



Alabama Electronic Security Board of Licensure
Special Called Meeting
Rules Committee
Thursday, January 6, 2022, 1:00 p.m.
ADT LLC
291-C Cahaba Valley Road
Pelham, Alabama 35124

John Orr, Chairman, called the meeting to order at approximately 1:26 p.m. at the office of ADT LLC in Pelham, Alabama, as posted on the Secretary of State's website and the AESBL website. Mr. Orr asked Janet Robinson, Executive Director, to call the roll. Members present in person: Sheriff Derrick Cunningham and Geoffrey Wilson. Mr. Orr attended via Zoom.

I. Quorum:

A quorum was present. Peggy Rossmanith from the Alabama Attorney General's Office certified the quorum.

II. Proposed Rule Changes:

The Committee members considered the following Rule changes:

A. Definitions 304-X-1-.01:

1. Language drafted for the definition of an Arrest
2. Language drafted for the definition of a CCTV Waiver
3. Language drafted for the definition of a Consumer Report
4. Language drafted for the definition of a Consumer Reporting Agency
5. Language drafted for the definition of Identity Theft
6. Language drafted for the definition of Third-Party Lending
7. Language drafted for the definition of Unauthorized Co-signing
8. Language drafted for the definition of White Paging

It was noted that definitions for Monitoring Station and Identification Card were not in alphabetical order. It was agreed by the members that they should be placed in alphabetical order. However, the definitions for Late Fee, Fine, and Penalty should be left as a group at the end of the section.

B. Licensure Procedures 304-X-1-.03

1. It was noted that in 304-X-1-.03(1)(c), the language for the Board to complete an application should be changed from ninety (90) days to six (6) calendar weeks as stated in the AESBL statute.
2. It was noted that in 304-X-1-.03(2)(c), the language stating that, "It shall be unlawful and punishable for a person to make application to the Board as Qualifying Agent" should be removed. Furthermore, language should be inserted specifying that the Qualifying Agent, in some capacity, serve within the State of Alabama.
3. Under General Comments 304-X-1-.03(6), language was inserted regarding the denial of individual applications if the applicant marked that he or she had not been arrested or convicted when, if their ALEA report shows, they had been arrested or convicted. Furthermore, and pursuant to Code of Alabama 1975, Section 34-1A-3(15), the Board would need to delegate the power to deny falsified applications to the Executive Director by a resolution.

C. Educational Requirements 304-X-1-.05:

The Committee discussed the loss of a CCTV waiver if any disciplinary action was taken by the Board against a company that holds a current waiver. Furthermore, the possible revocation of a CCTV waiver would be considered at the next scheduled board meeting following the disciplinary action.

D. Exemptions 304-X-1-.06:

The Committee noted that the option of appealing a denied exemption request should first be presented to an independent hearing officer before appealing directly to the Montgomery County Alabama Circuit Court.

E. Code of Ethics 304-X-1-.07:

1. Language was added regarding ethical conduct for companies that employ door-to-door salespersons.
2. The required time frame to provide an electronic copy of a contract to a customer was changed from 48 hours to 24 hours.
3. In place of the company licensing number, language was added to allow for an internet address to be used in advertising.


F. Administrative Complaints 304-X-1-.08:

1. Language was added to allow for a minimum of fifteen (15) days for a company to provide additional information requested by the Board.
2. The Compliance Auditor was added as a member of the Investigative Committee.

Adjourn:

Motion to adjourn was made by Sheriff Cunningham. Second by Mr. Garner. All were in favor. None opposed. Motion carried. The Board adjourned at 3:36 p.m.

Approved by the Board on February 8, 2022.



John D. Orr, Sr., Chairman



Janet Robinson, Executive Director