

BUSINESS AND PROFESSIONS CODE, DIVISION 3, CHAPTER 8.5 LOCKSMITHS

LOCKSMITH LICENSE - REQUIRED

Section 6980.10. (a) No person shall engage within this state in the activities of a locksmith as defined in subdivision (j) of Section 6980, unless the person holds a valid locksmith license, is registered pursuant to the provisions of this chapter, or is exempt from the provisions of this chapter.

(b) Any person who does any of the following is guilty of a misdemeanor:

(1) Acts as or represents himself or herself to be a licensee under this chapter when that person is not a licensee under this chapter.

(2) Falsely represents that he or she is employed by a licensee under this chapter when he or she is not employed by a licensee under this chapter.

(3) Carries a badge, identification card, or business card, indicating that he or she is a licensee under this chapter when he or she is not a licensee under this chapter.

(4) Uses a letterhead or other written or electronically generated materials indicating that he or she is a licensee under this chapter when he or she is not a licensee under this chapter.

(5) Advertises that he or she is a licensee under this chapter when he or she is not a licensee under this chapter.

(j) "Locksmith" means any person who, for any consideration or compensation whatsoever, engages, directly or indirectly and as a primary or secondary object, in the business of rekeying, installing, repairing, opening, modifying locks, or who originates keys for locks, including, but not limited to, electronic cloning of transponder keys and any other electronic programming of automotive keys and electronic operating devices, such as key fobs, door and ignition key devices, and successive electronic and other high-security key technology. A "locksmith" does not mean a person whose activities are limited to making a duplicate key from an existing key.

LOCKSMITH - VIOLATIONS CONSPIRES & HIRES

Section 6980.13. (a) Any person who violates any provision of this chapter, or who conspires with another person to violate any provision of this chapter, or who knowingly engages a nonexempt or unlicensed locksmith after being notified in writing by the bureau of the individual's unlicensed status with the bureau, is guilty of a misdemeanor.

DISPLAY OF LOCKSMITH LICENSE

Section 6980.26. (a) Each locksmith license, together with the current renewal certificate, if any, shall at all times be conspicuously displayed at the place of business, and in each branch office, for which the license is issued.

DISPLAY POCKET LOCKSMITH LICENSEE LICENSE

Section 6980.33. A licensee, or a partner or officer of a licensee, *shall carry a valid pocket identification card*, issued by the bureau pursuant to Section 6980.23, and either a valid driver's license issued pursuant to Section 12811 of the Vehicle Code or a valid identification card issued pursuant to Section 13000 of the Vehicle Code, at all times the licensee, or partner or officer, is engaged in the work of a locksmith, as defined in this chapter, whether on or off the premises of the licensee's place of business. Every person, while engaged in any activity for which licensure is required, shall display his or her valid pocket card, and driver's license or identification card, as provided by regulation.

DISPLAY POCKET LOCKSMITH REGISTRANT LICENSE

Section 6980.48. (b) The registrant shall carry a valid registration card issued by the bureau under this section, *and either a valid driver's license issued pursuant to Section 12811 of the Vehicle Code or a valid identification card issued pursuant to Section 13000 of the Vehicle Code*, at all times the registrant is engaged in the work of a locksmith whether on or off the premises of the licensee's place of business. Every person, while engaged in any activity for which licensure is required, shall display his or her valid pocket card, and driver's license or identification card, as provided by regulation.

VERIFICATION OF ID & WORK ORDERS

Section 6980.53. A locksmith licensed by the bureau shall be subject to the provisions of Sections 466.6 and 466.8 of the Penal Code requiring verification of identification of clients and maintenance of work orders containing required client information. A copy of each work order completed pursuant to Sections 466.6 and 466.8 of the Penal Code shall be retained for two years, shall include the name and license number of the locksmith performing the service, and shall be open to inspection by the bureau or any peace officer during business hours or submitted to the bureau upon request.

UNLICENSED LOCATION

Section 6980.60. No licensee or employee shall conduct business from any location other than the location for which a license or branch office registration was issued.

ADVERTISEMENT REQUIREMENTS

Section 6980.64. (a) Every advertisement by a licensee soliciting or advertising business shall contain his or her business name, business address, or business telephone number, and license number ***as they appear in the records of the bureau.***

(b) For the purpose of this section, "advertisement" includes any business card, stationery, brochure, flyer, circular, newsletter, fax form, printed or published paid advertisement in any media form, directory listing, or telephone book listing.

AIDING AND ABETTING UNLICENSED LOCKSMITH

Section 6980.65. No licensee or person shall aid and abet an unlicensed or nonexempt locksmith in any activity for which a license is required.

For purposes of this section to aid or abet includes, but is not limited to, the falsification of documents or facilitation of the acquisition of locksmith tools. A person shall not be subject to this section if he or she reasonably relied on a copy of a license, registration, pocket registration, or pocket identification card.

For additional information contact:

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