

TEXAS LOCKSMITH'S ADVISOR

October 2005

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I encourage you to Subscribe to TLA's eMailing List to receive important announcements and the most up-to-date information as it is posted. By subscribing, you will also save the Association printing and mailing costs.

TEXAS LEGISLATIVE FUND

The Texas Locksmiths Association monitors legislation, licensing, and regulation to look after the interests of locksmiths in Texas. A portion of the membership dues helps maintain this program, but additional contributions are needed. Those wishing to support this effort with a donation or donate items for auction, please contact a member of the board or call 1-877-TLA-INFO.

UP COMING EVENTS

OCTOBER	NOVEMBER
4 LASA MEETS	1 LASA MEETS
10 ALNT MEETS	8 GHLA MEETS
11 GHLA MEETS	14 ALNT MEETS
17 GDLA MEETS	21 GDLA MEETS
29 ETHICS INST. CLASS	24 THANKSGIVING
31 HALLOWEEN	

**FOR LOCKSMITHS NEEDING INFORMATION ON LICENSING, CONTACT TLA PRESIDENT JIM HETCHLER AT:
PRESIDENT@TEXASLOCKSMITHS.ORG**

President's Message

Dear Members,

The summer is nearly over and I am not sure where it went. Hopefully by the time you read this I will be in my new house. I have been living in a 33 foot travel trailer since December 20. It has gotten smaller with time. It now feels like a shoe box.

Well you may have heard by now and if not then I shall tell you. The DPS has decided to allow wrecker and tow drivers to open cars! So please don't be telling anyone that they cannot. So far as I know this would apply to anyone opening cars?

There is a new law re: HB2243 requiring us (locksmiths) to get a signed release if we open a structure or vehicle. This went into effect Sept. 1st. Once again I don't know why only we have to have one but should you want to ask the author's of this bill here is how to contact them:

Senator John Corona:
District 16

Capitol Office: CAP 4E.2
Capitol Address: P.O. Box 12068
Austin, Texas 78711
Capitol Phone: (512) 463-0116
District Address: 8080 N. Central Expy., Suite1440, LB 44
Dallas, TX 75206
District Phone: (214) 378-5751

Representative Jim Jackson

Capitol Office
Room EXT E2.702
P.O. Box 2910
Austin, TX 78768
(512) 463-0468
(512) 463-1044 Fax
District Office
1120 Metrocrest Drive
#107
Carrollton, TX 75006
(972) 416-7698
(972) 418-1304 Fax

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MEMBERSHIP

The following persons have applied for membership in the Texas Locksmiths Association.

Applicants will be listed in the Advisor for a period of 90 days to allow members the opportunity to identify any applicant that may be deemed "not suitable" for membership and allow proper notification of the Membership Chairman, Steve Morse at 512-353-8615 or email aaaakey@grandecom.net, of such applicant.

30 Days

Joan Yarrington, Irving, TX
Bill Martinez, Ft. Worth, TX
Don Boyer, Coppell, TX
Dale Casey, Cleburne, TX
Kristy Craigen, Texarkana, TX
Mark Gonzalez, Corpus Christi, TX
Billy McFadden, Brookston, TX

60 Days

NO APPLICANTS

90 Days

Bonnie Morse, San Marcos, TX
David Nellis, Austin, TX

Texas License Verification

If you are curious as to whether an individual or company is licensed through the Department of Public Safety, it is simple to research on the DPS web site. To do so, just follow these steps:

1. Go to the Texas DPS Private Security Board Web Page at <http://www.tcps.state.tx.us>
2. On the Bottom Left, Select Search Individual or Search Company.
3. Enter Known Information
4. Press Enter, or Select Search

LockPAC Pledge Card

One for One

(One service call fee for One year)

The Texas Locksmith Association needs your help! The future of OUR industry is in our hands. If you want the laws of this state to reflect your wishes, and be passed into law in a way that benefits all locksmiths of our great state, then TLA is asking for two things of you.

1. Would you pledge one service call fee a month for one year?
2. Would you make an honest attempt to sign up a non –member. The leaders of our state must see that the TLA represents the majority.

If each one of the companies currently a member of TLA pledge the above, we would double our membership to about 1000 in a year! And provide OUR lobbyist the tools to work on our behalf. Invest in your future. The license laws are new, and will change! Let's make sure they change in our favor! Please sign up today!

I, _____ will pledge one service call fee per month for one year to support our lobbyist efforts, and I will contact one non-member and ask him to join TLA.

It's that simple! You my mail in your pledge monthly, quarterly, or yearly. Thank you in advance for being responsible with our future, together.

TLA Board of Directors.....

Company Name: _____

TLA Member Number: _____

Address: _____

City: _____, State: _____

PRESIDENT'S MESSAGE *cont.*

This change by DPS to allow tow/wrecker drivers to open cars comes from a letter of intent written by Rep. Jackson. So it appears that it is not the law but the intent that DPS is enforcing. This is out of the hands of TLA, the Locksmith Advisory Committee and the Private Security Bureau. So it will do you no good to contact any of them or me!!! You must either contact your local representatives or the above mentioned individuals.

On another note we have concluded our business of selecting the next convention site. It will be held in February at the Doral across from the Texas Motor Speedway. You can go to our WEB site for further information. The address is: www.texaslocksmiths.org. We certainly hope to see most of you there. We have a slate of classes all ready scheduled which includes the PURE AUTO guys from Lockmasters. So if you want some detailed automotive classes this will be the place for you to get them. We will also have a business class schedule for your office personnel to get their CEU's. An Ethic's class is scheduled so that you can complete those requirements. We will be posting all the information regarding the convention on our WEB site. We will also have representatives from the Private Security Bureau there to answer any questions you may have.

On a final note please pray for those who are suffering because of Hurricane Katrina. This has been the worse disaster we as a nation have ever faced. Please contribute however you can to assist those in need. I am sure there are many locksmiths that have been affected by this.

Jim Hetchler
President
jim@keypro.info
877-TLA-INFO

SUBMISSIONS TO TEXAS LOCKSMITHS ADVISOR

**Send your Comments, Questions, Suggestions, Articles, Letters,
Tips & Tricks, News & Class/Event Information to the Editor by:
Email to: TLA_Newsletter@hotmail.com Regular Mail to:**

**Steve Sandlin
63A Summer Pl.
Huntsville, TX 77340**

Submissions for inclusion in this publication must be received by the 10th of the month prior to the publication date. E.g., Submissions for the November issue must be received by October 10.

DPS Institutes New Locksmith Amnesty Program

“Amnesty” for Late Individual Registrations

Now is the time to ensure that all of your employees performing private security duties are properly registered! Effective August 1, 2005 through October 31, 2005, late individual registration and commission applications received by the Private Security Bureau will not result in an administrative fine. You will still be required to pay the normal application and fingerprint fee on originals and the normal application fee plus the late fee on renewals.

You must submit the late original or renewal individual registration or commission application, including the Request for Amnesty form, by October 31, 2005 in order to avoid the administrative fine. After October 31, 2005, any late individual registration or commission registration received by the Private Security Bureau will result in an administrative fine.

You must use the most current version of the application forms. These forms are available on our webpage at www.txdps.state.tx.us\psb. (Forms PSB-3a or PSB-38a or PSB-17) If you have any questions concerning forms or fees, please contact the Private Security Bureau License Section at 512-424-7710.

Please be advised that this does not affect late company license applications; nor does it affect criminal violations committed by companies or individual employees.

When calculating fees, please remember that effective September 1, 2005, registration fees will increase as set out in House Bill 2303 and subscription fees will be required on original applications as well as renewals.

Visit TLA’s Website at www.texaslocksmiths.org

ETHICS INSTRUCTORS CLASS
October 29, 2005
Austin, Texas

There will be an Instructor's course for those interested in becoming a teacher for TLA for Ethics as required by DPS/Private Security Bureau. If you wish to attend you must be willing to work at the direction of TLA to put this course on when and where needed in your area. We are taking applicants dependant upon the geographical needs. We will be restricting the number of applicants' positions. We wish to be able to have someone in all parts of Texas to teach this course to other locksmiths as needed. All owners/managers/employees must have at least one hour of Ethics every two (2) years.

We have developed a course of Instruction on Ethics for Locksmiths. This has been approved by DPS/PSB. The course will be conducted by Mrs. Sara Probasco from Uvalde, TX. It will last about 3 hours. You will be shown how to teach this course. Once you complete this you will be approved by DPS/PSB to teach, for qualification, this course to other locksmiths. You will be required to take roll, submit list to TLA, collect funds to send to TLA and issue Certificates of Completion. You will not be asked to travel outside your area if at all possible. Your expenses will be covered from the fees collected.

The course will be from 1:00 PM till 3:00 PM at Fairway Supply in Austin, Texas.

If you are interested in doing this and will abide by TLA's direction respond by email only to:

Texaslocksmiths@aol.com.

Do not plan on doing this if you are not 100% willing to dedicate yourself to helping other locksmiths meet their educational requirements.

Jim Hetchler
President

TLA Lobbyest News

Dear TLA Members,

More than two years ago, a new law was enacted to require locksmiths and electronic access control installers to register with the State. The road from passage in the Legislature to actual enforcement of the statute's requirements has been long and torturous. But all signs indicate that state regulators are fast approaching a structured enforcement system that will give the law real teeth.

A little background might help put this journey in perspective. First, the locksmith profession and the alarm industry fought legislative and legal battles that included federal lawsuits, agreed executive orders, vetoes and complex legislative maneuvers. Neither side was particularly successful in neither improving the professionalism of either industry nor protecting the public. With more than a little nudging from legislative leaders, the Texas Locksmiths Association and the Texas Burglar and Fire Alarm Association entered into negotiations and produced an agreed-to bill that the Legislature enacted in 2003.

At the same time the Legislature passed the original legislation, the joint House-Senate conference committee on the budget completely abolished the regulatory agency, the Texas Commission on Private Security. The duties of the Commission were transferred to the Department of Public Safety, but the budget and personnel to administer the Private Security Act were slashed by roughly two-thirds at the same time when thousands of new Texans were being brought under the Act.

After the Legislature adjourned in 2003, the Governor decided that the DPS needed a Board and bureau to administer the Act. So during a series of special legislative sessions, the House and Senate passed legislation to create, in effect, a sub-agency within DPS to handle the licensing, registration and enforcement of the myriad professions covered by the Private Security Act. The new sub-agency, the Private Security Board, was created – although the budget and personnel were not restored.

The new agency was literally swamped with paper. The Locksmith Advisory Committee (LAC) had successfully argued for various delayed effective dates in the original legislation, and that move helped the new Board and its staff deal with the overwhelming paperwork required by existing law and the new legislation. The paperwork backlog has been relieved, and new legislation passed earlier this year will provide resources that will allow the Board and its staff to administer and enforce the Act.

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LOBBYEST *cont.*

This is a summary of unprecedented legal, legislative and executive processes that have traveled a strange route but appear to be heading in the anticipated direction. But be forewarned: this journey will be lengthy, and changes to the statute, rules and administrative decisions are all but a certainty.

Shortly after creation of the Board, its Chairman and Vice Chairman appointed an advisory committee to help the Board during the transition. The Locksmith Advisory Board proposed rules and guidelines that helped smooth the process as the Board entered uncharted waters. Adopting even a couple basic rules was difficult because of the unusual structure of the Board and the DPS. After months of work, the framework was set by the eventual adoption of the rules that the LAC sought. The Legislature in late May of this year passed legislation that clarified and codified the Board's rulemaking procedure – a system that tracks the system LAC originally proposed. The legislation, House Bill 2303, also permitted the Board to increase fees for various classes of licenses and registrations, ranging from five dollars to 100 dollars, to administer the Act. All fees are statutorily capped and, by law, “may not produce unnecessary fund balances.” (The full language of HB 2203 may be found at www.capitol.state.tx.us.)

LAC proposed legislation – House Bill 2243 -- this session that requires customer authorization when a person opens a lock to a home, business, automobile or other structure. This common-sense proposal was not included in the 2003 legislative session because of a drafting oversight, and the Legislature agreed to fix the problem and encourage greater professionalism and public safety – not to mention a good business practice – and the Board has recently promulgated a form for locksmiths to use in obtaining authorization.

Locksmiths tend to be hard-working small business people – true entrepreneurs. As such, it is only natural to feel a sense of frustration when dealing with the government. The registration process of locksmiths has faced a number of hurdles and more hurdles will emerge. This is simply the nature of working in a regulated profession. Locksmiths will, understandably, be frustrated at times. Yet in the long run, the profession will be enhanced by the growing professionalism of the industry and the accompanying education, ethics and business acumen that follows.

Jim Warren
Lobbyist TLA

LETTERS

RE: TEXAS HOUSE BILL 2243 applying to TOW COMPANIES.

LOCKSMITH LICENSES NOT REQUIRED TO OPEN VEHICLES

Pardon me but, this “ SUCKS !!! ”

As many well know, it is almost 60 years that I have been involved in Locksmithing, 120 years for my family. Associations have been created to assist all Locksmiths to their betterment.

Unfortunately Locksmiths I guess will only be Locksmiths with no brains to join and participate in these organizations as other trades worldwide have done. They are all (except a few concerned officers and active members) satisfied to live in their own world, do their thing and complain about other Locksmiths, their prices, Distributors selling direct and Tow Truck operators, etc.

The organizations of Alarm Companies, Tow Truck Operators, etc., have shoved their ways through Texas and other States. Locksmiths have complained, cried but done nothing as a group.

The blame for this can only be laid upon those who don't belong, and those who belong and who pay their dues but do not participate. And those Locksmiths that have tried and tried their level best towards the betterment of our trade will suffer too. All their efforts have gone down the drain. I regret the pain that this has come upon all of those who have worked so hard for their own firms as well as their Locksmiths competitors behalf.

I don't want to hear any crying, moaning, complaining or whatever over this matter. All I want to see before I leave this world is that our trade who forgot the 20th Century, wake up, organize, actively participate and let the world know that truly, we are a trade, a craft, a profession. Titles like Master Locksmith, Professional Locksmiths, Lock Technicians mean nothing if the individual who places the title after their name does nothing to promote and better the lives of others. Plumbers, Electricians, Carpenters, Iron Workers, even Shoemakers have done it.

Laurence (Laurie) Simon

Tow Operators Allowed To Operate Without License

Information regarding House Bill 2243, 79th Regular Legislative Session

Please be advised that the Department intends to enforce the provisions of House Bill 2243 in accordance with the statement of intent entered by the author of the bill into the House Journal, which states as follows:

“Above legislation was not intended to apply to tow companies or other businesses who perform lockout service using a slim-jim or similar tool to open a vehicle upon the request of the owner or operator of the vehicle, but who do not perform locksmith service. The definition of locksmith service (“ installs, services, or maintains mechanical security devices, including deadbolts and locks” does not include lockout service where the vehicle is simply opened. Clearly, in this situation, the lock (or “ security device” is being neither sold, installed, serviced nor maintained.

The above legislation was also not intended to apply to automobile clubs or other businesses who advertise that their services include locksmith services, but who provide the services through independent contractors or on a reimbursement basis. The phrase “ services offered by the company using the term “” does not include the advertising of services that are offered by the company using the term “” when those services are not performed by the company, but by a licensed locksmith company.”

Therefore, registration and/or licensing under the Private Security Act is unnecessary for tow companies who provide lockout service where the vehicle is simply opened, and for automobile clubs who advertise locksmith services which are performed by an independent licensed locksmith company.

DPS Short Form

**AUTHORIZATION
HB2243 Security Release Form**

I, the undersigned, hereby declare that I have the authority to order and have performed the service designated below:

Structure Address: _____

Vehicle Year: _____, Make: _____,
Model: _____, LIC #: _____

Governmental Picture I.D. required.

TDL#: _____ US#: _____

Other (Specify): _____

Name: _____

Address: _____

City, State, ZIP: _____

I do solemnly swear that all information contained on this form is correct to the best of my knowledge and agree to all declarations and statements.

NOTICE: This is a Governmental record. Any false entry made on this document is considered a criminal violation.

Owner/Manager/Authorized Agent Signature:

DPS Long Form

AUTHORIZATION HB2243 Security Release Form

I, the undersigned, hereby declare that I have the authority to order and have performed the service designated below:

Structure Opening Address: _____

Vehicle Opening Year: _____, Make: _____, Model: _____

VIN #: _____, Lic #: _____

Governmental Picture I.D. required.

TDL#: _____ US#: _____

Other (Specify): _____

Name: _____

Address: _____

City, State, ZIP: _____

I do solemnly swear that all information contained on this form is correct to the best of my knowledge and agree to all declarations and statements.

NOTICE: This is a Governmental record.

Any false entry made on this document is considered a criminal violation.

Owner/Manager/Authorized Agent Signature: _____

Date: _____

This form must be kept on file a minimum of three (3) years from execution.

NOTE: This document has been reduced in size to fit the format of the ADVISOR for publication. It should be enlarged to full-page size before duplicating for use.

CHANGE OF ADDRESS

Complete and Mail to Secretary
Or email information to advancedlock@yahoo.com

OLD:

Name _____

Address _____

City, State, Zip _____

NEW:

Name _____

Address _____

City, State, Zip _____

Phone (home) _____ (work) _____

Email _____ Effective Date _____

_____ FOLD HERE _____

**PLACE
STAMP
HERE**

RETURN TO TLA SECRETARY:

**TROY MAYNARD, TLA SECRETARY
P.O. BOX 342
DRIPPING SPRINGS, TX 78620**