


Business Compliance Tips for Do Not Call



In 2001, the New York State Do Not Call law became effective. This law was designed to protect consumers from receiving unsolicited telemarketing sales calls. In 2003, the Federal Trade Commission (FTC) and Federal Communications Commission (FCC) created the National Do Not Call (DNC) Registry. This National database allows consumers from around the country to register their landline and cell phone numbers in one central database to restrict calls from telemarketers. Approximately nine million New York State phone numbers are part of the DNC Registry. Telephone numbers registered with the DNC Registry are valid, without expiration, unless removed by the consumer.

DNC laws prohibit companies from calling any telephone number appearing on the Registry for 31 days. Violators can be fined up to \$11,000 per incident by the New York State Consumer Protection Board, as well as by the FTC and FCC. You may read the State and federal DNC law and rules online at NYSConsumer.gov.

Note that companies and telemarketers can register and gain access to the DNC Registry by visiting DoNotCall.gov. Companies can either:

- Purchase the entire U.S. database for \$17,050, or
- Gain access to the first five area codes for free, with additional area codes available for purchase at \$62.

Companies are responsible for updating their Registry or call lists every 31 days and identifying and registering their clients with a Subscription Account Number. The FTC assures list accuracy by periodically checking telephone numbers and removing those that are invalid, disconnected or reassigned. DNC compliance is the responsibility of the principal company for whom the telemarketers may be acting on behalf.

Convenient Reference

- DO NOT call phone numbers listed on the national Do Not Call (DNC) Registry
- DO NOT rely on a vendor to protect your business
- DO NOT use the national DNC Registry for any purpose other than preventing telemarketing calls
- DO NOT call an existing customer after they have advised you that they DO NOT want to be called
- DO register your business with the national DNC Registry at donotcall.gov
- DO update call lists against the national DNC Registry at least every 31 days
- DO implement and maintain records of DNC policies and procedures
- DO train staff on a regular basis and keep a record of such trainings
- DO respond timely to any enforcement notice
- DO implement and document existing customer DNC lists

