

NC Locksmith Licensure FAQ *The answers that follow represent the NC Locksmith Licensing Board's interpretation of G.S. 74F and reflects the current policies and practices as of 02/15/05.*

Consumer Section

Q: I am a homeowner. Does this new law mean that I can't install or service locks on my own house?

A: NO. Property owners and their *employees* (not independent contractors!) may still provide locksmith services on their own property, even if they are not the occupants. There is also an exemption for "good Samaritans" offering assistance *without pay or other consideration*.

Q: I know someone who is providing locksmith services without a license. What should I do?

A: You should tell the person about the law and pass along our contact information so that they can apply for a license. You should also report that person's name and contact information to the Board. We will begin with a warning letter advising them to obtain a license or cease providing locksmith services.

Q: I have a complaint to provide about locksmith services that were provided to me. I believe that the work was shoddy or the business practices of the locksmith were unfair. What should I do?

A: Send a letter to the Board, along with a copy of your invoice. If you have their license number, that would also be helpful. The Board will attempt to get the other side of the story and either arbitrate a fair solution or initiate disciplinary action.

Potential Licensee Section

Q: I would like to apply for a license. How do I get an application?

A: You can request an application by contacting the Board or download it from the Board's website:

NC Locksmith Licensing Board
P.O. Box 10972
Raleigh NC 27605
phone: 919-838-8782
fax: 919-833-5743
www.nclocksmithboard.org

Q: I live and work primarily outside North Carolina but sometimes provide locksmith services inside North Carolina. Do I need a license?

A: YES. If you intend to charge a fee for locksmith services in North Carolina, you must obtain a license.

Q: Where can I take the exam?

A: The exam is offered quarterly in conjunction with the meetings of the NC Locksmiths Association. These exams sessions are on Friday evenings. The February and August exams are in Charlotte; the May and November exams are in Raleigh. Additional sessions can be arranged based on demand. If the website doesn't show any exam sessions scheduled when you apply for your license, simply leave that section of the form blank. The Board staff will then contact you to enroll you in an upcoming exam session.

Q: As a police officer, firefighter, or other government agent, I sometimes open vehicles for stranded motorists. Do I need a license?

A: NO. Law enforcement officers and other government agents are exempted from licensure as long as they act *within the scope of their employment*. However, you should note that many departments have adopted policies stating that, unless there is a genuine emergency (such as a child locked in the car), providing vehicle unlocking service is not the duty of law enforcement officers. You should check your department's policy on this matter. Often, well-meaning officers inflict costly damage on vehicles. Having the motorist call a trained professional is often cheaper and quicker in the end!

Q: I provide locksmith services, but I am employed by a large institution, such as a university, school system or hospital. Do I need a license?

A: NO, as long as you work only on *property owned by your employer*. But if you intend to do work "on the side" you must obtain a license. The moment you insert an invoice book into your tool kit and cross the street, you are required to have a license.

Q: I'm a licensed general contractor. Do I need a locksmith license as well?

A: NO, as long as you aren't providing locksmith services to clients separate from larger construction projects. For example, you may install the locks on a building as you build it without a license. You may install locks on a home if you are doing so during a remodeling project that includes locksmith services only as an incidental part of that project. However, you may not take on projects that consist exclusively or primarily of locksmith services unless you obtain a license. You may not *represent yourself as a locksmith* unless you obtain a license.

Q: I'm licensed by the Alarm Systems Licensing Board? Do I need a locksmith license as well?

A: Maybe. You are exempted as long as the locksmith services that you provide are "within the scope and course" of your work as a licensed alarm technician. The Board

maintains that this means that the locks are incidental to a project that requires an alarm system license. If you advertise under “Locksmith” in the telephone directory or provide locksmith services that are not related directly to an alarm system, you should obtain a locksmith license.

Q: I plan to obtain a license; I also have one or more employees. Do they need licenses too?

A: Maybe. Employees of licensed locksmiths are exempted, but only as long as they work under the *control and supervision* of the licensee. As long as you are on the premises watching over them while they perform the service, they are exempted. However, since the law also requires that the Board-issued photo ID be made available at every jobsite, each person working solo needs their own license.

Q: I provide general maintenance and “handyman” services; I am not a licensed general contractor. Do I need to obtain a license?

A: Yes, if you intend to perform locksmith services as defined in the statute. You are not exempted in any way. Unlike the regulations for general contractors, there is no dollar amount that exempts you from the locksmith licensing requirement.

Q: Although I don’t consider myself a locksmith, I do copy keys at my store. Do I need a license?

A: NO. Simple duplication of keys does not qualify as locksmith services under the Act. However, if you expand to do more than just *copy* keys, you must first obtain a license.

Q: I am a maintenance technician employed by a firm that provides leasing and maintenance services for commercial or residential rental properties. Do I need a license to service locks on our clients’ properties?

A: You are *not* exempted from licensing, so if you do more than copy keys or remove/replace locks so that a licensed locksmith can service them, you need to obtain a license. You are exempted from the licensing requirement only if you work on property *owned by yourself or your employer*. If your company has a “fee for service” arrangement with another property owner, you *may not* provide locksmith services on their property without a license!

Q: I am a tow-truck operator. Do I need a license to open cars?

A: Maybe. There is an exemption just for tow-truck operators, as long as you only open vehicles in your normal course of business and do not to “represent yourself as a locksmith.” However, you must obtain a license if you provide any service beyond opening vehicles, such as originating keys. You will also need a license if you advertise under the same telephone directory headings that consumers associate with locksmiths.

Q: I work at a hardware or home-improvement store. We sell locks and sometimes key them alike as a courtesy when the customer purchases them. Do I need a license?

A: Probably not. The statute exempts you as long as the service you provide is “during the normal course of business.” If you are in the business of selling hardware, you may

perform courtesy services as a means to complete that sale. However, if you are performing service calls or offering services for a fee (not associated with the sale of hardware), you should obtain a license.

Q: I work at a gun shop. We sell gun locks and/or gun safes. Do I need a license?

A: Probably not. As long as you do not “represent yourself as a locksmith” and only provide services associated directly to the products you sell “within the scope and course” of your business, you do not need a license.

Q: I work at a specialty retailer or service. Some of the products we sell or make include locks. Do I need a license to service and install these items?

A: Probably not. There is an exemption for merchants who provide services which might otherwise require a license as long as it is within the “normal course of its business.” Here are some examples of merchants and the services they may provide without obtaining a license:

1. A cabinetmaker may install locks into cabinets he or she is making.
2. A company that sells and installs window assemblies or storm doors that incorporate locks may install and service the locks associated directly with the product line(s) of which they are a dealer.
3. Camper or RV dealers may service and install the locks offered as factory options on the particular product(s) of which they are a dealer.
4. Luggage retailers or repair shops may install or repair luggage locks.
5. Automobile dealers can install and repair the locks in the vehicles in their product line.

Q: I know someone who is providing locksmith services without a license. What should I do?

A: You should tell the person about the law and pass along our contact information so that they can apply for a license as soon as possible. You can also report that person’s name and contact information to the Board. We will begin with a warning letter advising them to obtain a license or cease providing locksmith services.

License Renewal Section

Q: How many hours of continuing education do I need?

A: If your license expires prior to June 30, 2006 you need 8 hours of continuing education. If your license expires between July 1, 2006 and June 30, 2007 you need 16 hours of continuing education. If your license expires after July 1, 2007 you need 24 hours of continuing education.

Q: What counts as continuing education anyway?

A: Any class on a technical subject related to the practice of locksmithing can count. There are many sources for classes. Classes are offered regularly by both state and national trade associations (such as ALOA and NCLA). Also, product and tool

manufacturers and locksmith distributors also sponsor classes. Check this website regularly for listings of upcoming continuing education classes. Just be sure to retain a certificate proving your attendance and listing the instructor, sponsor, topic and the date and time of the class.

Q: Do correspondence courses or independent study qualify as continuing education?

A: No.

Q: Are there any exceptions to the continuing education requirement?

A: Yes. An applicant who has served at least 4 consecutive months in active military service may request exemption from 8 hours of continuing education. Also, applicants who have been disabled due to injury or illness for at least 4 consecutive months may request exemption from 8 hours of continuing education. You must have documents from the military service or your doctor to substantiate any request for exemption.