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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

Adopted Amendments: N.J.A.C. 13:45D-1.3, 1.4, 3.2 and 3.10

Telemarketing: Do Not Call

Proposed: December 3, 2007 at 39 N.J.R. 5057(a).

Adopted: April 11, 2008 by Lawrence DeMarzo, Acting Director, New Jersey Division of Consumer Affairs.

Filed: April 29, 2008 as R.2008 d.136, **without change**.

Authority: N.J.S.A. 56:8-4.

Effective Date: June 2, 2008.

Expiration Date: May 17, 2009.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments are not subject to any Federal standards or requirements.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS

13:45D-1.3 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless their context clearly indicates otherwise:

...

"Simultaneous outgoing call capacity" means the number of outgoing telephone calls that a telemarketer has the technological capability to make at the same time, whether or not the telemarketer has the personnel to actually make the calls.

...

13:45D-1.4 Fees; no telemarketing call list

(a) The Division shall charge the following telemarketer registration fees:

1. Simultaneous outgoing call capacity of one to five telemarketing sales calls \$ 150.00;
2. Simultaneous outgoing call capacity of six to 15 telemarketing sales calls \$ 500.00;
3. Simultaneous outgoing call capacity of 16 or more telemarketing sales calls \$ 2,000.

(b) (No change.)

SUBCHAPTER 3. TELEMARKETER REGISTRATION

13:45D-3.2 Application

(a) Each telemarketer shall annually register with the Division by submitting the following, on forms provided by the Director:

1.-5. (No change.)

6. The telemarketer's simultaneous outgoing call capacity;

Recodify existing 6.-8. as 7.-9. (No change in text.)

13:45D-3.10 Recordkeeping requirements

(a) Each registered telemarketer shall maintain the following information:

1.-4. (No change.)

5. All phone records and contracts associated with the telephone lines, channels, or other technology used for telemarketing calls;

6.-11. (No change.)

(b)-(d) (No change.)