

## Tenn. Code Ann. § 62-32-304

Current through the 2013 Regular Session Annotations current through January 10, 2014 for the Tennessee Supreme Court

*Tennessee Code Annotated* > *Title 62 Professions, Businesses and Trades* > *Chapter 32 Fire Protection and Alarm Systems* > *Part 3 Alarm Contractors Licensing Act of 1991*

### 62-32-304. Prohibited activities -- Requirements.

- (a) No person shall engage in or hold out as engaging in the business of an alarm systems contractor without first being certified in accordance with this part.
- (b) No person shall do business under this part unless the business entity has in its employ a qualifying agent who meets the requirements for licensing by the board and who is, in fact, licensed under this part. The qualifying agent who is licensed under this part shall be in a management position and be responsible for overseeing the quality of operations of the alarm systems contractor.
- (c) In the event that the qualifying agent upon whom the business entity relies in order to do business ceases to perform the agent's duties as qualifying agent, the business entity shall notify the board within ten (10) working days. The business entity must obtain a substitute qualifying agent within thirty (30) days after the original qualifying agent ceases to serve as qualifying agent unless the board, in its discretion, extends this period for good cause for a period not to exceed three (3) months.
- (d) The certification application shall designate at least one (1) qualifying agent who is or shall be licensed for each classification of service to be performed by the certified business entity. No qualifying agent who has been so designated may serve on behalf of or be employed by any other business entity. The certification application shall designate for which classification or classifications the applicant is seeking a certification.
- (e) No alarm systems contractor may participate in a joint venture to provide equipment or services that require certification under this part unless all parties to the joint venture are certified in accordance with this part.
- (f) No contractor may subcontract the provision of equipment or services requiring a certification under this part to any uncertified person, firm, association or corporation except as provided in [§ 62-32-305\(7\)](#).
- (g) No alarm systems contractor shall retain as an employee any person known not to be of good moral character.
- (h) No person shall act as an alarm systems contractor under a certification without having a licensed qualified agent who holds a valid license in the category for which business is sought or work is to be done.
- (i) No person shall act as a qualified agent without a valid license issued by the board.
- (j) No person shall sell and install, service, monitor or respond to alarm signals, signal devices, fire alarms, burglar alarms, television or still cameras used to detect fire, burglary, breaking or entering, intrusion, shoplifting, pilferage or theft in violation of this part or the rules adopted under this part.
- (k) No person shall advise anyone as to the need, quantity or quality of alarm systems and sell the systems unless certified, licensed or registered under this part.

### History

[Acts 1991, ch. 400, § 4](#); [1992, ch. 977, § 1](#); [1996, ch. 848, §§ 3, 13](#).

### Annotations

### Research References & Practice Aids

### Section to Section References.

This section is referred to in [§ 62-32-320](#).

TENNESSEE CODE ANNOTATED

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