor renews its certification in a timely fashion. If the contractor fails to submit to the Board its application for renewal by the expiration date of its certification, then the contractor is required to apply to renew each registration of a registrant employed by the contractor regardless of the date that the registration was issued by the Board.

- (d) In order to renew the registrations of its employees, an alarm systems contractor shall submit to the Board:
1. a Board approved form containing a notarized statement of the contractor's designated qualifying agent or chief executive officer which identifies the number of registrations being renewed as well as a list containing the name and registration number of each registered employee which the contractor is required to renew; and
 2. the renewal fee required for the renewal of each registration, as established by rule 0090-01-.09 Fees.

Authority: T.C.A. §§62-32-307(a), 62-32-307(b), 62-32-307(g), 62-32-307(l), 62-32-312, 62-32-312(d), 62-32-318 and 62-32-320. **Administrative History:** Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998. Amendment filed October 6, 2004; effective December 20, 2004.

0090-01-.06 QUALIFYING AGENT REQUIREMENTS.

- (1) Any person desiring to be licensed as a qualifying agent shall make written application to the Board on such forms as are prescribed by the Board. The application shall be accompanied by an application fee as set by the Board. An applicant shall receive a license if the requirements of Tenn. Code Ann. § 62-32-313(a), (b), (c) and (d) as described in these rules have been met and all requisite fees have been paid.
- (2) A qualifying agent applicant shall either obtain electronically scanned fingerprints through a company that has contracted with the State of Tennessee to provide a fingerprinting service or the applicant shall provide the Board with three (3) sets of classifiable fingerprint cards for processing by the TBI/FBI.
- (3) The classifications for qualifying agents are as follows:
 - (a) fire alarm system;
 - (b) burglar alarm system;
 - (c) monitoring; and
 - (d) closed circuit television.
- (4) An applicant for a qualifying agent's license shall apply for each classification in which the applicant will be serving as a qualifying agent for an alarm systems contractor.
- (5) An applicant for a qualifying agent license will be deemed to have met the criteria for a classification if the applicant has indicated on the application form the classification(s) for which application is made and has met all applicable requirements contained in Tenn. Code Ann. §§ 62-32-307(d), 62-32-312(d), (e) and 62-32-313.

(Rule 0900-01-.06, continued)

- (6) An applicant for a qualifying agent license shall respond promptly to all requests by the Board for further information. Failure to provide requested information within thirty (30) days of a request from the Board shall be a basis for the denial of an application.
- (7) A qualifying agent may have his or her license revoked or suspended or civil penalties imposed upon him or her for any violation of these rules or Tenn. Code Ann., Title 62, Chapter 32, Part 3.
- (8) A qualifying agent must file a termination/transfer form with the Board within thirty (30) days if the qualifying agent leaves the employment of the alarm systems contractor by which he is employed.
- (9) A designated qualifying agent must perform the following:
 - (a) A designated qualifying agent shall be in responsible charge of the alarm systems contractor by which he or she is employed.
 - (b) A designated qualifying agent shall be a full-time employee of the alarm systems contractor for whom he or she works.
 - (c) Before a designated qualifying agent begins to work as an employee of an alarm systems contractor, he or she shall notify his previous employer in writing that he or she is no longer the designated qualifying agent of the previous employer.
 - (d) A designated qualifying agent shall determine which employees of the alarm systems contractor will have access to records, diagrams, plans, or other sensitive information pertaining to monitored, installed or proposed alarm systems.
 - (e) A designated qualifying agent shall be responsible for ensuring that any person required to be registered has submitted an application to the Board and for providing the Board with all materials and information required by Tenn. Code Ann. §62-32-312(d).
 - (f) A designated qualifying agent shall review a registered employee's application to ensure that the information submitted on the application is accurate.
 - (g) A designated qualifying agent shall notify the Board within thirty (30) days after any change in business address for him or herself, the alarm systems contractor who employs the designated qualifying agent or the registered employees or qualifying agents who are employed by the alarm systems contractor.
 - (h) A designated qualifying agent shall be responsible for ensuring that an accurate application for the renewal of registrants employed by the alarm systems contractor has been submitted in accordance with rule 0090-01-.05 Employee Registration Requirements.
 - (i) A designated qualifying agent shall notify the Board within thirty (30) days after a registrant's, applicant's or qualifying agent's conviction, that is known or should be known to the designated qualifying agent. The designated qualifying agent shall provide this notification for persons who are registered or required to be registered under the alarm systems contractor that employs the designated qualifying agent. The designated qualifying agent shall provide notification if the registrant, applicant or qualifying agent was convicted in any city, county, state, federal or military court of any crimes listed in Tenn. Code Ann. §62-32-303(8). For the purposes of these rules,

(Rule 0900-01-.06, continued)

"conviction" means the entry of a guilty plea, no contest plea or a verdict or decision rendered by a judge or jury.

- (j) A designated qualifying agent shall notify the Board within ten (10) days after the designated qualifying agent has knowledge that the alarm systems contractor, a registrant, an applicant or a qualifying agent has violated any provision of Tenn. Code Ann. Title 62, Chapter 32, Part 3 or any of the Board's rules.
- (k) A designated qualifying agent shall be responsible for ensuring that notice of transfers and notice of terminations are filed with the Board within thirty (30) days of the transfers or terminations of any registered employees or qualifying agents who are employed by the alarm systems contractor.

Authority: T.C.A. §§62-32-303, 62-32-304(b), 62-32-307(a), 62-32-307(c), 62-32-307(d), 62-32-307(g), 62-32-307(i), 62-32-307(l) 62-32-313, 62-32-316(b), and 62-32-320. **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 11, 1998; effective July 25, 1998. Repeal and new rule filed October 6, 2004; effective December 20, 2004. Amendment filed May 26, 2009; effective August 9, 2009.

0090-01-.07 ALARM SYSTEMS CONTRACTOR REQUIREMENTS.

- (1) Any person desiring to be certified as an alarm systems contractor shall make written application to the Board on such forms as are prescribed by the Board. The application shall be accompanied by an application fee as set by the Board. An applicant shall meet the requirements of T.C.A. §62-32-314 to the satisfaction of the Board.
- (2) Effective July 1, 1994, classification of alarm systems contractors are as follows:
 - (a) Fire alarm system;
 - (b) Burglar alarm system;
 - (c) Monitoring; and
 - (d) Closed Circuit Television
- (3) The applicant for an alarm systems contractor shall apply for each classification in which it will be engaging in alarm systems contracting activity.
- (4) An applicant for an alarm systems contractor certification shall respond promptly to all requests by the Board for further information. Failure to provide requested information within thirty (30) days of a request from the Board shall be a basis for the denial of an application.
- (5) An alarm systems contractor shall submit an application for the renewal of registrants employed by the contractor in accordance with rule 0090-01-.05 Employee Registration Requirements.
- (6) The Certification of an alarm systems contractor can be suspended, revoked, or civil penalties can be assessed for any violation of these rules or T.C.A., Title 62, Chapter 32, Part 3.
- (7) An alarm systems contractor must have a Designated Qualifying Agent who shall be responsible for the contractor's compliance with state law.

(Rule 0900-01-.07, continued)

- (8) The contractor and the Designated Qualifying Agent must file a termination/transfer form with the Board within ten (10) days if the Designated Qualifying Agent leaves the employment of the contractor or becomes a non-Designated Qualifying Agent still in the employment of the contractor. The business entity must obtain a substitute Designated Qualifying Agent within thirty (30) days after the prior Designated Qualifying Agent ceases to serve as such, unless the Board in its discretion extends this period for good cause for a period not to exceed three (3) months.
- (9) The contractor and the Designated Qualifying Agent must file a termination/transfer form with the Board within ten (10) days if a Qualifying Agent leaves the employment of the contractor or becomes a Designated Qualifying Agent within the employment of the contractor.
- (10) The contractor or the Designated Qualifying Agent must notify the Board within thirty (30) days of any known conviction or any conviction of which the contractor or Designated Qualifying Agent should have known of any Designated Qualifying Agent, Qualifying Agent, or registered employee under their supervision by any state, federal, or military court of any crime listed in *T.C.A. §62-32-303*, paragraph (8). For purposes of these rules, "conviction" means and includes the entry of a plea of guilty, pleas of no contest or a verdict rendered in open court by a judge or jury.
- (11) Upon application for certification and renewal the contractor or the Designated Qualifying Agent must file with the Board a roster of all employees who are licensed or registered.

Authority: *T.C.A. §§62-32-307(a), 62-32-307(l), and 62-32-314. 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 11, 1998; effective July 25, 1998.

0090-01-.08 INSURANCE REQUIREMENTS.

No certification can be issued under this part until the applicant files with the Board, on a form approved by the Board, evidence of insurance that meets all of the requirements as set forth in *Tenn. Code Ann. §62-32-315*.

Authority: *T.C.A. 62-32-307(a) and 62-32-315. Administrative History:* Original rule filed January 14, 1993; effective February 28, 1993. Repeal and new rule filed October 6, 2004; effective December 20, 2004.

0090-01-.09 FEES.

- (1) Application Fees. An alarm systems contractor, qualifying agent (including designated qualifying agent) or registered employee of the alarm systems contractor shall pay the following non-refundable application fees:
 - (a) Company Certification application fee.....\$500.00
 - (b) Qualifying Agent License application fee..... \$200.00
 - (c) Employee Registration application fee.....\$100.00
- (2) Certification/License/Registration Fees. An alarm systems contractor or qualifying agent (including designated qualifying agent) shall pay the following certification/license fees when the alarm systems contractor or qualifying agent has been notified that his or her application has been approved:

(Rule 0900-01-.09, continued)

- (a) Company certification fee for each classification\$50.00
 - (b) Qualifying agent or designated qualifying agent license fee for each classification\$50.00
- (3) The following transfer fees and duplicate identification card fees shall be required upon notification that a licensee or registered employee has transferred to a certified alarm contractor other than the contractor indicated on the identification card, or upon receipt of a request for a duplicate identification card. An identification card being replaced must be returned to the Board with a transfer form.
- (a) Transfer Fee\$50.00
A qualifying agent, designated qualifying agent and registered employee shall submit a transfer form supplied by the Board with two (2) color passport-style photographs for a new identification card.
 - (b) Duplicate Identification Card Fee\$25.00
A certified company, qualifying agent, designated qualifying agent and registered employee shall submit a request for a duplicate identification card with two (2) color passport-style photographs.
- (4) Adding Classifications. An alarm systems contractor, qualifying agent (including a designated qualifying agent), or registered employee shall pay the following fees when adding classifications:
- (a) Company Certification (per classification)\$100.00
 - (b) Qualifying Agent License (per classification).....\$100.00
- (5) Renewal Fees. An alarm systems contractor, qualifying agent (including a designated qualifying agent), or registered employee shall pay the following renewal fees:
- (a)
 - (1) Single classification company certification
Biennial renewal fee\$250.00 (per location)
 - (2) Multiple classification company certification
Biennial renewal fee\$400.00 (per location)
 - (b)
 - (1) Single classification qualifying agent license
Biennial renewal fee\$100.00
 - (2) Multiple classification qualifying agent license
Biennial renewal fee\$200.00
 - (c) Employee Registration
Biennial renewal fee.....\$75.00 (per employee)

Authority: T.C.A. §§62-32-307(b), 62-32-313(a), 62-32-313(i), 62-32-314(a), and 62-32-318.
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 11, 1998; effective July 25, 1998. Repeal and new rule filed October 6, 2004; effective December 20, 2004. Notice of withdrawal of rule 0090-01-.09(2)(c) filed October 26, 2004; effective December 20, 2004. Amendments filed May 26, 2009; effective August 9, 2009.

0090-01-.10 RENEWAL OF CERTIFICATION AND LICENSE.

- (1) As used in these Rules, the requirements contained in *T.C.A. §62-32-317* are applicable.
- (2) Each certificate and license shall expire on the last day of the twenty-fourth (24th) month following its issuance or renewal and shall become invalid on such date unless renewed.
- (3) Company Certification renewal notices shall be mailed by the Board ninety (90) days prior to the expiration date of the Certification. Qualifying Agent License renewal notices shall be mailed by the Board to the last known business address ninety (90) days prior to the expiration date of the license. Such renewals must be received in the office of the Board thirty (30) days prior to the expiration of such Certification or license.
- (4) It shall be the duty of the Board to notify every company certificate holder and Qualifying Agent licensee by mail to the last known business address of the date of expiration of such certificate or license and the amount of fee required for its renewal for one (1) year.
- (5) Applications for renewal of the company Certification shall list all persons required to be licensed or registered in accordance with *T.C.A. §62-32-312(a)*.
- (6) No Qualifying Agent license shall be renewed unless the Board has received satisfactory evidence of the completion of continuing education prior to renewal, in compliance with the minimum satisfactory standards set for in rule 0090-05-.01.
- (7) A qualifying agent who has not met the requirements for renewal of a qualifying agent license by the expiration date of the license shall cease acting as a qualifying agent for any firm until the qualifying agent has established to the satisfaction of the Board that all qualifications for renewal, including the payment of any fees for late renewal, have been met.
- (8) The fee to be paid for the renewal of a company certificate or Qualifying Agent license after the expiration date shall be increased ten percent (10%) for each month or fraction of a month that payment for renewal is delayed; provided that the maximum fee for a delayed renewal shall not exceed twice the normal fee.
- (9) No company certificate holder or Qualifying Agent licensee shall receive a renewal when such company or agent has been in default in complying with *T.C.A. §62-32-301 et seq.* for a period of one (1) year, and, in such an event, the alarm systems contractor or Qualifying Agent, in order to qualify under the law, shall make new application and meet all current requirements to obtain a new license or certificate.

Authority: *T.C.A. §§62-32-307(a), 62-32-307(c), 62-32-313, and 62-32-317. Administrative History:* Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998. Amendments filed May 26, 2009; effective August 9, 2009.

0090-01-.11 IDENTIFICATION CARDS.

- (1) The Board shall issue to every individual licensed or registered by the Board an identification card bearing a minimum:
 - (a) The full correct name.
 - (b) A color passport size photo.
 - (c) The registration or license number assigned by the Board.

(Rule 0900-01-.11, continued)

- (d) The license or job classification.
- (e) The company affiliation.
- (2) It is the Designated Qualifying Agent's responsibility to provide this information with the initial application, renewal application, employee registration application, notice of transfer, or request for duplicate identification card.
- (3) Individuals shall, while on the official business of an alarm systems contractor, wear their identification card in a conspicuously visible location on their person.
- (4) If the identification card is lost, a statement requesting a duplicate card must be completed and submitted to the Board, along with two (2) recent passport size color photos and the fee as set out in rule 0090-01-.09.

Authority: T.C.A. §62-32-307(a). **Administrative History:** Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 26, 2009; effective August 9, 2009.

0090-01-.12 FINGERPRINTING.

- (1) All applicants for employee registration or qualifying agent license shall be subject to a Federal Bureau of Investigations(FBI)/Tennessee Bureau of Investigations (TBI) background investigation pursuant to Tenn. Code Ann. §§ 62-32-312(e) and 62-32-313(b).
- (2) In order to expedite the application process, an applicant may obtain electronically scanned fingerprints on standard FBI/TBI cards through any company that has contracted with the State of Tennessee to provide an electronic fingerprinting service. The applicant shall be deemed to have provided the Board with sets of classifiable prints if he or she causes a private company contracted by the State to electronically transmit the applicant's classifiable prints directly to the FBI and TBI and to forward a classifiable hard copy of the applicant's fingerprints to the Board on standard FBI/TBI applicant cards. The Board shall notify each applicant in writing of the name, address, and telephone number of any company contracted by the State to provide such service. All qualifying agent and registered employee applicants shall comply with the following requirements regarding payment for the fingerprinting service:
 - (a) If the applicant chooses to use the services of a company that has contracted with the State to provide an electronic fingerprinting service, then the applicant shall make the arrangements for the processing of his or her fingerprints with the company directly and shall be responsible for payment of any fees associated with the processing of fingerprints to the respective agency.
 - (b) If the applicant chooses to request that the Board process the fingerprint cards, then the applicant shall submit three (3) sets of classifiable fingerprint cards, on cards provided by the Board, with his or her application for processing through the FBI and TBI. The applicant shall pay to the Board all processing fees established by the TBI and FBI.
 - (c) In the event that the contracting company no longer contracts with the State to provide an electronic fingerprinting service, then the applicant shall submit three (3) classifiable fingerprint FBI/TBI cards with his or her application and shall pay to the Board all processing fees established by the TBI and FBI.
- (3) In the event that a qualifying agent or employee registration applicant furnishes unclassifiable fingerprints or fingerprints that are unclassifiable in nature to the Board, the Board may refuse

(Rule 0900-01-.11, continued)

to issue the requested license or registration. For the purposes of this rule, “unclassifiable fingerprints” means that the electronic scan or the print of the person’s fingerprints cannot be read and therefore, cannot be used to identify the person.

Authority: T.C.A. §§ 62-32-307(a), 62-32-307(d), 62-32-307(g), 62-32-312(d)(1), 62-32-312(e), 62-32-313(b), and 62-32-318. **Administrative History:** Original rule filed October 6, 2004; effective December 20, 2004.

0090-01-.13 ADDING CLASSIFICATIONS.

(1) Qualifying Agent License

If a licensed qualifying agent wishes to add an alarm systems contractor classification to his or her license, then he or she shall make written application to the Board on such forms as are prescribed by the Board. The application shall be accompanied by an application fee as set by the Board. An applicant shall receive a license if the requirements of Tenn. Code Ann. § 62-32-313(c) and (d) as described in these rules have been met and all requisite fees have been paid. Submission of fingerprint cards shall not be required to add a classification to an “active” qualifying agent license. If the licensee is qualified based on Tenn. Code Ann. § 62-32-313(c) (1) or (2), the requirements of rule 0090-5-.01(4) must be satisfied prior to the first renewal after adding the “fire” classification.

(2) Company Certification

If a certified alarm company wishes to add an alarm systems contractor classification to its certification, then the certified company shall make written application to the Board on such forms as are prescribed by the Board. The application shall be accompanied by an application fee as set by the Board. The requested classification will be added to the company certification if the requirements of Tenn. Code Ann. § 62-32-314(a)(4), have been met, the designated qualifying agent has applied for and been issued a license with the requested classification(s), and all requisite fees have been paid. Submission of additional city or county business tax licenses or insurance certificates will not be required to add a classification to an “active” company certification.

(3) Adding a classification will not change the expiration date of the qualifying agent license or company certification.

Authority: T.C.A. §§62-32-313(c), 62-32-313(d), 62-32-313(e), 62-32-314(a)(4), 62-32-314 (c), 62-32-314(d), and 62-32-316(b). **Administrative History:** Original rule filed October 6, 2004; effective December 20, 2004.

0090-01-.14 BOARD’S REQUEST FOR INFORMATION. Any alarm systems contractor, designated qualifying agent, qualifying agent, or registered employee must respond to all requests by the Board for additional information or for response to any complaint initiated against said alarm systems contractor, designated qualifying agent, qualifying agent, or registered employee within thirty (30) days of the date of the request.

Authority: T.C.A. §62-32-307(e), (f), (g) and (h). **Administrative History:** Original rule filed May 26, 2009; effective August 9, 2009.