

## LOCKSMITH REGISTRATION STATUTES

**28-1402. Locksmiths; registration certificates; issued by county clerk.** All locksmiths, as defined in section 28-1315, shall be required to hold a valid registration certificate issued by the county clerk in the county in which the locksmith's business is located.

*Source: Laws 1974, LB 662, s 1; R.R.S.1943, s 28-5, 103, (1975).*

**28-1403. Locksmiths; registration certificates; application; contents; fee.** The county clerk shall provide the registration certificates upon receipt of a fee of five dollars. Every locksmith shall conspicuously display such certificate in his or her place of business. The application shall be filed in the manner and form prescribed by the Secretary of State, and shall include as a minimum (1) the name and social security of the applicant, (2) the name of the applicant's business, (3) the address of such place of business, (4) whether the applicant has been convicted of violating the laws of any state, other than minor traffic violations, and (5) the name and address of three individuals who have knowledge of the applicant's character, experience, and ability. It shall be the duty of each county clerk to supply each applicant with an application form and to file a copy of each application, which application shall be public information.

*Source: Laws 1974, LB 662, s 2; R.R.S.1943, s 28-5,104, (1975); Laws 1997, LB 752, s 84. Effective date September 13, 1997.*

**28-1404. Locksmiths; registration certificates; term of validity.** The registration certificate shall remain valid until such time as the name of the individual, the name of the place of business, or the address of the place of business changes. At the time of such change a new registration shall be required.

*Source: Laws 1974, LB 662, s 3; R.R.S.1943, s 28-5, 105, (1975).*

**28-1405. Locksmiths; registration certificates; failure to acquire; penalty.** Any person, firm, or corporation who fails to acquire a valid registration certificate pursuant to the provisions of sections 28-1402 to 28-1405 shall be guilty of a Class IV misdemeanor.

*Source: Laws 1974, LB 662, s 4; Laws 1977, LB 41, s 4; R.R.S.1943, s 28-5, 106, (1975).*

**28-1315. Locks and keys; terms, defined.** As used in section 28-1316, unless the context otherwise requires:

- (1) Change key shall mean a key planned and cut to operate a specific lock;
- (2) Try-out key shall mean a key which may or may not be one of a set of similar keys, each key made to operate a series or group of a total series of locks, the key or keys being constructed to take advantage of unplanned construction similarities in the series of group of locks;
- (3) Wiggle key or manipulation key shall mean a material device which may be variably positioned or manipulated in a lock's keyway until such action develops a condition within the lock which enables the lock to be operated. Wiggle keys or manipulation keys may or may not resemble normally used keys;
- (4) Master key shall mean a key planned and cut to operate all locks in a series or group of locks, each lock having its own key other than the master key for that individual lock only, and each lock constructed as a part of the series or group for operation with the master key. For the purpose of section 28-1316, submaster keys,

grand master keys, great grand master keys, emergency keys, and overriding keys are to be considered as master keys;

(5) Keyed-alike locks shall mean a series or group of locks designed and constructed to be operated with the same change key;

**(6) Locksmith shall mean a person dealing in the mechanical action and the correct operation of all types of locks and cylinder devices, whose trade or occupation is primarily repairing, opening or closing such locks or devices by mechanical means other than the key designed for that particular mechanism without altering, marring, or destroying the original condition or effectiveness of such mechanism; and**

(7) Key master or key cutter shall mean a person other than a locksmith, whose primary and only function is the cutting and duplicating of keys.

*Source: Laws 1977, LB 38, s 299.*

### **28-1316. Unlawful use of locks and keys; penalty; exceptions.**

(1) A person commits the offense of unlawful use of locks and keys if he:

(a) Sells, offers to sell, or gives to any person other than a law enforcement agency, dealer licensed under the provisions of Chapter 60, article 14, motor vehicle manufacturer, or person regularly carrying on the profession of a locksmith any try-out key, manipulation key, wiggle key, or any other device designed to be used in place of the normal change key of any motor vehicle; or

(b) Has in his possession any try-out key, wiggle key, manipulation key, or any other device designed to be used in place of the normal change key of any motor vehicle unless he is a locksmith, locksmith manufacturer, dealer licensed under the provisions of Chapter 60, article 14, motor vehicle manufacturer, or law enforcement agency; or

(c) Duplicates a master key for anyone unless written permission has been granted by the person who has legal control of the master key. All master keys shall be stamped with the words DO NOT DUPLICATE. All duplications of master keys shall also be stamped with the words DO NOT DUPLICATE.

(2) Nothing in subsection (1) of this section shall be construed to make it unlawful if:

(a) The owner of two or more vehicles possesses a change key that can be used on two or more vehicles that he owns; or

(b) Such owner changes the locks on such vehicle so that they are keyed alike; or

(c) Any person makes or duplicates the original change keys for such an owner; or

(d) Anyone stamps any other type of key with the words DO NOT DUPLICATE.

(3) Unlawful use of locks and keys is a Class III misdemeanor.

*Source: Laws 1977, LB 38, s 300.*