



NBFAA Position Paper on Alarm Ordinances Requiring Fines to be Levied to Alarm Companies

What is the NBFAA?

Founded in 1948, the National Burglar & Fire Alarm Association (NBFAA) represents more than 3,200 companies in each of the fifty states and four U.S. territories, engaged in the manufacture, sale, installation, service and/or monitoring of electronic systems.

Background

As the American public continues to demand more security for themselves, their businesses and their homes by having a professionally installed and monitored electronic security system, the incidence of false alarm dispatches has created an undue burden on local public safety departments.

Faced with smaller budgets and requests from their constituencies to do more with their already limited resources, many local agencies and governments have responded by enacting alarm ordinances. Typically, an alarm ordinance is designed to encourage Alarm Users to properly use and maintain the Alarm Systems in order to reduce or eliminate false alarms, which may unduly divert law enforcement from responding to criminal activity.

A handful of local agencies and governments have suggested drafting an alarm ordinance requiring the Alarm Companies to receive the fines and not the user of the system. This seems easier to the alarm ordinance administrator because there are fewer alarm companies than alarm users.

The dealer – customer relationship is important to understand. The alarm dealer is paid, like a subcontractor, to install, monitor and report system signals at the request of the customer. The alarm company cannot monitor the use and/or the users of the system. If a customer is not happy with the service (equipment, service or monitoring) the customers have legal remedies – they can switch companies.

The problem is, the alarm company is being fined for the mistake of their customer. If this same logic were applied to a car, the manufacturer of the car would get the fine for a driver's speeding violation. The alarm user is ultimately responsible for their system and should be the recipient of the fine.

Causes of False Alarms

Several studies have concluded that the user causes over 70% of false alarms. Common user errors are:

- Unlocked or loose doors.
- Kids, neighbors, relatives, visitors, repairman, domestic help, etc.
- Wandering pets.
- Errors by the user.

Problems with Fining the Alarm Company

- Fining Alarm Companies will only institutionalize false alarms - it will not solve the problem. The fine will be rolled into the total cost of an alarm system or the monitoring. Because it will be transparent to the user it will not motivate the alarm user to learn more about their system.
- This fine structure punishes the entire customer base of an alarm company, not just chronic abusers. The Models States Report, published in 1999, states that roughly 80% of false dispatches are caused by 20% of the systems.

Position

As a public service and an expression of its concern about this subject, the Board of Directors of the National Burglar & Fire Alarm Association (NBFAA) has adopted the following:

- NBFAA is committed to the reduction of false alarms through cooperative efforts between municipalities, emergency response services, private sector alarm monitoring services and alarm users.
- While the alarm industry acknowledges its responsibility for false alarms the alarm user bears the greatest responsibility.
- Any fines imposed by the government for false alarms should be directed at the alarm user.
- The NBFAA/FARA (False Alarm Reduction Association) Model Burglar Alarm Ordinance, further states NBFAA's position. It is appropriate to fine the alarm companies under these three circumstances:
 - If the officer responding to the false alarm determines that an on site employee of the alarm company directly caused the false alarm. In this situation this will not be counted against the alarm user.
 - If the alarm administrator determines the existence of a consistent pattern with regard to verification or written policy against verification, the alarm company can be issued a civil citation for failure to verify. To verify means an attempt by the alarm company, or its representative, to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is made, before requesting law enforcement dispatch, in an attempt to avoid an unnecessary alarm dispatch request.
 - If the alarm administrator determines that an alarm company employee made a false statement concerning the inspection of an alarm site or the performance of an alarm system.

NBFAA's position on this subject is stated in this document as a whole and no portion of it is to be taken or quoted out of context. For further information on this subject and about the electronic systems industry in general, please visit our web site at www.alarm.org or contact the NBFAA at 8300 Colesville Road, Silver Spring, MD 20910 or contact us at 301-585-1855 or fact@alarm.org.