

MARYLAND

Md. Com Law Code Ann.

§14-1313. Unsolicited Advertising by Fax

(a)(1) In this section the following words have the meanings indicated.

(a)(2) "Facsimile device" means a machine that receives and copies reproductions or facsimiles of documents or photographs that have been transmitted electronically or telephonically over telecommunications lines.

(a)(3)(i) "Commercial solicitation" means the unsolicited electronic or telephonic transmission in the State to a facsimile device to encourage a person to purchase goods, realty, or services.

(a)(3)(ii) "Commercial solicitation" does not include:

(a)(3)(ii)1. An electronic or telephonic transmission made in the course of prior negotiations; or

(a)(3)(ii)2. An electronic or telephonic transmission made in the course of a preexisting business relationship with the person receiving the transmission.

(b) A person may not make intentionally an electronic or telephonic transmission to a facsimile device for the purpose of commercial solicitation.

(c)(1) The Attorney General may initiate a civil action against any person who violates this section to recover for the State a penalty not to exceed \$1,000 for each violation.

(c)(2) For the purposes of this section, each prohibited commercial solicitation is a separate violation.

Created by Chapter 825, §1, Laws of 1989, effective July 1, 1989.