



The "Do Not Call" Law

Office of Attorney General, Consumer Protection Division
4205 State Street, Bismarck, ND 58503. **Website: www.ag.nd.gov**
Tel: (701) 328-3404; Toll-free (800) 472-2600; TTY: (866) 290-4236

***A**re you fed up with having your evenings interrupted by calls from telemarketers? Now you can do something about it ... You can stop almost all telemarketing calls by registering on the North Dakota "Do Not Call" list.*

Do Not Call North Dakota has adopted the Federal Trade Commission (FTC) National Do Not Call Registry as the state "Do Not Call" list. This means a number needs only to be registered once and it will be included on both the state's and the FTC's "Do Not Call" list.

All (701) area code residential and cellular telephone numbers can be registered. Once registered, a number will remain on the Do Not Call list for five years, unless it is removed by the home owner or cellular telephone customer.

The Do Not Call law does not apply to business telephone numbers. While it is possible to register a business telephone number, it is not a violation of state or federal law to call a business number that has been registered on the list.

How to Register To register by phone, the call must be placed from the phone number to be registered. Register by phone, toll-free: **1-888-382-1222**.

To register online, go to: **www.ag.state.nd.us** or **www.donotcall.gov**.

No matter how a telephone number is registered, it is automatically included on both the state "Do Not Call" list and the national list.

The Law Telemarketers have up to 31 days to comply with the "do not call" registration. If a telemarketer calls a number more than 31 days after it has been registered, the telemarketer is breaking the law.

Even if you do not register on the list, telemarketers cannot:

- Call before 8:00 AM or after 9:00 PM local time.
- Use professional fundraisers to make calls.
- Block your Caller ID service.
- Use an automatic dialing device unless it disconnects within ten seconds after you hang up.
- Use pre-recorded messages or "synthesized" voice messages unless a live operator comes on the line first to get your permission. The operator must tell you what company is calling, what it is promoting and whether it intends to solicit money from you.
- Telemarketers must state at the beginning of the call the caller's name, location and the business.

Exceptions Even after a telephone number is registered on the “Do Not Call” list, some calls are still permitted by law. Calls permitted under North Dakota law are:

- Calls from a person or business that has previously received your written permission to call.
- Calls from a person or business that has established a business relationship with you during the past two years.
- Calls by charitable organizations when the caller is a volunteer or employee of that organization.
- Calls that solicit the expression of ideas, opinions or votes.
- Calls for sales that won’t be completed until a later face-to-face meeting between you and the person making the call.
- Calls by political parties, organizations or candidates.

These callers do not break the law by calling a telephone number that has been registered on the Do Not Call List. However, if these calls are annoying or unwanted, simply inform the caller to put the number on the internal “do not call” list.

Quick Tips The Attorney General’s Consumer Protection Division enforces the “Do Not Call” law. If a telemarketer breaks the law, contact the Consumer Protection Division. The following information is necessary to file a complaint:

- Name and phone number of the telemarketing company.
- Name of the person making the call.
- The date and time of the call.

Telemarketers who violate the law may face prosecution and/or fines. The person receiving the illegal call also can sue in a private legal action any telemarketer who violates the law.

Report Violations Report violations of the Do Not Call law to the Consumer Protection Division by calling toll-free: **1-800-472-2600**.

The Myth Although several “warnings” have circulated via e-mail, at this time no cellular telephone provider is selling to telemarketers a list of its customers. However, under North Dakota law, cellular telephone numbers can be added to the do not call list.

Important Keep a note of the date each phone number was registered on the Do Not Call list:

Number: _____ Date Registered: _____

Number: _____ Date Registered: _____

Number: _____ Date Registered: _____