ALABAMA ELECTRONIC SECURITY BOARD OF LICENSURE ADMINISTRATIVE CODE

CHAPTER 304-X-1 INITIAL RULES

TABLE OF CONTENTS

304-X-1-.01 Definitions
304-X-1-.02 Operation Of The Board
304-X-1-.03 Licensure Procedures
304-X-1-.04 Fees
304-X-1-.05 Educational Requirements
304-X-1-.06 Exemptions
304-X-1-.07 Code Of Ethics
304-X-1-.08 Administrative Complaints
304-X-1-.09 Grounds For Referral To District Attorney
304-X-1-.10 Cease and Desist Orders
304-X-1-.11 Injunctive Relief And Recoupment Of Costs
304-X-1-.12 Licensing Reciprocity

304-X-1-.01 Definitions.

(1) Administrative Employee: A person who engages in clerical duties for a licensed company, whose work is restricted to office duties, and who has access to sensitive client information including, but not limited to, Social Security numbers, customer privacy codes, customer passwords, and similar information.

(2) Administrative Fee: A fee is charged to first time applicants, or those reapplying as first-time applicants, or to licensees who wish to have a change of address or name, to cover the expenses of setting up applicants' data files.

(3) Administrative Management: Pertains to those individuals who may be an owner or in a management, administrative or clerical position who has access to personal and confidential records of clients and who shall register with the Board as Administrative. An individual who registers as Administrative shall not have direct contact with customers daily, may not enter client homes or businesses, must pass a criminal background check, and shall not be issued an AESBL ID card.

(4) Alarm Monitoring Company: Any person, company, corporation, partnership, or business, or a representative or agency thereof, authorized to provide alarm monitoring services for alarm systems or other similar electronic security systems whether the systems are maintained on commercial business property, public property, or individual residential property.

(5) Alarm System: Burglar alarms, security cameras, or other electrical or electronic device used to prevent or detect burglary, theft, shoplifting, pilferage, and other similar losses. The term does not include any fire detection, fire alarm, or fire communication system.

(6) Alarm Verification: A reasonable attempt by an alarm monitoring company to contact the alarm site or alarm user by telephone or other electronic means to determine whether an alarm signal is valid prior to requesting law enforcement to be dispatched to the location and, if the initial attempted contact is not made, a second reasonable attempt to make a contact utilizing a different telephone number or electronic address or number.

(7) Arrest: Seized by legal authority and taken into custody. This includes, but is not limited to, being placed in handcuffs, being fingerprinted by a legal authority, and having a mugshot taken to a processing facility. Even arrests that do not result in conviction are subject to this definition.

(8) Branch Office: An office established or maintained at some place other than the principal place of business as shown in the Board of Licensure records and is identified to the public at a place from which business of planning, installation, inspecting, repairing, and servicing alarm systems or locks used to protect against or detect burglary, theft, shoplifting, pilferage, or other losses is conducted on a regular basis.

(9) Branch Office License: A license granted by the Board of Licensure entitling a person to operate as a security service contractor of an alarm systems company or a locksmith company at a location other than the principal place of business shown in the Board of Licensure records.

(10) Burglar Alarm (B): An assembly of equipment and devices, or a single device such as a solid-state unit which plugs directly into an AC line, designed to detect an unauthorized intrusion or an attempted robbery at a protected premises or signal public police or private guards to respond, or both.

(11) Certified Proctor: A proctor who supervises an exam within their discipline and has been previously approved as a proctor by the AESBI.

(12) Closed Circuit Television System (CCTV): A combination of electronic equipment and devices designed and arranged for the viewing, monitoring, or recording of video signals transmitted from transmitters such as cameras to receivers such as monitors, digital video recorders, and network video recorders (NVR) through a closed cable or other video signal transmission method.

(13) Closed Circuit Television System (CCTV) Waiver: An educational waiver granted to a designated Qualifying Agent for a licensed company in lieu of a CCTV certification held by that person. Approval of the waiver is based on company criteria and does not transfer with the Qualifying Agent should that employee cease employment with his or her current company or seek dual employment with another licensed company.

(14) Consumer Report: Any written, oral or other communication of any information by a Consumer Reporting Agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for (a) credit or insurance to be used primarily for personal, family, or household purposes, (b) employment purposes, or (c) any other purpose authorized under FCRA Section 604, 15 U.S.C. §168lb.

(15) Consumer Reporting Agency or CRA: Any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part the practice or assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing Consumer Reports to third parties, and which uses any means or facility of interstate commerce for the purposes of preparing or furnishing Consumer Reports.

(16) Conviction: The entry of a plea of guilty, a verdict rendered in open court by a judge or jury, a plea of nolo contender, a plea of nolo contendere, a no contest plea, or a best interest plea that results in the imposition of a fine, prison sentence, or probation.

(17) Digital ID Badge: A digital version of the identification card issued by the Board that would become active upon licensing and would appear in a licensee's digital wallet. Upon termination of employment or expiration of individual's license, the digital ID badge shall no longer be accessible in the individual's digital wallet. The digital ID badge does not supersede the hard-copy identification card. The requirement for licensees to have a physical ID badge visible on their person remains in place.

(18) Disciplinary Action: By affirmative vote of a quorum of the Board members, a disciplinary action may consist of; suspension or revocation of a license, imposing a sanction on a license, and/or a monetary penalty not to exceed one thousand dollars ($1,000.00) per violation. A Board member shall disqualify himself or herself and withdraw from any case in which he or she cannot accord fair and impartial consideration.

(19) Electronic Access Control System (A): A system that is used as a process to grant or deny an individual access to a specific

area or object based upon his or her possession of an item, a code, or physical characteristic.

(20) Helper: Person whose responsibilities are limited while learning the alarm or locksmith business. An alarm Helper may not work without direct, on-the-job, supervision of a licensed Qualifying Agent or installer. An alarm Helper is limited to running wires during the installation of an alarm system. An alarm Helper may not install keypads or assign or program access codes. A locksmith Helper may not work without direct, on-the-job supervision of a licensed locksmith. A locksmith Helper may not change safe combinations or perform work on safe deposit boxes or vaults, nor may a locksmith Helper have access to key codes or customer keying files. Helpers are not subject to the educational requirement of 304-X-1-.05 of this code. A Helper is required to comply with all other sections of this code. No more than two (2) Helpers may be assigned to a licensed individual. Any individual previously fully licensed in their field with the required training cannot subsequently be licensed as a Helper. The licensing classification of Helper is limited to applicants who do not possess training certification.

(21) HVAC system: Heating, ventilation, or air conditioning devices or mechanisms to provide heating or cooling to a building or other structure or the devices used to control the temperature of the heating or cooling devices in a building or other structure.

(22) Identification Card: A pocket card of a size, design, and content determined by the Board of Licensure.

(23) Identity Theft: The crime of obtaining the personal or financial information of another person to use their identify to commit fraud, such as making unauthorized transactions or purchases.

(24) Installation: The initial placement of equipment or the extension, modification, or alteration of equipment after initial placement.

(25) License: A license granted by the Board of Licensure entitling a person to operate as a security services contractor; installer of burglar alarm systems (B), electronic access control systems (A), and /or closed-circuit television systems (S); locksmith (L); salesperson (Sales): Monitoring Station (MS); helper (H); vehicle security professional (V); or administrative (Adm).

(26) Licensee: A person whose application has been approved by the Board of Licensure to perform the duties of a Qualifying Agent, burglar alarm system (B) installer, electronic access control system (A) installer, closed circuit television system (S) installer, locksmith (L), monitoring station operator (MS),

salesperson (Sales), helper (H), vehicle security professional (V), or administrative (Adm).

(27) Lock: Mechanical or electronic device used to physically secure and control access to or egress from a structure or area, or used to control the use of a device; these uses include, but are not limited to, residential or commercial door hardware, motor vehicle locks, safes, safe deposit boxes, vaults, or electronic locking devices.

(28) Locksmith:

(a) A person or business entity in a commercial, residential, or automotive setting that does any of the following for compensation or other consideration:

1. Repairs locks.

2. Rebuilds locks.

3. Rekeys locks.

4. Services locks.

5. Adjusts locks.

6. Installs locks or mechanical locking devices.

7. Installs or services egress controls devices.

8. Installs or services vaults and safety deposit boxes, including those services performed by safe technicians.

9. Creates or copies transponder keys and any other automotive keys and electronic operating devices connected to motor vehicles.

10. Creates or copies key fobs, proximity keys, smart keys, door and ignition key devices, or successive electronic or other high security key technology.

11. Uses any other method of bypassing a locking mechanism of any kind including, but not limited to, shimming a lock or picking and popping a lock.

(b) The term does not include any of the following:

1. A person whose activities are limited to making a duplicate key of an existing key.

2. A person or business entity that does not advertise providing locksmith services to the public.

3. A person or business entity that is licensed by the board on the effective date of the act adding this amendatory language to install or service electronic access control systems, provided any lock being serviced or installed has electronic access control capabilities.

4. Police, fire, medical, or other government or emergency personnel performing activities within the scope of their official duties.

5. A person operating a licensed towing and recovery service.

(29) Monitoring Station: A location where alarm signals are received as part of an alarm system and then relayed via operator to law enforcement officials.

(30) New Applicant: A registrant who is employed by a licensed company and who is a first-time applicant for licensure or a person who fails to renew a license within thirty (30) days of the expiration date of their most recent license.

(31) Person: Includes, a person, firm, association, company, partnership, corporation, nonprofit corporation, institution, or similar entity.

(32) Proctored exam: An exam taken in front of a Certified Proctor who is present during the examination.

(33) Qualifying Agent: A person in a management position who is certified by the Board of Licensure and whose name and address have been registered with the Board of Licensure. This person is a Licensee. This person may be subject to disciplinary actions for the actions of individuals employed under their supervision.

(34) Registrant: A person who files an application for consideration of licensing by the Board of Licensure to perform the duties of a Qualifying Agent (QA), burglar alarms system (B) installer, electronic access control system (A) installer, closed circuit television system (S) installer, locksmith (L), monitoring station operator (MS), salesperson (Sales), helper, (H), vehicle security professional (V),or administrative (Adm).

(35) Salesperson: A person who, for financial compensation or in exchange for a thing of value, sells goods or services to the public on behalf of any company, business, or other entity that sells, services, or installs alarm services, CCTV systems, electronic access control systems, or mechanical locks.

(36) Service: Necessary repair in order to return the alarm system and/or lock to operational condition.

(37) Third-Party Lending: The utilization of a third-party for the financing of any security equipment involved in a sale to a potential customer. The use of a third party for financing is done in lieu of the company financing their equipment directly to a potential customer.

(38) Trainee: A registrant who applies as an alarm system installer, locksmith or salesperson and is granted six (6) months to complete the required certification training and pass the required proctored exam. Trainees must work under the direct, on-the-job supervision of a licensed individual.

(39) Unauthorized Co-Signing: Adding an individual as a co-signer to a financial account without their permission.

(40) White Paging: Approving a potential customer for financing by obtaining and utilizing the credit history of a different individual with the same or similar name.

(41) Late Fee: A fee of $500.00 assessed to a company that has not submitted for renewal by December 31st of their expiration year, as evidenced by the postmark.

(42) Fine: A monetary fine imposed by a court of competent jurisdiction for failure to renew a company license within the immediately preceding twenty-four (24) months or for any person or business entity working while unlicensed.

(43) Penalty: a monetary penalty assessed to a company or an individual who is found to be working unlicensed or for an egregious act as determined by the Board.

(44) Vehicle Security Professional: An individual who is employed as an automotive technician that creates and programs transponder keys and key fobs exclusively for vehicles. Further, an individual licensed under 304-X-1-.03(6) whose practice is limited to automotive vehicle security services as defined therein. A vehicle security professional is not a locksmith and may not represent themselves as a locksmith, including business names or advertising, unless separately licensed as such.

Author: Fred Crawford
Statutory Authority: Code of Ala. 1975, §34-1A.
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304-X-1-.02 Operation Of The Board.

(1) Pursuant to the Code of Alabama 1975 34-1A-2, the board shall reflect the racial, gender, geographic, and economic diversity of the state, who are citizens of this state, appointed by the Governor, and subject to confirmation by the Alabama Senate.

(2) Pursuant to the Open Meetings Act:

(a) Members of the board may participate in a board meeting by means of video conference, and this shall qualify as attendance at the meeting in person. Attendance by telephone without video conference does not qualify as attendance at a board meeting. Three board members must be physically present at the board meeting in order for the board to conduct official business.

(b) Members of a committee of the board may attend by means of video conference, and this shall qualify as attendance at the meeting in person. Attendance by telephone without video conference does not qualify as attendance at a committee meeting. A majority of committee members shall be physically present to conduct official committee business or render a decision.

(3) Board members shall be paid out of the funds of the board the same per diem as prescribed by law for state employees for each day of attendance of a board or committee meeting.
Author: Lynne Taunton
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304-X-1-.03 Licensure Procedures.

(1) **Section 1 Company License**

(a) No person operating an alarm system company or locksmith company may sell, install, monitor or otherwise operate in the

state of Alabama without a license from the Board of Licensure.

(b) The company will complete an application and pay the necessary fees to the Board of Licensure and upon receipt of a license they can operate. The administrative fee and all other fines, penalties, and fees due at the time of the licensure application must be paid before an initial license or renewal license will be issued by the Board.

(c) The Board has six calendar weeks to act upon a complete application.

(d) No company license can be issued without submitting a complete company application and a complete application for the company's qualifying agent.

1. A copy of the company’s most recent business license issued by an Alabama city or county.

2. A check, money order, or debit or credit card in the proper amount as prescribed in the application.

3. Application must contain the physical address of the business.

4. No license will be issued to a company unless the company files with the Board of Licensure evidence of a policy of liability insurance with limits of not less than two hundred fifty thousand dollars ($250,000), said policy shall provide for certain coverage for both bodily injury or death of a person as result of the negligent act or acts of the principal insured or his or her agents operating in the course and scope of his or her employment, and for the injury to or destruction of property of others as the result of negligent act or acts of the principal insured or his or her agents operating in the course and scope of his or her agency and any other insurance required by law. The Licensee shall notify the Board of Licensure of any change in coverage by a 30-day notice to the Board of Licensure. The licensee's physical address shall be required on any certificate of insurance (or its equivalent) filed with the board. Failure to maintain liability insurance may subject the licensee to disciplinary action by the Board.

(e) A company must make application if it offers to undertake, represents itself as being able to undertake, or does undertake the installation or service of locks for motor vehicles or for residential or commercial use, or sells, installs, services, monitors burglar alarm systems or holds privacy codes of customers’ burglar alarm systems, or sells,

installs or services electronic access control systems or CCTV.

(f) A subcontractor must meet the licensing requirements of the Board of Licensure.

(g) Companies located out of the State of Alabama must obtain a "Certificate of Authority of a Foreign Corporation to Transact Business in Alabama" from the Alabama Secretary of State prior to submitting an application to the Electronic Security Board of Licensure.

(h) All licensed companies must have a physical location in the state of Alabama or; if no physical location in the State of Alabama, a registered agent that is capable of providing a Board inspector with Board requested information upon request.

(i) All personnel that install, sell, monitor or service burglar alarm systems (B), CCTV systems (S), monitoring station operators (MS), electronic access control systems (A), motor vehicle locks or mechanical locking hardware on behalf of the licensee, including but not limited to, installers, technicians, or locksmiths shall comply with the educational requirements in 304-X-1-.04.

(j) No licensee shall engage in business or advertise under a state issued license number regulated by this code under a name other than the name of the licensee which appears on the certificate issued by the Board of Licensure or in the name of the business entity which the licensee has registered with the Board of Licensure.

(k) The license shall be issued for a prorated term of one year or a full term of two years, companies with a beginning letter of A–H renew in odd numbered years and I-Z companies renew in even years. Each license shall be renewed by the expiration date of the current license. The expiration date for both companies and individuals is December 31st of the second year of its licensing period. For companies A-H, and individuals licensed with their respective company, shall expire on December 31st in an even year. Companies I-Z, and individuals licensed with their respective company, shall expire on December 31st in an odd year. Failure to submit a renewal application by the licensee's designated expiration date (as evidenced by the postmark date) may result in the company being accessed a late fee. Renewal applications must include current proof of insurance for the company and training requirements for individuals.

(l) Following issuance, the company license shall be posted at all times in a conspicuous place in the place of business of the licensee. A license issued pursuant to this code shall not be assignable.

(2) **Section 2 Qualified Agent**

(a) Each physical location of a licensee shall be operated under the direction and control of a Qualifying Agent. No person shall act as a Qualifying Agent of a licensee until he or she has complied with each of the following:

1. Completed qualifying agent application, criminal background requirements and submitted all supporting documentation to the board.

2. Made a satisfactory showing to the Board that he or she has satisfied the qualifications prescribed in this code, by presenting proof of meeting the educational requirements in 304-X-1-.05.

(b) A Qualifying Agent may register with the Board of Licensure for only one business entity at any given time unless the Qualifying Agent owns 25% or more of each burglar alarm, CCTV, electronic access control, and/or locksmith business being registered.

(c) A Qualifying Agent shall be a full-time (in excess of 32 hours per week) employee of the entity for which the person serves as Qualifying Agent, within the State of Alabama, and maintains that supervisory position on a daily basis for the company.

(d) If the Qualifying Agent, who has been qualified as provided in this section, ceases to be Qualifying Agent, the licensee shall notify the Board of Licensure in writing within 10 days from each cessation. If notice is given, the license shall remain in force for up to 120 days. After which time, a new Qualifying Agent must be in place. If the licensee has not hired a replacement qualifying agent within 10 days, the licensee must submit a request to the Board in writing requesting an extension. An extension period may be granted at the discretion of the Board of Licensure. If notice is not given by the company, the company's license shall be subject to suspension or revocation immediately upon receipt of the information to the Board by a third party.

(e) Any individual with the designation of "qualifying agent" for a company, may be subject to disciplinary action for any employee's action in which they directly supervise their licensed activity.

(3) **Section 3 Applicants**

(a) An application for a license pursuant to this code shall be in the form prescribed by the Board of Licensure. All persons' applications shall include the following:

1. A properly completed application.

2. Supporting documentation of meeting training requirements when necessary.

3. A properly completed Alabama Law Enforcement Agency (ALEA) Form-46 (or its equivalent) and required processing fees for a criminal background report.

4. New and renewing Applicants must submit a properly completed ALEA Form-46 (or its equivalent) and Federal Bureau of Investigation (FBI) fingerprint cards and required processing fees for an FBI criminal background report.

5. A nonresident licensee who is not physically working in the state, located more than 100 miles from the nearest state border, and whose duties are limited to administrative activity is exempt from the requirement of a criminal background check.

6. The Board will not deny a license for criminal convictions over seven years old unless the criminal conviction directly relates to the occupation or profession for which the license is sought. However, the Board may, if in its opinion it is warranted, require the applicant to submit a new criminal background check at the expiration of one year of the initial application.

7. A credit card, debit card, check or money order in the proper amount as prescribed in the application.

8. All applications must contain the physical address of the business.

9. All applications must be signed and notarized or witnessed by two individuals.

(b) A person who is employed to be a Qualifying Agent (QA), monitoring station operator (MS), burglar alarm system (B) installer, electronic access control system (A) installer, closed circuit television system (S) installer, locksmith (L), helper (H), administrative (ADM), or salesperson (Sales) shall submit the required paperwork and fees with to the Board of Licensure within ten (10) business days after the commencement of employment with a company engaged in activities regulated by this Chapter.

(c) Each applicant must pay all applicable fees to become licensed by the Board; said fee is due at the time of the licensure application.

(d) Licensing of a qualified applicant should be completed within six calendar weeks after the board receives all required paperwork from the applicant. This time frame may be extended during annual renewal.

(e) If complete paperwork is not received within 30 days of notification for incompleteness application shall be vacated and must be resubmitted.

(4) **Section 4 Branch Offices**

(a) A license or branch office license, when issued, shall be in the form prescribed by the Board of Licensure, and shall include the following:

1. The name of the licensee.

2. The name under which the licensee shall operate.

3. The number and date of the license.

4. Which classifications of work the licensee is licensed for.

(b) The license shall at all times be posted in a conspicuous place in the principal place of business of the licensee. Each branch office license shall at all times be posted in a conspicuous place in each branch office of the business.

(c) Notification to the Board of Licensure shall be made within ten days after the change of address of the principal place of business of a licensee, the change of address of a branch office, or the change of a business name under which a licensee does business. A licensee shall, within ten days after the change, notify the Board of Licensure of all changes of his or her address, the name under which he or she does business, and changes in its officers or partners.

(d) A branch office of a locksmith or alarm systems business shall be properly licensed. A separate license, stating the location and licensed qualifying agent, shall be posted at all times in a conspicuous place in each branch office. Every business covered pursuant to this code shall file in writing with the Board of Licensure the address of each of its branch offices, if any, within 10 working days after the establishment, closing, or changing of the location of a branch office. A licensed qualifying agent will be required for daily operations for each alarm system business branch office and be readily available to the registrants in the field.

(5) **Section 5 Monitoring Stations**

(a) Monitoring Station personnel in a stand-alone facility located in excess of one hundred (100) miles from the nearest Alabama border, whose only duty is Monitoring Station functions, are exempt from a mandatory background check, but the Board may require Social Security numbers and FBI fingerprint cards and may do random background checks.

(b) Any person or business entity that offers to undertake, represents itself as being able to undertake, or does undertake the monitoring of an alarm system for the public for any type of compensation or, any monitoring station, must, with each renewal application, submit a report which provides the following: (1) the name of the person or business entity that requested their accounts be monitored as a system installer or dealer and (2) the date the company began monitoring accounts on behalf of the system installer or dealer. Said reporting list shall include monitored accounts for persons or business entities who have requested monitoring of accounts in the State of Alabama only and said list shall not include the individual customer list for each system installer or dealer.

(c) All monitoring station personnel must have a person designated as an administrative person of record for the purposes of answering questions related to renewing licenses online.

(6) **Section 6 Vehicle Security Professional**

(a) A vehicle security professional is an individual employed as an automotive technician with entities that include, but are not limited to, an automotive dealership or an automotive mechanic shop. Under such employment, the individual is tasked with creating an automotive key fob or an automotive transponder key. A vehicle security professional is not considered to be a locksmith. Nothing in these Rules shall be construed to modify, limit, or repeal the exemptions provided under Code of Alabama, Section 34-1A-6, including subsection (14) concerning new motor dealers and their employees.

(b) A vehicle security professional shall submit the following for licensure:

1.A properly completed application.

2. A certificate of completion for a board approved automotive training course specifically for transponder key and key fob creation.

3. A properly completed Alabama Law Enforcement Agency (ALEA) Form-46 (or its equivalent), two properly completed fingerprint cards, and required processing fees for a criminal background report.

4. A credit card, debit card, check or money order in the proper amount as prescribed in the application for a registrant.

5. All applications must be signed and notarized or witnessed by two individuals.

6. Upon licensing renewal, the applicant shall submit the required documentation and fees as listed above, with the exception of initial certification. The applicant shall submit eight (8) continuing education units (CEU) per year equaling sixteen (16) per two-year renewal cycle.

(c) The automotive dealership, automotive mechanic shop, etc., is considered exempt but shall register with the board by submitting a company application and relevant documentation. Registration shall not authorize the company to advertise or represent locksmith services unless separately licensed under 304-X-1-.03.

(d) With the company exempted, this classification will not require a Qualifying Agent (QA) to be designated.

(e) A vehicle security professional shall receive an ID badge. This license does not permit the individual to work outside of his or her classification.

(f) A vehicle security professional shall not perform non-automotive locksmith services, including but not limited to residential or commercial lock installation, rekeying, safe or vault servicing, or access to restricted key code files unrelated to vehicles. Ignition repair or replacement shall be deemed locksmith work unless performed under a valid locksmith license issued pursuant to this Chapter.

(g) No vehicle security professional or their employer shall use the term locksmith in any form of advertising, signage, online platform, or business name unless holding a valid locksmith license from the Board. All advertising shall identify the provider as a "Licensed Vehicle Security Professional - Not a Locksmith."

(h) The scope of work for a vehicle security professional shall include automotive vehicle services such as:

1. The creation and programming of automotive keys, automotive fobs, automotive remotes, automotive proximity devices, and automotive successor technologies.

2. The coding, programming, or replacement functions involving an ECU, BCM, or other vehicle computer systems when such function are directly related to the vehicle's immobilizer, anti-theft system, security system, or key/ fob/biometric/phone-based access or creation.

3. Other computer-related functions necessary to complete authorized key, fob, immobilizer, anti-theft, or successor security services.

(7) **Section 7 General Information**

(a) Each person holding itself out to do business as described in Code of Ala. 1975, Chapter 1A of Title 34, is required to be licensed.

(b) All companies must meet the requirements stated in the rules and regulations and statute before a license shall be issued by the Board, unless authorized or approved by the Board, no exceptions to the rules and regulations shall be granted and any exceptions that may have been previously granted or interpreted by the Board are hereby declared null and void.

(c) The failure of a person to be licensed in the classification in which he or she is working shall be subject to a monetary penalty (up to $1,000.00 per violation) as determined by the Board.

(d) The Board does not make complete or partial refunds of any fees received.

(e) Newly hired employees of alarm companies in counties having a population of less than 30,000 inhabitants and meet the exemption requirements of Code of Ala. 1975, §34-1A-10 are considered New Applicants and must submit the completed forms and fees required for an ALEA and FBI criminal background report within ten (10) business days of employment.

(f) Notice of current licensed companies and disciplinary actions taken by the Board of Licensure shall be posted on the Board's web site: www.aesbl.alabama.gov.

(g) Information contained in alarm systems' records held by a governmental body concerning the location of an alarm system, the name of the occupant of alarm system location, or the type of alarm system used shall be confidential and disclosed only to the Board of Licensure or as otherwise required by law.

(h) A check returned for any reason as non-payable by the issuing bank, following the vote of the Board of Licensure, will result in an NSF fee of the maximum amount as set by state law, as well as denial of issuance of the license. Following a non-payable NSF fee, only a certified or cashier's check will be acceptable for payment of both the NSF fee and the license.

(i) A license issued under this code shall be subject to revocation or suspension if any licensee fails to disclose

pertinent information on the initial or renewal application, misleads, or is untruthful during the application process, or has applied for the original license under false pretenses. Any license may be subject to revocation if a person is convicted of a criminal offense during the license's term. A letter notifying the licensee of a pending suspension or revocation will be sent, via certified mail, to the last known address of the licensee subject to a suspension or revocation. The licensee shall have 15 days from receipt of written notification to respond in writing to the notice of suspension or revocation. On the 16th day of no response, the license shall be suspended or revoked without further notification. If the licensee responds within the stated time period, a formal hearing before a quorum of the Board of Licensure shall be held solely to address the issue of the immediate license suspension or revocation. Following the hearing a simple majority vote of a quorum of the board will determine whether the licensee's license shall be suspended or revoked.

(j) If the Board receives a criminal history report from the Alabama Law Enforcement Agency (ALEA) on an individual that reflects an arrest and/or a conviction, but the individual marked on their licensing application that they had not been arrested or convicted of a crime other than a minor traffic violation, then the Board may consider the individual's application falsified, and the application may be denied by the Board or the Executive Director. The individual may then submit a new application along with the required items and fees. If a state and federal background check was conducted initially, the Board or the Executive Director may waive the requirement for the applicant to re-submit a second background check.

(k) In compliance with the Military Family Jobs Opportunity Act of 2018, the application fee shall be waived for a spouse of an active-duty reserve, or transitioning member of the United States Armed Forces, including the National Guard, or a surviving spouse of a service member who, at the time of his or her death, was serving on active duty, who is relocated to and stationed in the State of Alabama under official military orders. For the purposes of this section, a transitioning service member is a member of the United States Armed Forces, including the National Guard, on active-duty status or on separation leave who is within 24 months of retirement.

(l) Failure to provide requested information within thirty (30) days after receiving notice of an incomplete employee application, shall result in the application being declare null and void. All fees paid related to said application are forfeited and the application process has to be reinitiated by the applicant.

Author: Fred Crawford
Statutory Authority: Code of Ala. 1975, §34-1A.

History: New Rule: Filed January 20, 1998; effective February 24, 1998. **Amended:** Filed April 26, 2000; effective May 31, 2000. **Amended:** Filed September 18, 2002; effective October 23, 2002. **Amended:** Filed May 25, 2004; effective June 29, 2004. **Amended:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed November 21, 2008; effective December 26, 2008. **Amended:** Filed February 18, 2010; effective March 25, 2010. **Amended:** Filed August 20, 2010; effective September 24, 2010. **Amended:** Filed August 15, 2011: effective September 19, 2011. **Amended:** Filed November 27, 2012; effective January 1, 2013. **Amended:** Filed May 28, 2013: effective July 2, 2013. **Amended:** Filed November 19, 2013: effective December 24, 2013. **Amended:** Filed May 27, 2014; effective July 1, 2014. **Amended:** Filed November 19, 2014; effective December 24, 2014. **Amended:** Filed September 29, 2016; effective November 13, 2016. **Amended:** Filed November 19, 2018; effective January 3, 2019. **Amended:** Published May 29, 2020; effective July 13, 2020. **Amended:** Published August 31, 2021; effective March 15, 2021. **Amended:** Published August 31, 2021; effective March 15, 2021. **Amended:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025. **Amended:** Published November 26, 2025; effective January 10, 2026.

Ed. Note: Rule 304-X-1-.02 was renumbered to 304-X-1-.03 per certification filed November 19, 2018; effective January 3, 2019.

304-X-1-.04 Fees.

(1) Fees are to be paid to the Board of Licensure by certified cashier's check, credit card, debit card, or by money order:

Administrative fee	$150.00 One-time fee upon the first application or company name change
Late Renewal Fee	$500.00 One-time fee upon the submission of a company renewal
Incomplete Renewal Fee	application after the December 31st deadline.
	$350.00 One-time fee for a company renewal application and/or a Qualifying Agent application that are incomplete after the December 31st deadline.
Partnership or Sole Proprietorship	$150.00 Annually

Company or Corporation	$200.00 Annually
Branch Location	$200.00 Annually
Qualifying Agent (the individual responsible)	$25 Annually per responsible) classification, maximum $75.00 Annually
	$30.00 Annually per classification, maximum $90.00 Annually
Registrant	$25.00 Annually
	$30.00 Annually
Lost/Replacement ID Card	$12.50 Issued
Monitoring Station Annual Fee	Company License Fee $200.00, Plus $12.50 per monitoring operator.

(2) Fees are authorized to be paid to the AESBL for background reports issued by the Alabama Law Enforcement Agency (ALEA), and may be paid by certified cashier's check, credit card, debit card, or money order:

Fee for processing New Applicant FBI criminal background report	Range from $30.00 to $50.00
Fee for processing renewing applicant for ALEA criminal background report	Range from $25.00 to $32.00

(3) A copy of an ALEA/FBI criminal background report may be requested only by the individual to whom the report is based on at the cost of $15.00 per request. The AESBL's Criminal History Background Copy Request Form must be submitted by the individual applicant, along with payment and a self-addressed, stamped envelope. Payment must be in the form of a cashier's check or money order.

(4) NSF fee for return check $30.00 per check

(5) If applying for renewal licenses during the assigned renewal period and having been licensed during the most recent licensing period, company and individual fees may qualify for a reduction in fees during the first six months of open renewals. With the exception of the $150 administration fee, AESBL fees shall be reduced by 10% between June 1st and August 31st during a current renewal period, and by 5% between September 1st and November 30th.

Beginning December 1st of a current renewal period, application fees will no longer be reduced. ALEA fees shall not be reduced during this time period.

(6) If the applicant fails to renew license within 30 days of expiration, he or she must reapply as a new applicant.

(7) Effective for licensing year 2015, when all licenses will be on a two-year basis, a new company or new applicant's fees will determine based on the date of the application according to the following schedule:

(a) If applying prior to or in the first six months of the two-year, the fees will double the annual fees.

(b) If applying in the second six months of the two-year term, the fees will be one and one-half times the annual fees.

(c) If applying in the third six months of the two-year term, the fees will be equal to the annual fees.

(d) If applying in the last six months of the two-year term, the fees will be one-half of the annual fees.

(8) All companies, unless specifically exempt by Chapter 1A of Title 34, Code of Ala. 1975, which sell, install, monitor or otherwise operate in the burglar alarm, electronic access control, monitoring station, CCTV, or locksmith business in the State of Alabama must obtain a license from this Board in a timely manner or shall be subject to the following action:

(a) Companies that are currently in the burglar alarm, electronic access control, monitoring station, CCTV, or locksmith business that do not renew a license by the licensee's designated expiration date (as evidenced by the postmark date) shall be subject to a Cease-and-Desist Order issued under the seal of the Alabama Electronic Security Board of Licensure. If the individual, company, corporation, firm, or business entity to whom the board directs a cease and desist order does not cease or desist the proscribed activity, conduct, practice, or performance of the work immediately, the board may impose an administrative fine of not more than five thousand dollars ($5,000.00) per violation. Companies may also be subject to injunctive action in a court of competent jurisdiction. Upon the issuance of a permanent injunction, the court may fine the offending party up to five thousand dollars ($5,000.00) plus court costs and attorney fees, for each offense. The Board is entitled to court costs, reasonable investigatory fees, and reasonable attorney fees.

(b) If injunctive relief is obtained, the Board may file a civil action to collect the penalties and fines.

(c) Companies that submit for renewal by the licensee's designated expiration date (as evidenced by the postmark date) but are not complete shall be considered an unlicensed company and subject to a Cease-and-Desist order and an administrative fine assessed by the Board of not more than five thousand dollars ($5,000.00) per violation, and injunctive action, and a fine of up to five thousand dollars ($5,000.00) per violation imposed by the court.

(d) Companies that are out of business or are no longer conducting business in the burglar alarm, electronic access control, monitoring station, CCTV, or locksmith industries in the State of Alabama shall submit a notarized statement to the Board attesting to that fact. The form that shall be submitted can be located on the Board's website at https://aesbl.alabama.gov/applicants/forms-notices/.

(e) For a company to be licensed, a completed company application, including all relevant and supporting documentation, and a completed Qualifying Agent application, including all relevant and supporting documentation, must be received by the AESBL. If either are incomplete by the company's expiration date (as evidenced by the postmark date), the company is subject to the Incomplete Renewal Fee.

Author: Fred Crawford
Statutory Authority: Code of Ala. 1975, §34-1A.
History: **New Rule:** Filed January 20, 1998; effective February 24, 1998. **Amended:** Filed April 26, 2000; effective May 31, 2000. **Amended:** Filed May 25, 2004; effective June 29, 2004. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed November 21, 2008; effective December 26, 2008. **Amended:** Filed February 18, 2010; effective March 25, 2010. **Amended:** Filed August 20, 2010; effective September 24, 2010. **Amended:** Filed November 14, 2011; effective December 19, 2011. **Amended:** Filed May 28, 2013: effective July 2, 2013. **Amended:** Filed November 19, 2013: effective December 24, 2013. **Amended:** Filed May 27, 2014; effective July 1, 2014. **Amended:** Filed November 19, 2014; effective December 24, 2014. **Amended:** Filed September 29, 2016; effective November 13, 2016. **Amended:** Filed November 19, 2018; effective January 3, 2019. **Amended:** Filed August 9, 2019; effective September 23, 2019. **Amended:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 31, 2022; effective October 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025. **Amended:** Published February 27, 2026; effective April 13, 2026.

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304-X-1-.05 Educational Requirements.

(1) **Burglar Alarm (B)**

(a) Qualifying Agent licensed for the purpose of installing or servicing burglar alarm systems: an applicant must have completed a Board approved certification class (Level 1) and an advanced Board approved certification class and passed the proctored exams for both classes in order to obtain a license. A license will not be issued to a burglar alarm company unless the company has a licensed Qualifying Agent.

(b) Alarm System Installer licensed for the purpose of installing or servicing burglar alarm systems: an applicant must have completed a Board approved certification class (Level 1) and passed the proctored exam in order to obtain or renew a license.

(c) To ensure continued competency all, Qualifying Agents and Alarm System Installers must demonstrate completion of educational requirements equivalent to those required for current status (8 hours of approved continuing education units) or current status with their certification, annually, in order to obtain or renew a license. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(2) **Monitoring Station (MS)**

(a) A Monitoring Station Operator is required to prove attendance at a Board approved class in order to obtain a new license.

(3) **Electronic Access Control (A)**

(a) Qualifying Agents licensed for the purpose of installing or servicing electronic access control: an applicant must have completed a Board approved certification class for electronic access control and passed the proctored exam in order to obtain a license. A license will not be issued to an electronic access control company unless the company has a licensed Qualifying Agent.

(b) All Electronic Access Control Installers who perform the duties of an electronic access control system (A) installer must demonstrate that they have completed a Board approved certification class or a Board approved certification class for electronic access control and passed the proctored exam for the class(es) in order to obtain or renew a license.

(c) To ensure continued competency, all renewing Qualifying Agents and Electronic Access Control System Installers who perform the duties of an installer must demonstrate completion of educational requirements equivalent to those required for current status (8 hours of approved continuing education units) or current status with their certification, annually, in order to obtain or renew a license. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(4) **Locksmiths (L)**

(a) Qualifying Agent licensed for the purpose of installing or servicing locks: an applicant must have completed a Board approved locksmith certification class and passed the proctored exam or a Board approved exam in order to obtain a license. A license will not be issued to a locksmith company unless the company has a licensed Qualifying Agent.

(b) A Locksmith licensed for the purpose of installing or servicing locks: an applicant must have completed a Board approved certification class and passed the proctored exam in order to obtain or renew a license.

(c) To ensure continued competency, all Qualifying Agents and Locksmith registrants who perform the duties of a locksmith, must demonstrate the completion of eight (8) hours of Board approved continuing education units, annually. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(5) **CCTV(S)**

(a) A Qualifying Agent licensed for the purpose of installing or servicing closed circuit television systems: an applicant must have completed a Board approved certification class for CCTV and passed the proctored exam in order to obtain a license. A license will not be issued to a CCTV company unless the company has a licensed Qualifying Agent.

(b) All CCTV Installers who perform the duties of a surveillance (CCTV) installer must demonstrate that they have completed a Board approved certification class or a Board approved certification CCTV class and passed the proctored exam for the class in order to obtain or renew a license.

(c) To ensure continued competency, all Qualifying Agents and installer registrants who perform the duties for CCTV must demonstrate completion of educational requirements equivalent to those required for current status (8 hours of approved continuing education units) or current status with their

certification, annually, in order to obtain or renew a license. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(6) **Salesperson (Sales)**

(a) A registrant who is primarily in burglar alarm, electronic access control or CCTV systems sales must pass a Board approved sales class in order to obtain a license.

(b) To ensure continued competency, all renewing registrants who perform the duties of a salesperson must demonstrate the completion of eight (8) hours of Board approved continuing education units, annually. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(7) **Vehicle Security Professional (V)**

(a) A registrant who is employed as an automotive technician that creates transponder keys and/or key fobs must pass a Board approved automotive class or classes, including a proctored exam, pertaining to said creation in order to obtain a license.

(b) To ensure continued competency, all renewing registrants who perform the duties of a vehicle security professional must demonstrate the completion of eight (8) hours of Board approved continuing education unites, annually. The demonstration of completion will be done at the time of renewal every two years providing proof of 16 total hours for the entire renewal cycle.

(8) **General Comments**

(a) A monitoring company that is using or is referred to by a burglar alarm company must be licensed in order for the burglar alarm company to gain a license. The burglar alarm company should obtain a copy of that license.

(b) Registrants licensed for multiple classifications based on areas of work shall only be required to demonstrate completion of continuing education units that total a maximum of twenty-four (24) units for their renewal cycle.

(c) Any person in administrative management who has direct contact with customers and offers to undertake, represents himself or herself as being able to undertake, or does undertake the sales, installation, service, or monitoring of burglar alarm systems, electronic access control systems, closed circuit television systems, or locks must meet the

educational requirements in 304-X-1-.05 for the activities performed and be licensed, accordingly.

(d) Companies may provide Helpers access to at least eight (8) hours of industry related training, annually, to encourage their growth in the profession.

(e) Qualifying Agents must meet the requirements of each of the respective classification(s) in which their company is working or plans to work. Furthermore, Qualifying Agents are required to ensure that all individuals of their company meet the requirements set forth in 304-X-1-.05.

(f) Licensees may earn a 1.0 CEU credit hour for attendance at each AESBL quarterly board meeting, as evidenced by a certificate issued by the administrative staff. To obtain a certificate, licensees must sign in and attend general session. Maximum CEU credit for board meeting attendance shall be 4.0 CEU hours in a calendar year.

(g) Alarm and Locksmith companies that have been licensed with the Alabama Electronic Security Board of Licensure (the Board) for the previous five (5) calendar years that have had no complaints filed with the Board against them or their employees that have resulted in disciplinary action being taken by the Board during the previous five (5) years, and have not had documented violations of the Board's law or Administrative Code may file a written request for a waiver from the educational requirements of this Section 304-X-1-.05(5)(a) for their Qualifying Agents by providing the Board written certification that they have had no written complaints filed against the company or employees and have had no documented violations of noncompliance during the past five (5) years.

(h) Any disciplinary action taken by the Board against the company or an employee may result in the loss of its waiver for educational requirements.

(i) Failure to comply with Code of Ala. 1975, Section 34-1A, and this Administrative Code 304-X-1 may result in the loss of a company's waiver of these educational requirements. If a fine is imposed by court action and/or a subsequent monetary penalty is assessed by the Board on a company for late and/or non-renewal, the company's waiver may be revoked at the next scheduled board meeting.

(j) Graduates of technical schools or community college programs with curriculum relevant to the alarm industry may submit a request to the board for Level I education equivalency. Programs may include but are not limited to; the installation and maintenance of intrusion, fire/life safety, video surveillance, access control, or related systems.

Curriculum may include but is not limited to specific topics such as low voltage circuits, device placement, troubleshooting, NFPA 70, NFPA 72, IBC, IFC, network communications, false dispatch prevention and business ethics.

Author: Fred Crawford
Statutory Authority: Code of Ala. 1975, §34-1A.
History: **New Rule:** Filed October 23, 1998; effective November 27, 1998. **Amended:** Filed April 26, 2000; effective May 31, 2000. **Amended:** Filed September 18, 2002; effective October 23, 2002. **Amended:** Filed May 25, 2004; effective June 29, 2004. **Amended:** Filed November 16, 2004; effective December 21, 2004. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed November 21, 2008; effective December 26, 2008. **Amended:** Filed February 18, 2010; effective March 25, 2010. **Amended:** Filed August 20, 2010; effective September 24, 2010. **Amended:** Filed August 15, 2011: effective September 19, 2011. **Amended:** Filed November 19, 2013: effective December 24, 2013. **Amended:** Filed May 27, 2014; effective July 1, 2014. **Amended:** Filed November 19, 2014; effective December 24, 2014. **Amended:** Filed September 29, 2016; effective November 13, 2016. **Amended:** Filed August 25, 2017; effective October 9, 2017. **Amended:** Filed November 19, 2018; effective January 3, 2019. **Amended:** Filed August 9, 2019; effective September 23, 2019. **Amended:** Published February 26, 2021; effective April 12, 2021. **Amended:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025. **Amended:** Published November 26, 2025; effective January 10, 2026.

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304-X-1-.06 Exemptions.

(1) Pursuant to Code of Ala. 1975, §34-1A-6, an exemption from the licensing and regulatory provision of this chapter may be granted to certain individuals or entities.

(2) Those individuals or entities may request a letter of exemption from the board by submitting the following:

(a) A letter of request shall be mailed to the board;

(b) A notarized affidavit stating with specificity the activities of the individual or the company or the entity and stating why said company or entity is exempt from the licensure.

(c) The board shall review the request and render a decision at its next scheduled board meeting.

(d) If approved, a letter of exemption shall be mailed to the individual or entity. Said approval letter will include a statement that the individual or company may be subject to an injunctive action if the Board receives information that the company or individual is indeed engaged in non-exempt activity regulated by the board. The letter of exemption issued by the Board shall be signed by both the Board Chair and the Executive Director. The original letter of exemption will be kept on file at the Board's administrative office, and a copy of the letter will be mailed to the entity requesting the exemption.

(e) If the exemption is denied, the company or individual may request an administrative hearing before an independent hearing officer. The hearing request shall be made no later than thirty (30) days of the date noted on the official letter of denial. If a request is made, an administrative hearing shall be held not less than thirty (30) days after the receipt of the request by the Board.

(f) If, after an administrative hearing, the denial of the exemption is upheld, the company or individual will have 30 days from the final decision to appeal the action to the Montgomery County Alabama Circuit Court, pursuant to the Administrative Procedures Act, or must complete the requirements to become licensed within thirty (30) days or cease operation in the State of Alabama.

Author: Lynne Taunton
Statutory Authority: Code of Ala. 1975, §34-1A.
History: New Rule: Filed November 19, 2018; effective January 3, 2019. **Amended:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025.

304-X-1-.07 Code Of Ethics.

The following code is intended to aid companies licensed by the Alabama Electronic Security Board of Licensure and their employees, individually and collectively, (hereinafter referred to as companies), in maintaining a high level of ethical conduct.

This code evolved out of the experience of the Board and is binding on all licensed companies and their employees. Companies shall always render services at the highest level of quality. Companies performing unsolicited sales on the consumers of the State of Alabama shall take great care to uphold the ethical standards set forth by the Board.

(1) All licensees and employees of licensees shall have visible on their person a photo identification card issued by the licensing board at all times when providing licensed services. This

requirement does not apply to administrative, management, and monitoring station employees who do not have contact with consumers in the field. Upon request, licensees shall give to each client or potential client their AESBL license number and each individual shall show his/her AESBL identification badge to all existing and potential clients, law enforcement personnel, AESBL Board Members, AESBL inspectors and investigators, and the AESBL staff.

(2) Solicitation:

(a) Companies shall adhere to all laws related to the "Do Not Call List", spoofing, and any laws or rules imposed by the Federal Trade Commission or the Federal Communications Commission.

(b) Companies shall not misrepresent the status of another company. This includes, but is not limited to, falsely telling potential customers that another company has gone or is going out of business, is leaving the State of Alabama, has had their AESBL license revoked, is merging with another company, or that they are upgrading equipment for another company.

(c) Companies shall advise potential customers who already have electronic security service that, since they already have a contract for services, they may be obligated for payments under the terms of their present contract as well as any new contract signed.

(d) Companies shall not engage in high-pressured and/ or aggressive sales tactics, including but not limited to:

1. Entering any part of a premises, including a garage or carport, without the permission of the consumer.

2. Misleading the consumer into thinking the representative is from or working on behalf of the consumer's current alarm system provider.

3. Using fear by giving false or misleading information regarding crime in the area.

4. Continuing to attempt to secure a sale after the consumer has clearly indicated they are not interested in the service being offered.

5. Lingering after the consumer has asked/told the salesperson/technician to leave the premises.

6. Preventing the consumer from closing their door.

(e) Companies shall not engage in deceptive, fraudulent, or illegal activity targeting individuals and, especially,

individuals aged sixty (60) or older or individuals who do not appear to be mentally competent. Doing so may result in their license being suspended on an emergency basis without a hearing if said activity is confirmed by the AESBL investigator or other law enforcement agency and/or personnel by a signed and notarized affidavit.

(f) Companies shall not interfere with or coach potential customers or new customers obtained via unsolicited sales when pre-installation and/or installation surveys are conducted.

(3) Contracts:

(a) Companies shall not sell customers pre-programmed panels without written disclosure to the consumer.

(b) Prior to a contract being signed by a potential client, Companies shall clearly explain and disclose on the contract the financial terms and ongoing financial obligation for which the potential client shall be responsible.

(c) Companies shall inform potential customers and obtain consent from said customers regarding the use of third-party lending for security and/or locksmith equipment.

(d) Companies shall include the following information at the bottom front of each contract for services:

All complaints or concerns regarding the installation or service of a lock, alarm, or CCTV system may be directed to the: AESBL at 7956 Vaughn Road, PMB 392, Montgomery, Alabama 36116 (334)557-0983.

(e) Companies shall inform each consumer of their rights, including their right to cancel a new contract within a specified time period.

(f) Companies shall give to all new and potential customers a paper copy of their right to cancel a new security system. The instructions shall include contact information, how many days they have to cancel, and the method in which the notice of cancellation should be sent, including the company's mailing address, email address, and fax number. The procedure for cancelling a contract must be clearly explained to the client.

(g) Companies shall inform potential customers that a Consumer Report will be obtained through a Consumer Reporting Agency before a credit report is requested.

(h) Companies shall not engage in white paging if a potential customer is denied credit based on their Consumer Report.

(i) Companies shall not add an unauthorized co-signer to an account if a co-signer is required for a potential customer to obtain credit financing.

(j) Companies shall encourage clients to maintain records of all activities and contracts related to the installation of locks or an electronic security system.

(k) Companies shall take appropriate measures to protect consumer's/client's personal and confidential information and not engage in any form of identity theft.

(4) Installation and Service:

(a) Company representatives shall make a reasonable attempt to identify the owner of a residence, a commercial establishment, or vehicle before performing work.

(b) Companies must wait four (4) business days before performing unsolicited services for an individual age 75 or older and must provide these same customers with a 30 day right to cancel in their contract.

(c) Companies shall take proper care while installing electronic security system equipment, locks, etc., to minimize the impact on the client's property.

(d) Companies shall adequately train each client in the proper use of their locks or electronic security system.

(e) Companies shall provide clients lockout codes upon receipt of written requests within ten (10) business days.

(f) Companies must provide an electronic or paper copy to each customer in which alarm, locksmith, or CCTV services have been provided. The electronic copy provided to a customer must be emailed to the customer at the customer provided email address within 24 hours of the completed sell, service, or installation.

(5) Company Operations:

(a) Any advertising, including social media and internet advertising, must include the company's AESBL license number or an internet address where licensing information can be found on said advertising. The company's AESBL license number shall be visible on any vehicle displaying advertising information.

(b) Companies shall respond within ten (10) business days to customer complaints regarding sales, installation, servicing or monitoring of their locks or electronic security systems or

the conduct of any individual employed or sub-contracted by the company.

(c) Companies shall ensure that all new employees who will work in the State of Alabama read and acknowledge that they have read this Code of Ethics.

(d) Upon proof (proof being a civil order or criminal conviction) that any licensee or licensed company has engaged in behavior that has violated any Federal, State, or Local law, the Board shall take immediate disciplinary action.

(e) Pursuant to Code of Alabama 1975 34-1A-3(10), all licensed companies are to be inspected, and the Board has determined that inspections shall occur on an annual basis. Company personnel shall comply when contacted by an AESBL inspector, whether in person, by telephone or text, or via email, in by allowing the inspector into a company's main office and/or branch office, returning an inspector's voicemail, email, and/or text within a reasonable amount of time as determined by the inspector, meeting in person with an inspector at a designated location outside a home office, and/or providing information requested by the inspector, i.e., employee roster, proof of licensing numbers on company vehicles, proof of licensed disciplines conducted by the company and its employees, etc.

Any company, including all employees of a company, and any individual who violates one or more canon of ethics in this code shall be subject to disciplinary action. If, after a hearing, the Board determines that a company or individual is, in fact, guilty of a violation, the Board may impose a monetary penalty, a sanction, suspend or revoke a license.
Author: Fred Crawford
Statutory Authority: Code of Ala. 1975, §34-1A.
History: **New Rule:** Filed April 26, 2000; effective May 31, 2000. **Amended:** Filed May 25, 2004; effective June 29, 2004. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed February 18, 2010; effective March 25, 2010. **Amended:** Filed November 14, 2011; effective December 19, 2011. **Amended:** Filed May 27, 2014; effective July 1, 2014. **Amended:** Filed November 19, 2014; effective December 24, 2014. **Amended:** Filed November 19, 2018; effective January 3, 2019. **Amended:** Published November 30, 2021; effective January 14, 2022. **Amended:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025. **Repealed and New Rule:** Published November 26, 2025; effective January 10, 2026.

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304-X-1-.08 Administrative Complaints.

(1) Receiving Complaints

(a) Complaints alleging that licensees and/or non-1icensees have violated AESBL laws and/or regulations must be submitted in writing on a form created by the Board. Complaints must be signed to be processed. Any individual, including a Board member or individual employed by the Board or its contractor, may file a complaint.

(b) Whenever a complaint is received, the AESBL staff will review the information provided regarding the complaint. Additional information may be requested in order for the staff to determine if there is sufficient reason for a formal Administrative Complaint to be accepted. If it is determined by the Executive Director upon review of the information provided that a formal Administrative Complaint is not warranted, the complainant will be notified in writing of the reason why the Board will not accept a formal Administrative Complaint. If it is determined that there is sufficient reason or evidence to pursue a formal Administrative Complaint, a form, with potential violations noted by the staff, will be sent to the complainant to complete and have witnessed or notarized. Upon receipt of the completed Administrative Complaint form, it will be assigned a unique identifying number.

(c) If the Board receives more than one complaint concerning related allegations against the same licensee, the Board may consolidate the complaints for purposes of review, investigation, responses, and disciplinary action.

(d) AESBL may contract for the services of an investigator to aid in investigating a complaint.

(e) All licensees, having had a complaint filed against them or their company, shall have a minimum of thirty (30) days (from being notified of the complaint) to respond to the complaint or allegations in writing. Said notification of the complaint shall be made by certified mail, return receipt requested. Following their initial response, a licensee shall have a minimum of fifteen (15) days to provide additional information that is requested by the Board.

(f) After the deadline for the licensee’s response to a complaint in writing, a complaint may be referred to the Investigative Committee for a determination of the existence of probable cause to proceed with disciplinary action or to close the complaint.

(2) Investigative Committee

(a) The Investigative Committee will be comprised of one member of the Board, the Executive Director or his/her designee, the Board's Compliance Auditor and the Board's attorney. The Board member shall be assigned to the Investigative Committee on a rotating equitable basis. The Chairman of the Board shall determine the Board member assigned to a particular complaint and may do so upon the request of the Executive Director, without prior Board approval and without the requirement of a board meeting before said assignment.

(b) The Board member who participates on the Investigative Committee regarding a complaint will recuse himself or herself from any participation in the hearing and determination of the complaint.

(c) The Investigative Committee may require the licensee to attend a meeting of the Committee to aid in investigating a complaint.

(d) If the Investigative Committee finds that probable cause exists, the Investigative Committee shall recommend disciplinary action by a majority vote of the committee. The licensee shall be notified by regular mail of the Investigative Committee's recommendation for disciplinary action and the licensee may either agree to said disciplinary action, request a hearing within fourteen (14) days, or enter into informal settlement agreement with Board counsel.

(e) If the Investigative Committee finds the probable cause does not exist to suggest that the licensee has violated the laws and/or regulations of the AESBL, the complaint file will be closed.

(3) Hearings

(a) Any licensee aggrieved by a decision of the Investigative Committee and who disagrees with the recommendation of the Investigative Committee may, in addition to entering into negotiations with Board counsel, file a written request for a hearing before the board within fourteen (14) days after receipt of the letter mentioned in (2)(d) immediately above. The board, not less than thirty (30) days thereafter, shall hold a hearing.

(b) A quorum of the Board members shall sit for the hearing or the Board may appoint a private Hearing Officer to hear the matter.

(c) The Chair of the Board or Hearing Officer will preside at the hearing, and will rule on all pre-hearing motions and

evidentiary issues. All pre-hearing motions must be made in writing and filed with the Board. Copies of motions and responses thereto must be served on the opposing party. Service of motions or responses is complete upon placing the same in the mail. Each motion or response thereto will contain a certificate indicating the date on which the motion was served on the opposing party.

(d) No party will be entitled to any pre-hearing discovery without prior approval of the Board or Hearing Officer. Discovery must be requested by Motion, and this Motion must identify the type of information requested and the intended method of discovering it. The opposing party will be given an opportunity to respond to such motion. The Board or Hearing Officer may order discovery for good cause shown, so long as permitting the discovery will not unreasonably delay the hearing of the matter. Any discovery must be clearly related to the allegations contained in the Administrative complaint.

(e) If the Board appoints a Hearing Officer, any party desiring to subpoena the attendance of any individual at a hearing or the production of documents via a subpoena duces tecum must apply to the Hearing Officer for such a subpoena, pursuant to Code of Ala. 1975, §41-22-12(c). Such application will be made by motion, and a copy of the motion will be served on opposing party in the method previously described for service of motions. The opposing party will be given an opportunity of three (3) days to object to the issuance of the subpoena.

(f) Both the Board and the Respondent will be entitled to present and examine witnesses, to cross-examine witnesses, to introduce evidence, and to be represented by counsel.

(g) The hearing will be conducted in the following order: opening statement by the Board, opening statement by the Respondent, presentation of the case-in-chief by the Board, presentation of the Respondent's case, presentation of rebuttal evidence by the Board, closing argument by the Board, closing argument by the Respondent. The Board or Hearing Officer retains the discretion to take evidence out of order for good cause shown. Either the Board or Respondent may waive opening or closing arguments. The hearing will be conducted in accordance with Sections 41-22-12 and 41-22-13, Code of Ala. 1975, and other applicable provisions of the Administrative Procedures Act.

(h) If heard by an appointed Hearing Officer, he or she shall render a written recommendation with findings of fact and conclusions of law to the Board by the sooner of its next board meeting or within thirty (30) days. If heard by the Board, the Board's attorney shall produce written findings of fact and conclusions of law for the Board's approval at the

next scheduled board meeting. After approval or modification of the findings of fact and conclusions of law, the board shall, by a majority vote of the Board, issue an order recommending disciplinary action against the licensee or dismissing the complaint.

(i) The Board (with the exception of that Board member who served on the Investigative Committee for the complaint and any other board member who is biased or who has a conflict of interest) will review the recommended findings of fact and conclusions of law and determine whether they should be adopted, amended or overruled. If a majority of the members of the Board are unable to vote because of bias, conflict of interest or service on the Investigative Committee, the Hearing Officer's findings of fact and conclusion of law will constitute AESBL's final order.

(j) The Board will issue a final order containing its findings of fact, conclusions of law, and discipline, if any. This final order shall comply with the requirements of Section 41-22-16 of the Code of Ala. 1975. A majority of the Board members rendering the decision must reach accord for the decision to be final.

(k) The Respondent may appeal a final order of the Board to the Circuit Court of Montgomery County. Said appeal must follow and meet the requirements for appeal as stated in Code of Ala. 1975, §41-22-20.

(4) Informal Settlement

(a) Board counsel is authorized to enter into settlement negotiations on behalf of the Board.

(b) Neither the Board nor the Licensee is obligated to participate in informal settlement negotiations or to enter into an informal settlement agreement.

(c) If the Board and the Respondent do enter into an informal settlement agreement, that settlement agreement will be memorialized in a Consent Order, which must be signed by the respondent or its agent and the Executive Secretary of the Board.

(d) A Consent Order must contain a recitation of the facts giving rise to the allegations, a citation to the code or regulatory sections involved in the allegations, a statement of the terms upon which the parties have agreed to settle the case, and must state that the agreement is not effective unless and until the Board approves the agreement at its next meeting.

(e) No informal settlement will be final until a majority of the Board approves it at the next meeting of the Board.

(f) The Board member who served on the Investigative Committee may present the proposed settlement to the Board, but may not participate in deliberations regarding whether to accept it and may not participate in the vote on whether to accept it.

(g) If the Board approves the terms of the informal settlement agreement, the Chairman of the Board will sign the Consent Decree on behalf of the Board. The Consent Decree is effective from the date of signature of the Chairman of the Board, unless the Consent Order expressly provides otherwise.

(h) If the Board does not approve the terms of the settlement agreement, the Chairman of the Board will not sign the Consent Order and the Consent Order will not take effect. The matter will be referred again for formal hearing.

(i) The terms of the informal settlement agreement must serve the public's interest.

(5) Grounds for Disciplinary Action

(a) Any violation of Section 34-1A-7(a)-7(d) of the Code of Ala. 1975.

(b) Conviction of a crime that could have been grounds for denial of a license had the conviction occurred before issuance of the license.

(c) Violation of any of the Alabama Electronic Security Board of Licensure's Code of Ethics, rules, regulations, or statutory provisions.

(d) Failing to maintain insurance coverage as required by Law and Regulations.

(e) Employing one or more unlicensed alarm installers, alarm technicians, locksmiths, salespersons, helpers, or monitoring station operators for more than ten (10) working days without completing and submitting applications and criminal background requests to AESBL.

Author: Fred Crawford
Statutory Authority: Code of Ala. 1975, §34-1A.
History: **New Rule:** Filed May 25, 2004; effective June 29, 2004. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed February 18, 2010; effective March 25, 2010. **Amended:** Filed August 15, 2011: effective September 19, 2011. **Amended:** Filed May 27, 2014; effective July 1, 2014. **Amended:** Filed November 19, 2014; effective December 24, 2014. **Amended:** Filed November 19, 2018; effective January 3, 2019. **Amended:**

Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025.

Ed. Note: Rule 304-X-1-.06 was renumbered to 304-X-1-.08 per certification filed November 19, 2018; effective January 3, 2019.

304-X-1-.09 Grounds For Referral To District Attorney.

(1) The following violations of Code of Ala. 1975, §34-1A-7(e) may result in referral for criminal prosecution, in lieu of, or in addition to disciplinary action by the Board:

(a) Advertising alarm services or locksmith services to the public without possessing an active license issued by the Board;

(b) Installing, servicing, or selling an alarm system or providing locksmith services while on probation or parole without having provided evidence of your probation or parole status to the Board;

(c) Performing unsolicited alarm/locksmith sales or alarm/ locksmith installation services to an individual over the age of 75 years, without having waited four (4) business days before completing the installation or before performing the unsolicited services connected to the sales agreement or contract;

(d) Deceiving or defrauding an individual over the age of 60 years old, in violation of the Alabama Elders Act;

OR

(e) Any other offense noted in Code of Ala. 1975, §34-1A-7(d)(1) – (9)

Author: Lynne Taunton
Statutory Authority: Code of Ala. 1975, §34-1A.
History: New Rule: Filed November 19, 2018; effective January 3, 2019. **Amended:** Published August 29, 2025; effective October 13, 2025.

304-X-1-.10 Cease and Desist Orders.

(1) The Board may conduct inspections relative to the operations of unlicensed individuals to ensure lawful compliance.

(2) If the Board has information relative to an individual's unlawful activity, conduct or practice, the Board may issue an order for the individual to show cause why an order should not be

issued directing the individual to cease and desist from the activity, conduct, practice or the performance of any work being done or about to be commenced.

(3) If the individual who receives an order from the Board files a written request for a hearing before the Board within 14 days after receipt of the order, the Board, not less than thirty days thereafter, shall hold a hearing on the matter.

(4) After a hearing, or if no hearing is requested, the Board may issue a Cease-and-Desist Order in the name of the State of Alabama under the seal of the Board.

(5) If the individual to whom the Board directs a Cease-and-Desist Order does not cease or desist the prescribed activity, conduct, practice or performance of the work immediately, the Board may petition any court of competent jurisdiction to issue a writ of injunction enjoining the individual from performing the work.

(6) Upon a showing by the Board that the individual has engaged or is engaging in any work prohibited by the Board's law, the court shall grant injunctive relief enjoining the individual from engaging in such unlawful activity.

(7) Upon the issuance of a permanent injunction, the court may fine the offending individual up to five thousand dollars ($5,000), plus costs and attorney fees for each offense, and may be rendered in the same judgment in which the injunction is made absolute.

(8) Any individual violating this Board's law who fails to cease work after a hearing or the issuance of an injunction by a Court of Law shall not be eligible to apply for a license from the Board for a period of one year from the date of official notification to cease work.

(9) The Board may also withhold approval for up to six months of any application from any individual who prior to the application has been found in violation of this Board's law.

(10) Said Cease and Desist procedures are reserved for companies that have been licensed by the Board within the previous twelve (12) months.

(11) The Board may elect to forego issuance of a Cease-and-Desist Order and immediately file an injunction in a Court of Law, pursuant to Code of Ala. 1975, §34-1A-7(f) if an individual or entity has not been licensed within the preceding twenty (24) months.

Author: Lynne Taunton
Statutory Authority: Code of Ala. 1975, §34-1A.
History: New Rule: Filed November 19, 2013; effective December 24, 2013. **Amended:** Filed November 19, 2018; effective January 3,

2019. **Amended:** Published August 29, 2025; effective October 13, 2025.

Ed. Note: Rule 304-X-1-.07 was renumbered to 304-X-1-.10 per certification filed November 19, 2018; effective January 3, 2019.

304-X-1-.11 Injunctive Relief And Recoupment Of Costs.

(1) Any individual or business entity that is not licensed by the board, or who has not renewed a license within the preceding 24 months, may be sued for injunctive relief in a court of competent jurisdiction.

(2) If the board obtains injunctive relief in a Court of Law, the individual or business entity shall be subject to a five thousand-dollar ($5, 000.00) fine for each instance of performing locksmith, alarm, CCTV, or other activity regulated by this Chapter, while unlicensed by the Board.

(3) In any civil or administrative action initiated by the board, the Board may seek court costs, reasonable attorney's fees, and reasonable investigatory fees that the board has incurred investigating a complaint, hearing a complaint, or negotiating the settlement of a complaint.
Author: Lynne Taunton
Statutory Authority: Code of Ala. 1975, §34-1A.
History: New Rule: Filed November 19, 2018; effective January 3, 2019. **Amended:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published August 29, 2025; effective October 13, 2025.

304-X-1-.12 Licensing Reciprocity.

(1) A license may be issued based on reciprocity to any applicant holding a current and active license in another state recognized by this Board as a reciprocity state, who has no findings of disciplinary actions taken by the reciprocal state, and is requesting a comparable classification from this Board as is held in the reciprocal state. If a license is issued based on reciprocity, the applicant may have the trade portion of the examination waived upon written certification from the state in which the applicant is licensed. The proposed qualified individual for licensing application shall be the same individual who is duly qualified for the license currently issued to the applicant by the reciprocal state licensing board. Applicants for licensing based on reciprocity must comply with all other Alabama licensing requirements.

(2) Licensing classifications and states recognized for reciprocity:

(a) Burglar Alarm, Electronic Access Control, and/or CCTV are approved for reciprocity with Louisiana, Mississippi, and Tennessee.

(b) Burglar Alarm only is approved for reciprocity with South Carolina.

(3)General information:

(a) Applicants for licensing reciprocity from South Carolina must also submit the required forms, two (2) fingerprint cards, and fees for a state and federal background check that will be processed by the Alabama Law Enforcement Agency (ALEA). These applicants shall not be licensed by the Board until a criminal history report (CHRI) is received by the administrative staff.

(b) Applicants for licensing reciprocity from Louisiana, Mississippi, and Tennessee must submit the required forms, two (2) fingerprint cards, and fees for a state and federal background check that will be processed by the Alabama Law Enforcement Agency (ALEA) but, at the discretion of the Executive Director, may be licensed by the Board prior to a criminal history report (CHRI) being received by the administrative staff.

(b) Licensing reciprocity only applies to first-time applicants with the Alabama Electronic Security Board of Licensure.

(c) All reciprocal licensees who continue to work in the State of Alabama in their licensed capacity, or those who re-apply for licensing with a different company, shall submit for renewal with the required number of continuing education credits and forms, fingerprint cards, licensing fees, and fees for a state and federal background check.

Author: Janet Robinson Sinclair
Statutory Authority: Code of Alabama 1975, §34-1A.
History: New Rule: Published November 26, 2025; effective January 10, 2026. **Amended:** Published May 29, 2026; effective July 13, 2026.