

SENATE BILL REPORT

SB 5296

As Reported by Senate Committee On:
Commerce & Labor, January 30, 2015

Title: An act relating to locksmith services.

Brief Description: Concerning locksmith services.

Sponsors: Senators Conway, King, McAuliffe, Hasegawa and Chase.

Brief History:

Committee Activity: Commerce & Labor: 1/26/15, 1/30/15 [DPS].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 5296 be substituted therefor, and the substitute bill do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway, Keiser, King and Warnick.

Staff: Susan Jones (786-7404)

Background: The Consumer Protection Act prohibits unfair or deceptive practices in commerce. The Consumer Protection Act may be enforced by private legal action or through a civil action by the Attorney General. False advertising and false representation may constitute unfair and deceptive practices.

Summary of Bill (Recommended Substitute): A locksmith cannot misrepresent the locksmith's geographic location by:

- listing a local telephone number in a local telephone directory or on an Internet website if, without conspicuous disclosure, calls to the number are routinely forwarded to a location outside the calling area covered by the directory; or
- listing a business name in a local telephone directory or on an Internet website if the name misrepresents the geographic location of the business and the listing fails to disclose the locality and state of the business.

These misrepresentations are unfair and deceptive acts under the Consumer Protection Act.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Those whose primary business is providing locksmith services must conspicuously display either the business license number or the unified business identifier account number on the business website and all advertising.

EFFECT OF CHANGES MADE BY COMMERCE & LABOR COMMITTEE (Recommended Substitute): Misrepresentations on an Internet website are also prohibited. The prohibitions and requirements only apply to businesses that provide locksmith services as their primary business. They do not apply to businesses for which locksmith services are ancillary to the primary business. Businesses that primarily provide locksmith services must display either their business license number or unified business identifier account number on business websites and all advertising.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill is an effort to protect and defend our brick and mortar businesses. The bill is fair to customers and to businesses who are going to provide the services. This is a matter of transparency. The bill ensures that when a person calls a number, they know whether they are talking to a local business or not. Global businesses advertise then broker the locksmith services and they try to exact as much money as possible from the consumers. They charge more based on the sex of the customer and time of day. They bully and intimidate mature women into paying more money for the services. There are stories across the country of promoters falsely using local businesses' names and locations. The bill makes it difficult for businesses to misrepresent their geographic location.

Persons Testifying: PRO: Senator Conway, prime sponsor; Senator King; Jim Rich, Guardian Security, NW Locksmith Assn.; Jeffrey Trinin, Always Safe & Lock Inc.