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COUNCIL OF THE DISTRICT OF COLUMBIA

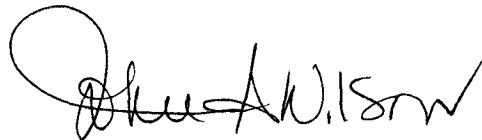
NOTICE

D.C. LAW 9-14

"Ban on Automated Telephone Dialing Systems
for Commercial Solicitation Act of 1991".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-49 on first and second readings, April 9, 1991, and May 7, 1991, respectively. Following the signature of the Mayor on May 17, 1991, this legislation was assigned Act No. 9-34, published in the May 31, 1991, edition of the D.C. Register, (Vol. 38 page 3384) and transmitted to Congress on May 23, 1991 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-14, effective July 13, 1991.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May 23,24,29,30,31

June 3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28

July 8,9,10,11,12

AN ACT

D.C. ACT 9-34

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 17, 1991

To ban the use of an automated dialing or a push-button telephone system with a prerecorded message used to solicit a sale or request survey information.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ban on Automated Telephone Dialing Systems for Commercial Solicitation Act of 1991".

Sec. 2. Definitions.

For the purposes of this act, the term:

New Section
43-1418(a)

(1) "Automated dialing or push-button or tone-activated address signaling telephone system with a prerecorded message" is any equipment used for telephone solicitation purposes, which alone or in conjunction with other equipment, can convey a prerecorded or synthesized voice message to the number called.

(2) "Soliciting" means any attempt to sell or lease consumer goods, services, or real property to another person.

Sec. 3.(a) A person may not use an automated dialing, push-button, or tone-activated address signaling telephone system with a prerecorded message for the sole purpose of:

New Section
43-1418(b)

(1) Soliciting a person over the telephone to purchase or lease goods, services, or real property; or

(2) Requesting survey information over the telephone where results are to be used directly for the purpose of soliciting a person to purchase or lease goods, services, or real property.

(b) This section shall not apply if:

(1) The person soliciting is a federal, state, or local government agency that uses an automated dialing prerecorded message for emergency purposes; or

(2) A person has a preexisting business relationship with the party called and the call concerns

goods, services, or real property that have been previously ordered or purchased.

(c) Any automated, push-button, or tone-activated address signaling telephone system used in the District must automatically create a disconnect signal or on hook condition which allows the called party's line to be released within 10 seconds after the called party hangs up.

(d) Any person who violates this act shall be fined a civil penalty of not more than \$1,000 for the 1st violation and not more than \$5,000 for each subsequent violation.

(e) The Corporation Counsel of the District of Columbia, or his assistants, shall prosecute violations of this act, in the name of the District of Columbia.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: May 17, 1991



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-49

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 4-9-91

VOICE VOTE: Approved

Recorded vote on request

Absent: Lightfoot and Smith

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					LIGHTFOOT					SMITH, JR.				
BRAZIL					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON									
CROPP					RAY									
JARVIS					ROLARK									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Shylin (me)
Secretary to the Council

May 10, 1991
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-7-91

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					LIGHTFOOT					SMITH, JR.				
BRAZIL					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON									
CROPP					RAY									
JARVIS					ROLARK									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Shylin (me)
Secretary to the Council

May 10, 1991
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					LIGHTFOOT					SMITH, JR.				
BRAZIL					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON									
CROPP					RAY									
JARVIS					ROLARK									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date