

SUBJECT: Regulating fire alarm monitoring services

COMMITTEE: Public Safety — committee substitute recommended

VOTE: 9 ayes — B. Turner, Keel, Berman, Carter, Driver, Gutierrez, Hupp, P. King, Najera
0 nays

WITNESSES: For — Malcolm Reed
Against — None

BACKGROUND: Article 5.43-2 of the Insurance Code regulates the planning, certifying, leasing, selling, servicing, installing, monitoring, and maintaining of fire detection and fire alarm devices and systems.

Fire alarm technicians, residential fire alarm superintendents, or fire alarm planning superintendents be licensed by the Texas Department of Insurance (TDI). Applicants must undergo 16 hours of training and pass an exam administered by the state fire marshal. The article lists the conditions under which certain people are exempted from being licensed.

DIGEST: CSHB 3189 would exempt from fire detection and alarm licensing a person or organization licensed to install or service burglar alarms under by the Texas Board of Private Investigators and Private Security Agencies (TBPIPSA) in one-family and two-family residences. The exemption would apply to installation of a system with a combination keypad, including a panic button to initiate a fire alarm signal that was monitored by a firm registered by TBPIPSA, but not initiated by a fire or smoke detection device.

No political subdivision could sell, service, install, or monitor fire alarm or fire detection devices or systems, or receive fire alarm signals, unless that service was provided for property owned by the political subdivision. The bill would not prohibit a response to a fire alarm or detection device by a law enforcement officer or firefighter.

The bill would take effect on September 1, 1999.

**SUPPORTERS
SAY:**

CSHB 3189 would allow security firms to activate fire panic alarms without obtaining an additional fire alarm license, provided that the alarm was just a panic button and not connected to a fire or smoke sensor device. This would save public property and lives, and it also alleviate unnecessary expense for security companies.

Security firms already must obtain a license through TBPIPSA to install burglar alarms. However, because TDI licenses the installers of fire alarms, burglar alarm installers must get a second license in order to activate the fire alarm panic buttons that are standard on many burglar alarms.

CSHB 3189 also would prohibit municipalities from providing fire alarm monitoring service, as they are doing with increasing frequency. Municipalities offering these services do not have to be licensed by TBPIPSA. Also, they often imply that their customers will receive faster fire alarm response than customers who contract with a private alarm company or citizens who call 911. These municipalities charge private companies' customers for response to false alarms, but do not charge their own customers. Private enterprise should not be competing with political subdivisions for this service.

**OPPONENTS
SAY:**

In rural areas, political subdivisions sometimes are the only providers of fire alarm monitoring services. Therefore, they should not be prevented from supplying this service.

NOTES:

The committee substitute would prohibit political subdivisions from providing fire alarm monitoring services, except for property owned by the political subdivision.

HB 2617 by Bosse, the sunset bill for the Texas Board of Private Investigators and Private Security Agencies, which would prohibit political subdivisions from providing any burglar alarm monitoring services, passed the House on April 20 and was scheduled for a public hearing by the Senate Criminal Justice Committee on May 5.