

HOUSE BILL 1216

C2

0lr2223
CF SB 883

By: **Delegate T. Branch**

Introduced and read first time: February 7, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Security Systems – Battery-Charged Fences**

3 FOR the purpose of making certain provisions of law that prohibit a local government from
4 imposing certain requirements relating to wireless security systems also apply to
5 certain battery-charged fence security systems; prohibiting a local government from
6 imposing certain additional installation or operational requirements or prohibitions
7 on certain battery-charged fence security systems; specifying requirements for
8 battery-charged fence security systems to which certain provisions of law apply;
9 providing that battery-charged fence security systems are not exempt from certain
10 provisions of law relating to security systems technicians; defining a certain term;
11 altering a certain definition; and generally relating to battery-charged fence security
12 systems.

13 BY repealing and reenacting, with amendments,
14 Article – Business Regulation
15 Section 19–901
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2019 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Business Regulation**

21 19–901.

22 (a) (1) In this section the following words have the meanings indicated.

23 **(2) “BATTERY-CHARGED FENCE SECURITY SYSTEM” MEANS AN**
24 **ALARM SECURITY SYSTEM THAT INCLUDES A FENCE, A BATTERY-OPERATED**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



ENERGIZER CONNECTED TO THE FENCE AND INTENDED TO PERIODICALLY DELIVER VOLTAGE IMPULSES TO THE FENCE, A BATTERY CHARGING DEVICE USED EXCLUSIVELY TO CHARGE THE BATTERY, AND ANY OTHER ANCILLARY COMPONENTS AND ATTACHED EQUIPMENT.

[(2)] (3) (i) "Security system" means any burglary alarm system or robbery alarm system.

(ii) "Security system" includes the service of monitoring the property to which a security system is attached in case of an alarm sounding.

[(3)] (4) (i) "Wireless security system" means a security system that is designed to carry a voltage of 50 volts or less and not hardwired.

(ii) "Wireless security system" includes ancillary low-voltage components that are either wireless or battery-operated and supplementary smoke detectors as defined in the National Fire Protection Association 72: National Fire Alarm and Signaling Code.

(III) "WIRELESS SECURITY SYSTEM" DOES NOT INCLUDE A BATTERY-CHARGED FENCE SECURITY SYSTEM.

(B) THIS SECTION APPLIES ONLY TO A BATTERY-CHARGED FENCE SECURITY SYSTEM THAT:

(1) INTERFACES WITH A MONITORED ALARM DEVICE IN A MANNER THAT ENABLES THE ALARM SYSTEM TO TRANSMIT A SIGNAL INTENDED TO ALERT THE OWNER OF THE BATTERY-CHARGED FENCE SECURITY SYSTEM OR LAW ENFORCEMENT;

(2) HAS AN ENERGIZER THAT:

(I) IS POWERED BY A COMMERCIAL STORAGE BATTERY THAT PROVIDES NO MORE THAN 12 VOLTS OF DIRECT CURRENT; AND

(II) MEETS THE STANDARDS SET FORTH IN THE INTERNATIONAL ELECTROTECHNICAL COMMISSION STANDARD 60335-2-76, CURRENT EDITION;

(3) IS LOCATED:

(I) BEHIND A NONELECTRIC PERIMETER FENCE OR WALL THAT IS AT LEAST 5 FEET TALL; AND

(II) ON PROPERTY THAT IS NOT ZONED AS RESIDENTIAL USE ONLY.

(4) IS NOT TALLER THAN 10 FEET OR 2 FEET TALLER THAN THE HEIGHT OF THE PERIMETER FENCE OR WALL, WHICHEVER IS TALLER; AND

(5) IS MARKED WITH WARNING SIGNS POSTED CONSPICUOUSLY ON THE FENCE AT 40 FOOT INTERVALS THAT STATE: "WARNING – ELECTRIC FENCE".

~~[(b)]~~ (C) If a wireless security system OR BATTERY-CHARGED FENCE SECURITY SYSTEM does not require the submission of a fire protection plan review to a local government for compliance with the State or a local building code, a local government may not require an electrical license or an electrical permit to install, maintain, inspect, replace, or service the wireless security system OR BATTERY-CHARGED FENCE SECURITY SYSTEM.

~~[(c)]~~ (D) (1) A local government may:

(i) require a person who provides wireless security systems OR BATTERY-CHARGED FENCE SECURITY SYSTEMS to comply with a local alarm ordinance or obtain an alarm business registration or permit; and

(ii) require a person who operates wireless security systems OR BATTERY-CHARGED FENCE SECURITY SYSTEMS or causes wireless security systems OR BATTERY-CHARGED FENCE SECURITY SYSTEMS to be operated to comply with a local alarm ordinance or obtain an alarm system registration or permit.

(2) A local government may not require a person described in paragraph (1) of this subsection to obtain an electrical permit OR, WITH RESPECT TO BATTERY-CHARGED FENCE SECURITY SYSTEMS, OBTAIN ANY OTHER PERMIT.

(3) A LOCAL GOVERNMENT MAY NOT:

(I) IMPOSE ADDITIONAL INSTALLATION OR OPERATIONAL REQUIREMENTS ON BATTERY-CHARGED FENCE SECURITY SYSTEMS; OR

(II) PROHIBIT THE USE OF A BATTERY-CHARGED FENCE SECURITY SYSTEM THAT IS INTENDED TO BE USED FOR SECURITY PURPOSES.

~~[(d)]~~ (E) Wireless security systems AND BATTERY-CHARGED FENCE SECURITY SYSTEMS are not exempt from Title 18 of the Business Occupations and Professions Article.

~~[(e)]~~ (F) Wireless security systems must comply with any State or local building

1 codes.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2020.