

# HOUSE BILL 110

I3

8lr1077

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By: **Delegates Ali, Aumann, Gutierrez, Heller, Howard, Kipke, Lafferty, Niemann, Stocksdale, Taylor, F. Turner, and Walkup**  
Introduced and read first time: January 16, 2008  
Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Wireless Telephone Service Billing Change Notification Act**

3 FOR the purpose of requiring a wireless telephone service provider to send a certain  
4 written notice to certain customers within a certain number of days after any  
5 change in the rates, terms, or conditions of the customers' wireless telephone  
6 service; providing that a violation of this Act is an unfair or deceptive trade  
7 practice within the meaning of the Maryland Consumer Protection Act and is  
8 subject to certain enforcement and penalty provisions; defining certain terms;  
9 and generally relating to wireless telephone service.

10 BY repealing and reenacting, with amendments,  
11 Article – Commercial Law  
12 Section 13–301(14)(xxii)  
13 Annotated Code of Maryland  
14 (2005 Replacement Volume and 2007 Supplement)

15 BY adding to  
16 Article – Commercial Law  
17 Section 13–301(14)(xxiv) and 14–1322  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume and 2007 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Commercial Law**

23 13–301.

24 Unfair or deceptive trade practices include any:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 (14) Violation of a provision of:  
2 (xxii) Section 14–1319 or § 14–1320 of this article; [or]

3 (XXIV) **SECTION 14–1322 OF THIS ARTICLE; OR**  
4 **14–1322.**

5 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
6 **MEANINGS INDICATED.**

7 (2) **“WIRELESS TELEPHONE SERVICE” MEANS CELLULAR,**  
8 **BROADBAND PCS, OR OTHER COMMERCIAL MOBILE RADIOTELEPHONE**  
9 **SERVICE.**

10 (3) **“WIRELESS TELEPHONE SERVICE PROVIDER” MEANS A**  
11 **PERSON THAT PROVIDES WIRELESS TELEPHONE SERVICE.**

12 (B) **A WIRELESS TELEPHONE SERVICE PROVIDER SHALL SEND WRITTEN**  
13 **NOTICE TO A RESIDENTIAL CUSTOMER WITHIN 10 DAYS AFTER ANY CHANGE IN**  
14 **THE RATES, TERMS, OR CONDITIONS OF THE CUSTOMER’S WIRELESS**  
15 **TELEPHONE SERVICE.**

16 (C) **NOTICE REQUIRED BY THIS SECTION:**

17 (1) **SHALL INCLUDE A CLEAR AND CONSPICUOUS STATEMENT**  
18 **DETAILING THE CHANGE IN RATES, TERMS, OR CONDITIONS OF THE**  
19 **CUSTOMER’S WIRELESS SERVICE; AND**

20 (2) **SHALL BE SENT:**

21 (I) **BY UNITED STATES MAIL; AND**

22 (II) **SEPARATELY FROM A BILL OR OTHER**  
23 **CORRESPONDENCE.**

24 (D) **A VIOLATION OF THIS SECTION IS:**

25 (1) **AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**  
26 **MEANING OF TITLE 13 OF THIS ARTICLE; AND**

27 (2) **SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**  
28 **CONTAINED IN TITLE 13 OF THIS ARTICLE, EXCEPT § 13–411 OF THIS ARTICLE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    October 1, 2008.