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Int. No. 682

By Council Member Dear; also Council Members Lasher, Lopez, Perkins and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of information concerning wireless telephone service.

Be it enacted by the Council as follows:

Section 1. Chapter 5 of Title 20 of the Administrative Code of the City of New York is hereby amended by adding a new subchapter 14 to read as follows.

SUBCHAPTER 14

INFORMATION REGARDING WIRELESS TELEPHONE SERVICE

§ 20-761 **Definitions.** a. “Wireless telephone service” means any service provided for a charge by a carrier to facilitate the transmission of information by a wireless telephone.

(b) “Wireless telephone” means a communication device that transmits radio, satellite or other mobile telephone communication, and includes any cellular (analog or digital) or digital PCS system of any band or frequency.

(c) “Wireless telephone service carrier” means any provider of wireless telephone service.

(d) “Wireless telephone service retail store” means a store that sells or offers for sale to the public wireless telephone service.

§ 20-762 **Wireless telephone service information.** Every wireless telephone service carrier doing business in the city of New York shall include in all advertising for wireless telephone service in the city a notice, and every wireless telephone service retail store shall display prominently and conspicuously in the customer area of the store where goods or services are paid for a sign, containing the following statement: “NOTE: SERVICE MAY NOT BE AVAILABLE AT ALL TIMES AND IN ALL LOCATIONS DUE TO RADIO TRANSMISSION LIMITATIONS CAUSED BY NETWORKING, ATMOSPHERIC AND GEOGRAPHIC CONDITIONS.”

The commissioner shall promulgate rules regarding: (1) the form and placement of the notice hereby required in such advertisements; and (2) the form of the statement and placement of the sign hereby required to be posted in wireless telephone service retail stores.

§ 2. This local law shall take effect ninety days after its enactment.