

SENATE BILL 5336

State of Washington

52nd Legislature

1991 Regular Session

By Senator Thorsness.

Read first time January 29, 1991. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to authorizing the utilities and transportation
2 commission to permit the use of certain telecommunications services
3 with appropriate privacy protection; adding a new section to chapter
4 80.36 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Telephone subscribers have a statutory and constitutional right
8 to privacy in this state;

9 (2) Technological advances have made it possible for
10 telecommunications companies to provide services that allow public
11 display of the caller's name and number, or other identifying
12 information; and

13 (3) It is desirable to make available to citizens of this state
14 such technological features in a manner that permits citizens to
15 exercise their right to privacy, which includes the ability to limit

1 the dissemination of their telephone number to persons of their
2 choosing.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 80.36 RCW
4 to read as follows:

5 (1) Notwithstanding any other provision of law, the commission may
6 authorize a telecommunications company to provide services that
7 automatically display the caller's name and telephone number or other
8 identifying information only if the telecommunications company permits
9 a caller, free of charge, to withhold or "block" the display of such
10 identification of the caller, on an individual call basis, on the
11 telephone or any connected instrument of the individual receiving the
12 call.

13 (2) The commission may, where the privacy interests of the person
14 or entity may not otherwise be reasonably protected and where the
15 public interest is best served, require a telecommunications company to
16 permit a caller to block the display of the caller's identification for
17 all out-going calls made on that line. The commission shall adopt
18 rules setting forth the criteria and procedures for requiring a company
19 to provide this protection.

20 (3) The commission shall direct every telecommunications company to
21 notify its subscribers that their name and telephone number may be
22 disclosed to a called party no later than sixty days before the company
23 commences to offer or participate in the offering of a caller
24 identification service. The notice shall include a clear and complete
25 description of the information that may be disclosed to the called
26 party, as well as information on the availability of call blocking and
27 line blocking.

28 (4) This section shall not apply to (a) any caller identification
29 service that is used within the same limited system, including but not

1 limited to a centrex or private branch exchange (PBX), as the telephone
2 of the called party; (b) a caller identification service that is used
3 on a public agency's emergency telephone line or on the line that
4 receives the primary emergency telephone number (9-1-1 or enhanced 9-1-
5 1); (c) any caller identification service provided in connection with
6 legally permissible call tracing or line-tapping procedures that are
7 otherwise authorized by law; and (d) any caller identification service
8 provided in connection with any "800" or "900" access code, but only
9 until (i) the telecommunications company offering such a service is
10 determined by the commission to have the technical capability to comply
11 with subsections (1) and (2) of this section, or (ii) two years after
12 the effective date of this act, whichever shall occur first.