

Telemarketing Do Not Call Law

consumer *brief*

New Jersey's "Do Not Call" law imposes tough restrictions on the telemarketing industry and provides privacy protections to New Jersey residents. The law prohibits telemarketers from making unsolicited sales calls to New Jersey residents who have placed their home and/or cell phone numbers on the national "Do Not Call" registry, administered by the Federal Trade Commission.

Consumers who have already listed their phone numbers on the national registry are covered under New Jersey's law. You do not have to register separately with New Jersey. If you have not listed your number on the national registry and would like to do so, call 1-888-382-1222, or register online at www.donotcall.gov.

WHAT DOES THE NEW JERSEY "DO NOT CALL" LAW DO?

The law:

- Requires telemarketers making calls to New Jersey residents to register with the New Jersey Division of Consumer Affairs.
- Prohibits telemarketers from calling any New Jersey resident who has placed his or her residential or cell phone on the national "Do Not Call" registry. (There are exemptions, including calls from charities, political organizations and pollsters. For detailed information on exemptions, visit our Web site at www.NJConsumerAffairs.gov/telemarketers/.)
- Prohibits telemarketers from calling New Jersey residents between the hours of 9:00 p.m. and 8:00 a.m.
- Bars telemarketers from intentionally blocking caller identification information on the caller identification screen.

- Requires telemarketers and sellers to maintain in-house "Do Not Call" lists pertaining to "existing customers" who have said they do not want to receive calls from telemarketers.

HOW DOES THE LAW WORK?

- Consumers must register to be placed on the "Do Not Call" list.
- Telemarketers cannot call consumers whose numbers have been registered for three months or longer.
- All telemarketers making calls to a New Jersey customer must give the person they are calling their name, the name of the person or company they represent and the purpose of the call within the first 30 seconds of the call.

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- Telemarketers who contact consumers on the “Do Not Call” list may face substantial penalties for violations.
- Telemarketers who call New Jersey residents are required to register annually with the Division of Consumer Affairs.

FILING A COMPLAINT

If you are on the “Do Not Call” list (for at least three months) and are contacted by a telemarketer and want to file a complaint, you should:

- Note the date and time of the call.
- Write down the telephone number exactly as it appears on your Caller ID screen - better yet, take a photograph and send it to us along with your written complaint.

- Listen for the required 30-second disclosures of: the purpose of the call, the name of the telemarketing company, the name of the company selling the product or service and the name of the person making the telephone call. If you do not hear the purpose of the call, we may not be able to act on your complaint.
- If you have received calls from the same company before, list the date and times of the previous calls, whether you asked them to stop calling and their response to your request.
- Let us know if you are, or have ever been, a customer of the company calling previously.

Report any violations to the New Jersey Division of Consumer Affairs in writing or by calling 1-888-656-6225 or you may file a complaint online at www.NJConsumerAffairs.gov/telemarketers/.

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