

HOUSE AMENDMENTS TO HOUSE BILL 3127

By COMMITTEE ON BUSINESS AND LABOR

May 4

1 On page 1 of the printed bill, line 2, after “locksmithing” insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 28 and delete pages 2 through 6 and insert:

4 **“SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 701.**

5 **“SECTION 2. (1) As used in this section:**

6 **“(a) ‘Key’ means a mechanical, electromechanical, electronic, electromagnetic or other
7 device for operating a lock.**

8 **“(b) ‘Lock’ means a mechanical, electromechanical, electronic, electromagnetic or other
9 device that is designed to control access from one area to another or control the use of a
10 device in a structure or vehicle.**

11 **“(c) ‘Locksmith’ means a person who services, installs, repairs, rebuilds, rekeys, repins
12 or adjusts locks, hardware peripheral to locks, safes, vaults, safe deposit boxes or mechanical
13 or electronic security systems.**

14 **“(2) An individual may not undertake, offer to undertake or submit a bid to do work as
15 a locksmith for compensation, or with the expectation to be compensated, unless the indi-
16 vidual is certified as a locksmith under this section by the Construction Contractors Board
17 and is an owner of, or employed by, a business that is licensed by the board.**

18 **“(3) A business may not undertake, offer to undertake or submit a bid to provide
19 locksmith services unless the business is licensed by the board under this chapter and has
20 an owner or an employee who is certified as a locksmith under this section.**

21 **“(4) The board shall adopt rules establishing minimum standards of practice and profes-
22 sional conduct for locksmiths and businesses that provide locksmith services.**

23 **“(5) The board shall require that an applicant for certification as a locksmith pass a test
24 demonstrating the competency of the applicant to act as a locksmith.**

25 **“(6) The board may adopt rules to regulate the practice of locksmithing, including but
26 not limited to rules:**

27 **“(a) Accepting the results of competency testing by a nationally recognized certification
28 program for locksmiths;**

29 **“(b) Establishing requirements for the issuance or renewal of a locksmith certificate,
30 including but not limited to training and continuing education requirements;**

31 **“(c) Establishing standards of professional conduct for certified locksmiths; and**

32 **“(d) Establishing fees necessary for the administration of this section that do not exceed
33 the following amounts:**

34 **“(A) \$100 for application.**

35 **“(B) \$100 for testing.**

1 “(C) \$300 for issuance of an initial two-year certificate.
2 “(D) \$300 for renewal of a two-year certificate.
3 “(7) The board shall adopt rules establishing procedures for the issuance, renewal and
4 revocation of a locksmith certificate.
5 “(8) The board may suspend or revoke a locksmith certificate if the locksmith:
6 “(a) Fails to comply with a continuing education requirement established by the board;
7 or
8 “(b) Violates a standard of professional conduct for certified locksmiths established by
9 board rule.
10 “(9) Subsections (1) to (8) of this section do not apply to:
11 “(a) A person offering key duplication services at a fixed location or ancillary to other
12 business activities, if the person does not undertake, offer to undertake or submit a bid to
13 undertake other locksmith services;
14 “(b) An individual performing work within the scope of a license described in ORS 479.905
15 to 479.945;
16 “(c) A tow truck operator performing work for a towing business certified under ORS
17 822.205; or
18 “(d) An individual installing a new door, window or other article with a locking mech-
19 anism that is manufactured and sold as a unit for installation in a structure, if the individual
20 is acting within the scope of employment with a person licensed under this chapter.
21 “SECTION 3. (1) The locksmith certification requirement established under section 2 of
22 this 2009 Act applies to locksmith work performed on or after July 1, 2010. The requirement
23 established in section 2 of this 2009 Act that a business providing locksmithing services have
24 an owner or employee who is a certified locksmith becomes operative July 1, 2010.
25 “(2) The Construction Contractors Board shall make certification as a locksmith avail-
26 able for qualified applicants no later than January 1, 2010.
27 “SECTION 4. This 2009 Act being necessary for the immediate preservation of the public
28 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
29 on its passage.”.
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