

**REPORT OF THE
BOARD FOR PROFESSIONAL AND
OCCUPATIONAL REGULATION ON**

**NEED FOR LICENSURE
OF LOCKSMITHS**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



SENATE DOCUMENT NO. 18

**COMMONWEALTH OF VIRGINIA
RICHMOND
1995**



COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation

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December 1, 1994

To: The Honorable George F. Allen, Governor of Virginia
Members of the Virginia General Assembly

The Board for Professional and Occupational Regulation is pleased to submit the following report pursuant to Senate Joint Resolution 134 and House Joint Resolution 181, which requested the Board to study the need for licensure of locksmiths.

The Board found no convincing evidence of locksmiths posing a threat to public health, safety or welfare. State licensure should only be imposed to protect the public and lacking any public harm, the Board sees no reason to license locksmiths.

The enclosed report outlines the Board's findings and conclusions and the supporting data. Members of the Board for Professional and Occupational Regulation would be pleased to answer any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads "John A. Cutler".

John A. Cutler
Chairman

*Board for Professional and
Occupational Regulation*

**Report on the Need for
Licensure of Locksmiths**

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Report on the Need for Licensure of Locksmiths

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I. Introduction

A. Background

The Board for Professional and Occupational Regulation has the legislative mandate for evaluating the need for regulation of occupations and making recommendations to the Governor and members of the General Assembly.

Section 54.1-100 of the Code of Virginia (1950, as amended) cites that "no regulation shall be imposed upon any profession or occupation except for the exclusive purpose of protecting the public interest when:

1. The unregulated practice of the profession or occupation can harm or endanger the health, safety, or welfare of the public, and the potential for harm is recognizable and not remote or dependent upon tenuous argument;
2. The practice of the profession or occupation has inherent qualities peculiar to it that distinguish it from ordinary work and labor;
3. The practice of the profession or occupation requires specialized skill or training and the public needs, and will benefit, by assurances of initial and continuing professional and occupational ability; and
4. The public is not effectively protected by other means."

B. Purpose of report

Senate Joint Resolution 134 and House Joint Resolution 181, as approved by the 1994 session of the Virginia General Assembly, requested the Board for Professional and Occupational Regulation to study the need for licensing locksmiths in the Commonwealth.

C. Methodology

The Board for Professional and Occupational Regulation, by means of public hearings and surveys to involved and interested parties, studied the nature of this occupation, its effect on public health, safety and welfare, and the feasibility of licensing this occupation. The Board's recommendations are based on an analysis of the information gathered. (See APPENDIX A and APPENDIX B for copies of the study resolutions.)

II. Findings

A. Health, safety and welfare issues

Virginia consumers are not being harmed by untrained or dishonest locksmiths. The Board did not receive any documented cases of harm to consumers. Four of the five consumer affairs offices responding to the Board's survey received no consumer complaints against locksmiths in the past year.

Testimony was presented by proponents of licensure that there was a threat of locksmiths using their trade to perform criminal acts. Only two cases of locksmiths convicted of such acts were mentioned and one of these cases was not in Virginia. Individuals who are tempted by such illegal activity will most likely not be deterred by state licensure.

B. Difficulty in defining a locksmith

There is little or no consensus, even among locksmiths, as to the definition of a locksmith. Testimony at the public hearings revealed proposals to include everyone from a key cutter at the hardware store, to the police officer or tow truck operator who opens a locked car door, to the locksmith who designs and installs a major masterkey system. The Board received numerous written comments from businesses and organizations which were concerned that licensing could place an unnecessary burden on their business if employees who perform locksmith duties solely for their employer must be licensed.

C. Carpenters and homeowners install locks

Testimony and research indicate that most locks may not be installed by a traditional locksmith. The Board believes that most locks are installed by carpenters, building contractors, and homeowners. Prohibiting the installation of locks by unlicensed locksmiths would have the impact of creating a whole new industry and driving up the price of new homes and new commercial buildings.

D. Uncertain impact on small business

Many of the small owner/operator locksmiths in Virginia perceive such regulation as unnecessary government intervention in their business. They believe the free market system will eliminate any locksmiths who fail to comply with ethical standards or perform unsatisfactory work. Speakers at one public hearing expressed fear that their small size and thus competitive prices are a threat to the larger locksmithing operations who may support licensure as a means of eliminating this competition. Some who have learned the trade through years of working with the family business fear licensure could prevent them from continuing in their trade because of their inability to pass a test or meet the educational requirements.

E. Division within the industry

State regulation is supported by the Virginia Locksmith Association as a means of assuring consumers of a level of competence, of gaining public recognition for their trade, of obtaining criminal background checks for prospective employees, of establishing entry requirements and training standards, and as proposed by the president of the Associated Locksmiths of America, of protecting their investment in their occupation by making sure that all locksmiths who enter the marketplace have the same qualifications, equipment and training.

Despite the Virginia Locksmith Association's strong support of licensure and well orchestrated attempt to organize turnout for the public hearings, the locksmith community was still sharply divided on the issue. At the public hearings 18 locksmiths spoke against licensure and 20 locksmiths spoke in favor of licensure. Written comments were also divided. The majority of letters were from businesses, including the Virginia Manufacturers Association, which opposed licensure of locksmiths.

F. Concern about availability of locksmithing tools

It was suggested by proponents of licensure that there need to be better controls on the purchase and use of locksmithing tools, such as the popular "slim jim." The Board expressed concern that the issue of locksmithing tools was one that may not be within the parameters of this study initiative. Thus, the Board chose not to include this issue as part of their study process. However, the Board is opposed to any proposals to ban law enforcement officials from utilizing locksmithing tools in the course of their official duties.

G. No national trend toward licensure

Only three states currently regulate locksmiths.

H. Industry self-regulation

The Associated Locksmiths of America, Inc. offers various educational opportunities for locksmiths. Through an examination process, members can achieve different levels of credentials for their trade.

III. Conclusions

1. The Board sees no evidence of locksmiths posing a threat to public health, safety, or welfare. State licensure of an occupation should not be used as a means of protecting or enhancing the reputation of that occupation. Licensure should only be imposed to protect the public. Lacking any public harm, the Board sees no reason to license locksmiths.
2. Based on the projected number of potential licensees, and in order for a licensing program to comply with the provisions of the Callahan Act, a program for this industry could cost a locksmith an estimated \$230 for initial licensing and a biennial renewal fee of \$200.
3. The enactment of a licensing law will increase the cost of locksmith services to the public and deny homeowners and business owners the right to install their own locks or have the contractor of their choice install locks. While technical expertise in certain areas is essential, most lock work does not require these special skills, and to reserve such work for state licensed individuals could constitute a restraint of trade and unnecessary government intervention in the private sector.

IV. Recommendation

The Board for Professional and Occupational Regulation strongly recommends that the General Assembly not mandate state licensure for locksmiths.

V. Supporting Data

Due to the high direct and indirect costs inherent in establishing any new or expanded level of occupational regulation, the Board for Professional and Occupational Regulation felt it was necessary to conduct a search and analysis of complaints against locksmiths and public opinion relating to the need for a licensing program. This was achieved through public hearings and surveys.

A. Public hearings

The Board for Professional and Occupational Regulation conducted public hearings in in Richmond on September 27, 1994, in Roanoke on October 6, 1994, in Northern Virginia on October 11, 1994, and in Norfolk on October 13, 1994, to gather information about the nature of this occupation and opinions on the need for state regulation.

The following is a summary of the public testimony received.

Public Testimony

Norfolk Public Hearing

Ron Kampney: Eastern Lock & Key

Supports licensure because the industry has become more technical. Concerned about the sale of locksmith tools to the general public and preventing felons from entering the business.

Joseph Riehl: Economy Lock & Key

Opposes licensure because the public has not been harmed by locksmiths. Believes licensure is wanted by title seekers. Argued that the marketplace will take care of people who don't do a good job. Expressed concern about part time locksmiths in rural areas where an individual may have to do more than just locksmithing to make a living. Licensure could put this person out of business.

S. T. Taylor: Budget Lock & Key

Opposed to any regulation because the government doesn't need to get its hand in the pockets of small businesses. Argued that associations support licensure because they want to standardize rates in order for the big locksmith companies to be competitive with the locksmith who just has his tools and his truck.

Jerry Garrison: Best Locking System

Concerned that licensure would prevent him from presenting his product to someone who is not a locksmith. It is not necessary to have a full time locksmith to service the locking system he sells.

Karl Gessner: Gessner's Locksmith

Does not know of anyone who has used the locksmith trade to break any laws. Opposes licensure because locksmiths are able to police themselves pretty well.

Lu Jacobs: Member of Tidewater Locksmith Association

Opposes licensure because the new electronic security business regulation is already costing him \$500. Does not believe licensure is needed to protect the public.

Robert Cattrell

Opposes licensure because the marketplace can take care of itself. Argued that there were no members of the public testifying as to public harm and therefore regulation was not necessary.

B. J. Taylor: B. J. Lock & Key

Concerned about who would police a licensure program. Locksmiths would have to become whistleblowers if they see police officers opening car doors when only licensed locksmiths are supposed to do so.

Richmond Public Hearing

Daniel Sarate: President, VA Locksmith Association

Favors licensure of locksmiths in order to give the public the assurance that locksmiths have met certain standards. Believes state licensure should also mandate criminal background checks which would assist a locksmith employer in making sure that a new employee will not risk the reputation of the locksmith nor the safety of their customers.

Ed Miller: Chairman, Joint Committee for Locksmiths

Favors licensure of locksmiths because the general public believes locksmiths are currently state licensed. Supports licensure as a way of making sure everyone has proper training. Licensure will also ensure that locksmiths comply with building and safety codes, as well as the provisions of the Americans with Disabilities Act.

Gary Baldino: Joint Committee for Locksmiths

Supports licensure and believes that only locksmiths and very few others should have access to special tools that are used to open locks, vehicles and safes. Expressed concern that locksmiths without proper training can threaten public safety by improper installation of a masterkey system.

Bill Johnson: Central VA Locksmith

Argued that Virginia law states that mere possession of a slim jim is illegal and constitutes a crime punishable by law. Law enforcers, however, allow the sale of this tool to anyone. Warned the board that improper use of the slim jim can result in damage to safety devices such as air bag sensors in cars. Requested that locksmiths be given job security by making sure that no unlicensed individuals can practice their job.

Terry Earl: R.T. Safe and Lock

Argued for licensure because he knew of a convicted felon who entered the locksmith business in Virginia, was convicted of statutory burglary, but is still a locksmith. If plumbers are required to have a license, locksmiths who have access to safety deposit boxes and valuables should also be licensed.

James Henderson: Best Locking Systems of Richmond

Opposed licensing and submitted that citizens of Virginia are not in any more danger of being harmed by unlicensed locksmiths than they are by any other person they invite into their homes or businesses to do work for them. Argued that unlicensed locksmiths do not burglarize homes and businesses; criminals do. It would be wrong to pass a law that would interfere with a person's right to decide for themselves whether to hire a licensed locksmith to install their locks or do it themselves. Finds the proposal to be designed to protect locksmiths, not the public.

Bob Buckley: Tri-Cities Lock and Safe

Does not see why any reasonable man would want a government agency to further regulate his business. If licensure is passed, it should be in conjunction with the electronic security business licensure program.

Luke Dennis: Institutional Locksmith Association

Concerned with the effect licensure would have on individuals who work for school boards, hospitals, prison systems, etc. Believes licensure could be cost prohibitive for part-time locksmiths. Supports some form of licensure to keep convicted felons from entering the occupation.

Hudnall Davis

Expressed concern that the proposal is reactionary. Would support licensure if everyone, including key cutters, has to be licensed.

Keith Aldridge

Believes the consumer must be responsible for checking out the locksmith they hire. Argued that the system will take care of itself.

Robert Vance

Learned his trade from his father and is concerned that licensure could prevent him from continuing in his trade because he may not have the education needed to pass an examination.

Lester Bradskey: Locksmiths Association

Supports licensure because the public thinks locksmiths are licensed and licensure would make locksmiths more professional.

Roanoke Public Hearing

Danny Washburn: Meador & Co.

Concerned about the definition of a locksmith and who would be required to be licensed. Does not support anything that would mean just a tax increase and more government. Asked that locksmiths in Roanoke be considered, not just those in Richmond and Northern Virginia.

Don Frith

Licensing will only work if there are minimum performance standards and an apprenticeship program. Also concerned that the license fee not be too costly.

Robert Frydrych: B & D Lock

Opposes any exemptions because anyone who alters a lock should be licensed as a locksmith. Doesn't believe locksmith associations represent his views. Also opposes any grandfather provisions because everyone should be tested.

Quince Perdue: Security Lock & Key

Supports licensing because locksmiths need to be trained especially with regard to the ADA and fire safety codes.

Tom McPhearson: Tom's Locksmith Service

Fire marshals, not locksmiths, should be required to know the fire safety codes. Doesn't believe everyone in the locksmith business needs to be licensed, just the proprietor. Argued that it could be very difficult to test locksmiths for all the different aspects of the trade.

McLean Public Hearing

Tony Rousey: Mobilock and Key

Supports licensure because nothing prevents criminals released from prison from becoming a locksmith.

Allen Miller: Virginia Locksmiths Association

Supports licensure because the public needs to be assured of integrity and competence of locksmiths.

William Smith: DC Locksmiths Association

Supports licensure because currently there are no disciplinary options available except removing a locksmith from the membership roster of the associations.

Robyn Lamb: DC Locksmiths Association

Supports licensure because she has seen problems of incompetent locksmiths which could have endangered the public.

Thomas Withrow: DC Locksmiths Association

Supports licensure because field has become more technical. Also expressed concern that a locksmith's tools should not be available to the public.

Robert Krogman: Virginia Locksmiths Association

Supports licensure to ensure uniform training and public protection by having qualified locksmiths to do the work.

Jim Wilson: Alpha Lock & Key

Supports licensure for public protection and competency. Has concerns about maintenance personnel performing as locksmiths because of the liability issues.

Thomas Brown: Brown's Lock & Key

Supports licensure because of potential security risks that establishments place on the public (i.e. hotels).

Byron Sheldon: Sheldon's Locksmith

Supports licensure. Believes that police should open car doors only in life-threatening situations.

Eric Smith: Northern Virginia Lock & Security

Supports registration, using social security number as identification. Suggests testing would be difficult to administer based on variations in specialties.

Bud Blair

Supports licensure to keep the unscrupulous out of the business and raise integrity of the profession.

Douglas Wallace: Virginia Locksmiths Association

Supports licensure to promote honesty and integrity in the profession.

Mark Maurer: Suburban Safe & Lock

Supports licensure of locksmiths as well as tools involved in industry. Supports education/training in conjunction with apprenticeship program.

Larry Rogers: Best Lock

Opposes licensure. Concerned with scope of study as it relates to residential versus commercial versus institutional. Sees difference in having knowledge of hardware and maintaining a system.

B. Written comments

The public was encouraged to submit written comments in lieu of or in addition to public testimony.

The following written comments were received by the Board for the purpose of being placed in the official record of this study.

James E. Henderson: Best Lock Corporation, Mechanicsville

Opposes licensure. Best Lock sells and services a locking system to commercial, industrial and governmental users. Concerned that licensure could prevent his customers from handling their lock work as they see fit.

Ernest F. Floyd: Tweeds Locksmith Inc., Portsmouth

Opposes licensing as it is protectionism for those in business to eliminate competition. He believes state regulation will create an unnecessary expense on small businesses.

Willie Bowen: Gate City

Favors licensing because locksmithing tools should not be sold to mechanics, wrecker operators, and those with no knowledge of locksmithing laws.

James H. Glazier: Security Plus, Mt. Airy, Maryland

Supports licensing if there are grandfather provisions and if those who have met the certification requirements of the Associated Locksmiths of America are automatically approved for licensure.

Ernest N. Allen: Ernie's Locksmith, Virginia Beach

Concerned about the licensing program and grandfather provisions. Argues that those who do poor work usually do not stay in business long.

Gary Hawley: Virginia Beach

Supports the need for more professionalism and is concerned about the number of people who get locksmithing tools without experience or training.

John Mayo: Action Lock Co., Charlottesville

Supports licensure to protect the public. Believes the state should implement the certification program used by the Associated Locksmiths of America.

Tom Randolph: Towing Service

Doesn't feel that towing services which deal only with automotive lockouts should be affected since they only deal with linkage rods inside the car doors.

Michael Haynes: Haynes Locksmith Service, Virginia Beach

Supports licensure. Credentials are easy to obtain and lock picking and car opening tools are too easily purchased through mail order magazines. He would support license renewal every three to five years and fees should be kept very low. He believes an exam would be hard to administer since there are so many specialties in locksmithing.

Steve A. Grayson: Second Bank & Trust, Culpeper

Supports licensure of locksmiths to safeguard the consumer and require professionalism in the trade.

Donald A. Lagasse: Lagasse Lock Service, Herndon

Believes licensure is not necessary. Locksmiths are proud, quiet, law-abiding citizens. Very few locksmiths have profited illegally from their trade and licensure would not have prevented them from doing so. Licensing fees would also be especially burdensome for the small locksmith business.

Bryan Shaffer: SafeMasters, Chesapeake

Supports licensure for he is aware of illegal activity by one locksmith. Argues that licensure would make sure that people caught in illegal activity could not continue to work in the industry. He believes some form of background check and registration program would be helpful.

Larry Rogers: Best Lock Systems, Rockville

Believes licensure will act as a restraint of trade and will not guarantee higher ethical standards and moral awareness. Argues that state regulation would need to address a commercial, industrial, and institutional market and then a residential and automotive market for locksmith services.

Paul W. Kavanaugh: Intermet Foundries, Inc., Lynchburg

Concerned that a licensure program could have serious ramifications on how their business administers their lockout program. If an outside locksmith would need to be hired, this could result in higher costs as well as significant down time for the facility.

Joyce Ranson: The Mariners' Museum, Newport News

Concerned that no constraints be placed on private organizations who have employees performing locksmithing duties solely for the purpose of their employer. Opposes licensure for it is unnecessary and is possibly a restraint of trade.

Bob Hansel: The Chrysler Museum, Norfolk

Does not support a program which could require his organization to call a commercial locksmith to maintain their own locking system. Such requirements would be costly and could be a security risk.

Robert P. Kyle: Virginia Manufacturers Association, Richmond

Believes the public is adequately and appropriately protected by the free market and that this is more effective, and more cost-effective, than state regulation. Argues that installing locks is a task within the ambit of a carpenter or even a weekend handyman and does not need state regulation.

Lawrence Bachman: Spout Spring

Concerned about the effect licensure could have on prisons and correctional centers where key control officers maintain key codes. Believes it would be costly for the state to comply with such requirements.

Earl Conner: Averett College, Danville

Finds it ridiculous if a licensed locksmith would need to be hired to maintain the locks on the campus when currently it is done in-house.

J. A. Conner: Babcock & Wilcox, Lynchburg

Opposes licensure of locksmiths which could require employees in their company's security force to be licensed. If outside professional locksmiths had to be hired it would require national security clearances before they could enter the facilities. Views licensure as a needless expense and unnecessary burden on industry.

Mahlon G. Anderson: AAA Potomac, Fairfax

Expressed major concerns as to whether licensure would make lock-out assistance more costly, and in the end, delay service and jeopardize consumer safety. Does not believe licensure would deter locksmiths from fraudulent acts.

C. Surveys

Survey of Consumer Affairs Offices and Better Business Bureaus

Nine Consumer Affairs Offices and four Better Business Bureaus in Virginia received surveys requesting information about consumer complaints filed against locksmiths. The following represents the data received from five Consumer Affairs Offices who responded to the survey.

1. *Do you ever receive complaints against locksmiths?*
40.0%; 2 Yes
60.0%; 3 No

2. *How many complaints against locksmiths have you received in the past year?*
80.0%; 4 None
20.0%; 1 1-10
0.0%; 0 11-20
0.0%; 0 More than 20

3. *How many complaints against locksmiths have you received in the past five years?*
60.0%; 3 None
40.0%; 2 1-25
0.0%; 0 26-50
0.0%; 0 More than 50

4. *How many valid claims were determined as a result of the complaints filed over the past five years?*
100.0%; 5 No answer

5. *Do you think state mandated regulation of locksmiths is necessary to protect the public?*
0.0%; 0 Yes
0.0%; 0 No
80.0%; 4 Uncertain
20.0%; 1 No answer

The following represents the responses received from three Better Business Bureaus in Virginia.

1. *Do you ever receive complaints against locksmiths?*

100.0%; 3 Yes
0.0%; 0 No

2. *How many complaints against locksmiths have you received in the past year?*

33.3%; 1 None
66.7%; 2 1-10

3. *How many complaints against locksmiths have received in the past five years?*

0.0%; 0 None
100.0%; 3 1-25

4. *How many valid claims were determined as a result of the complaints filed over the past five years?*

100.0%; 3 No answer

5. *Do you think state mandated regulation of locksmiths is necessary to protect the public?*

33.3%; 1 Yes
66.7%; 2 No

Survey of Locksmiths Offering Services in Virginia

The Board for Professional and Occupational Regulation identified 750 locksmiths through trade association membership and the yellow pages. Surveys were sent to these locksmiths with 332 responding. The following summarizes the responses.

1. *Should locksmiths be licensed by the state? State licensure requires passage of an examination and an annual license renewal fee.*

56.9%; 189 Yes
28.9%; 96 No
13.6%; 45 Uncertain
0.6%; 2 No answer

2. *Do you have knowledge of locksmiths who have used their trade to aid in criminal activities?*

20.8%; 69 Yes
78.6%; 261 No
0.6%; 2 No answer

3. *If yes to question #2, would you be willing to share this information either verbally at a public hearing or in writing to the Board?*

18.1%; 60 Yes
11.7%; 39 No
70.2%; 233 No answer

4. *When rendering services to a customer, how often do you require the customer to present proof of ownership or proof of residency?*

57.8%; 192 Always
25.0%; 83 Usually
12.7%; 42 Sometimes
1.8%; 6 Never
2.7%; 9 No Answer

5. *What is the average cost of services you render as a locksmith?*

0.9%; 3 Over \$300
15.7%; 52 \$101-\$300
53.6%; 178 \$ 51-\$100
25.6%; 85 Under \$51
4.2%; 14 No answer

6. *If you know of cases in which a locksmith improperly performed services which resulted in harm to the customer, was such impropriety the result of: (please choose only one)*

15.7%; 52 Failure to be knowledgeable
3.3%; 11 Failure to adhere to ethics
27.1%; 90 Both of the above
27.7%; 92 None of the above
26.2%; 87 No answer

7. *How often does a customer ask for references before hiring your services?*

1.8%; 6 Always
6.9%; 23 Usually
59.0%; 196 Sometimes
30.4%; 101 Never
1.8%; 6 No Answer

8. *If you answered yes to question #1, please rank the following reasons for regulating this occupation. Use each number only once with 1 representing the most important reason and 5 representing the least important reason.*

– *Licensure could increase the public’s use of locksmith services.*

3.9%; 13 Rated 1

– *Licensure could provide for criminal background checks of locksmiths.*

16.6%; 55 Rated 1

– *Licensure could assure locksmiths have met a certain level of competence.*

22.3%; 74 Rated 1

– *Licensure could prevent untrained locksmiths from offering services.*

13.3%; 44 Rated 1

– *Licensure could require locksmiths to carry error and omissions insurance.*

0.9%; 3 Rated 1

Survey of Other States

Section 54.1-311.B of the Code of Virginia states that in determining the proper degree of regulation, if any, the Board should consider several factors including the number of states which have regulatory provisions similar to those proposed. The Board surveyed the 49 other states and the following information was received.

1. *Does your state currently regulate locksmiths?*

6.1%; 3 Yes
93.9%; 46 No
0.0%; 0 No answer

2. *If your state does not regulate locksmiths, is your state considering regulation?*

10.2%; 5 Yes
63.3%; 31 No
26.5%; 13 No answer

3. *If your state regulates locksmiths, please define the type of regulation. (Registration is defined as a program in which a person must submit information before entering the occupation; certification is defined as a voluntary program in which anyone can practice, but "state certified" have met certain requirements; licensure is defined as a mandatory program which requires anyone entering the occupation to meet requirements.)*

4.1%; 2 Registration
0.0%; 0 Certification
4.1%; 2 Licensure
91.8%; 45 No answer

4. *If your state regulates locksmiths, are they licensed as part of a large group (i.e. contractors or electronic alarm installers)?*

4.1%; 2 Yes
6.1%; 3 No
2.0%; 1 Uncertain
87.8%; 43 No answer

Survey of Virginia Police Chiefs

The Board determined that police chiefs in Virginia may have knowledge of criminal activity by locksmiths and therefore surveyed 193 police chiefs with 135 responding.

1. *Should locksmiths be licensed by the state?*

65.2%; 88 Yes
13.3%; 18 No
21.5%; 29 Uncertain

2. *Do you have knowledge of locksmiths who have used their trade to aid in criminal activities?*

7.4%; 10 Yes
75.6%; 102 No
17.0%; 23 Uncertain

3. *How many cases of criminal activity involving locksmiths have you seen in the past year?*

91.9%; 124 None
7.4%; 10 1-10 cases
0.7%; 1 No answer

4. *Were such criminal activities considered in a court of law?*

3.0%; 4 Yes
48.1%; 65 No
9.6%; 13 Uncertain
39.3%; 53 No answer

5. *Have you seen public safety threatened by improperly installed locking mechanisms?*

32.6%; 44 Yes
54.1%; 73 No
13.3%; 18 Uncertain

6. *Would state regulation of locksmiths have prevented such threats to public safety?*

26.7%; 36 Yes
22.2%; 30 No
30.4%; 41 Uncertain
20.7%; 28 No answer

Survey of Virginia Fire Chiefs

The Board surveyed 70 fire chiefs in the state to ask about locksmith activities which may have jeopardized fire safety codes. Completed surveys were returned by 49 fire chiefs.

1. *Should locksmiths be licensed by the state?*

53.1%; 26 Yes

6.1%; 3 No

40.8%; 20 Uncertain

2. *Do you have knowledge of locksmiths who have used their trade to aid in criminal activities?*

10.2%; 5 Yes

89.8%; 44 No

3. *How many cases of criminal activity involving locksmiths have you seen in the past year?*

93.9%; 46 None

4.1%; 2 1-10

2.0%; 1 No answer

4. *Were such criminal activities considered in a court of law?*

0.0%; 0 Yes

26.5%; 13 No

34.7%; 17 Uncertain

38.8%; 19 No answer

5. *Have you seen fire safety codes jeopardized by improperly installed locking mechanisms?*

69.4%; 34 Yes

22.4%; 11 No

8.2%; 4 Uncertain

6. *Would state regulation of locksmiths have prevented such threats to public safety?*

30.6%; 15 Yes

16.3%; 8 No

46.9%; 23 Uncertain

6.1%; 3 No answer

1994 SESSION

LD6509649

SENATE JOINT RESOLUTION NO. 134

Offered January 25, 1994

Requesting the Board for Professional and Occupational Regulation to study the need for licensing locksmiths.

Patron--Earley

Referred to the Committee on Rules

WHEREAS, locksmiths, individuals who make, repair, and install locks, provide a valuable service to consumers; and

WHEREAS, the locksmith trade has become more technical, requiring mechanical knowledge and unusual skills and experience; and

WHEREAS, consumers desire skilled, as well as ethical, individuals to have access to the security of their homes; and

WHEREAS, locksmiths themselves strive to ensure the honesty and integrity of their occupation; and

WHEREAS, the Board for Professional and Occupational Regulation is authorized by § 54.1-310 of the Code of Virginia to evaluate professions and occupations not regulated in the Commonwealth for consideration of whether such professions and occupations should be regulated, and to make recommendations as the public interest requires to the General Assembly concerning such regulation; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Board for Professional and Occupational Regulation be requested to study the need for licensing locksmiths in the Commonwealth.

The Department of Professional and Occupational Regulation shall provide staff support for the study. All other agencies of the Commonwealth shall cooperate as requested in the conduct of the study.

The Board shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly in accordance with the procedures of the Division of Legislative Automated Systems for processing legislative documents.

Official Use By Clerks

Agreed to By The Senate

without amendment

with amendment

substitute

substitute w/amdt

Agreed to By

The House of Delegates

without amendment

with amendment

substitute

substitute w/amdt

Date: _____

Date: _____

Clerk of the Senate

Clerk of the House of Delegates

1994 SESSION

LD0641346

HOUSE JOINT RESOLUTION NO. 181

Offered January 25, 1994

Requesting the Board for Professional and Occupational Regulation to study the need for licensing locksmiths.

Patron—McClure

Referred to Committee on General Laws

WHEREAS, locksmiths, individuals who make, repair, and install locks, provide a valuable service to consumers; and

WHEREAS, the locksmith trade has become more technical, requiring mechanical knowledge and unusual skills and experience; and

WHEREAS, consumers desire skilled, as well as ethical, individuals to have access to the security of their homes; and

WHEREAS, locksmiths themselves strive to ensure the honesty and integrity of their occupation; and

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Agreed to By
The House of Delegates
without amendment
with amendment
substitute
substitute w/amdt

Agreed to By The Senate
without amendment
with amendment
substitute
substitute w/amdt

Date:

Date:

Clerk of the House of Delegates

Clerk of the Senate