

1 subscriber's wireless phone number is listed in the reverse phone
2 number search service. If the subscriber finds that his or her
3 wireless phone number is contained in the reverse phone number search
4 service, the subscriber may ~~((opt out of having))~~ request that his or
5 her wireless phone number ~~((included in))~~ be removed from the reverse
6 phone number search service at any time. The provider of the reverse
7 phone number search service must comply with the subscriber's request
8 ~~((to opt out))~~ within a reasonable period of time, not to exceed thirty
9 days.

10 (3) A subscriber shall not be charged for ~~((opting out of having))~~
11 requesting that his or her wireless phone number ~~((listed in))~~ be
12 removed from a directory or reverse phone number search service.

13 **Sec. 2.** RCW 19.250.070 and 2008 c 271 s 9 are each amended to read
14 as follows:

15 This chapter does not apply to the provision of wireless phone
16 numbers, for the purposes indicated, to:

17 (1) Any law enforcement agency, fire protection agency, public
18 health agency, public environmental health agency, city or county
19 emergency services planning agency, or ~~((private for profit))~~
20 corporation operating under contract with, and at the direction of, one
21 or more of these agencies, for the exclusive purpose of ~~((responding to~~
22 ~~a 911 call or communicating an imminent threat to life or property))~~
23 carrying out their official duties. Information or records provided to
24 a ~~((private for profit))~~ corporation pursuant to ~~((subsection (2) of))~~
25 this section must be held in confidence by that corporation and by any
26 individual employed by or associated with that corporation. Such
27 information or records are not open to examination for any purpose not
28 directly connected with the administration of the services specified in
29 this subsection;

30 (2) A lawful process issued under state or federal law;

31 (3) A telecommunications company providing service between service
32 areas for the provision of telephone services to the subscriber between
33 service areas, or to third parties for the limited purpose of providing
34 billing services;

35 (4) A telecommunications company to effectuate a customer's request
36 to transfer the customer's assigned telephone number from the

1 customer's existing provider of telecommunications services to a new
2 provider of telecommunications services;

3 (5) The utilities and transportation commission pursuant to its
4 jurisdiction and control over telecommunications companies;

5 (6) A sales agent to provide the subscriber's wireless phone
6 numbers to the radio communications service company for the limited
7 purpose of billing and customer service;

8 ~~(7) ((A directory provider that has undertaken a reasonable
9 investigation pursuant to RCW 19.250.020 and is unable to determine
10 whether the phone number is a wireless phone number;~~

11 ~~(8))~~ A directory provider that publishes a subscriber's wireless
12 phone number in a directory that is obtained directly from a radio
13 communications service company and that radio communications service
14 company has obtained the required express, opt-in consent for including
15 in any directory the subscriber's wireless phone number as specified in
16 RCW 19.250.010;

17 ~~((9))~~ (8) A person that publishes a subscriber's wireless phone
18 number in a directory where the subscriber pays a fee to have the
19 number published for commercial purposes;

20 ~~((10))~~ (9) A person that publishes a subscriber's wireless phone
21 number that was ported from listed wireline service to wireless service
22 within the previous fifteen months; ~~((and~~

23 ~~(11))~~ (10) A consumer reporting agency as defined in RCW
24 19.182.010 for use as a unique identifier of a consumer in a consumer
25 report as defined in RCW 19.182.010; and

26 (11) A person for uses permitted or authorized under the federal
27 fair credit reporting act (15 U.S.C. Sec. 1681(b)), or for uses
28 permitted or authorized under Title V of the Gramm-Leach-Bliley Act (15
29 U.S.C. Sec. 6801, et seq.).

30 **Sec. 3.** RCW 19.250.050 and 2008 c 271 s 7 are each amended to read
31 as follows:

32 (1) Every knowing violation of RCW 19.250.010 is punishable by a
33 fine of not less than two thousand dollars and no more than fifty
34 thousand dollars for each violation. ~~((Including a wireless phone
35 number in a directory without a subscriber's express, opt-in consent
36 pursuant to RCW 19.250.020))~~ Failure to remove a wireless phone number
37 within a reasonable period of time as required in RCW 19.250.030 is a

1 violation of this chapter and is punishable by a fine of up to fifty
2 thousand dollars ((~~unless the directory provider first conducted a~~
3 ~~reasonable investigation as required in RCW 19.250.020 and was unable~~
4 ~~to determine if the published number was a wireless phone number~~)).

5 (2) The attorney general may bring actions to enforce compliance
6 with this section. For the first violation by any company,
7 organization, or person under this chapter, the attorney general may
8 notify the company, organization, or person with a letter of warning
9 that this chapter has been violated.

10 (3) A telecommunications company or directory provider, or any
11 official or employee of a telecommunications company or directory
12 provider, is not subject to criminal or civil liability for the release
13 of customer information as authorized by this chapter.

14 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each
15 repealed:

16 (1) RCW 19.250.020 (Reasonable investigation required--Consent) and
17 2008 c 271 s 4; and

18 (2) RCW 19.250.060 (Directories maintained before June 12, 2008--
19 Application of section) and 2008 c 271 s 8.

--- END ---