
SENATE BILL 5283

State of Washington

61st Legislature

2009 Regular Session

By Senators Keiser, Holmquist, Eide, Pridemore, Kline, Kauffman, and Kohl-Welles

Read first time 01/19/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to the replacement of nonfunctioning wireless
2 communications devices; and adding a new chapter to Title 19 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) A wireless communications service
5 provider must replace the wireless communications device of any
6 subscriber under contract with the service provider if the subscriber's
7 wireless communications device ceases to function due to a defect,
8 malfunction, or failure of one or more components of the device. The
9 replacement wireless communications device must be as similar as
10 reasonably possible to the nonfunctioning device. As an alternative to
11 device replacement, the service provider must allow the subscriber to
12 cancel the service contract without imposing any termination or penalty
13 fees.

14 (2) The legislature finds that the practices covered by this
15 section are matters vitally affecting the public interest for the
16 purpose of applying the consumer protection act, chapter 19.86 RCW. A
17 violation of this section is not reasonable in relation to the
18 development and preservation of business and is an unfair or deceptive

1 act in trade or commerce and an unfair method of competition for the
2 purpose of applying the consumer protection act, chapter 19.86 RCW.

3 NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new
4 chapter in Title 19 RCW.

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