



# FACT SHEET

## New Jersey's "Do Not Call" Law

Jon S. Corzine  
*Governor*

Stuart Rabner  
*Attorney General*

Stephen B. Nolan  
*Acting Director*

Our homes are where many of us seek sanctuary. For too long, however, the peace and sanctity of our homes were disrupted by pesky, and sometimes impertinent telemarketers who, in an attempt to sell us something, would call at all hours of the day and who just wouldn't take "no" for an answer.

Now consumers have options and New Jersey is committed to maximizing consumers' rights and protections by enforcing its own "Do Not Call" Law.

### What does the New Jersey "Do Not Call" Law do?

The New Jersey "Do Not Call" law puts in place provisions that increase New Jersey consumers' protection from unsolicited and unwanted telemarketing sales calls. New Jersey's "Do Not Call" law is separate from the federal law and is the strongest among other state "No Call" laws. It allows the New Jersey Division of Consumer Affairs to keep tabs on the activities of telemarketers operating in the State and arms the Division with strong enforcement powers. The law does a number of things, including:



Prohibits telemarketers from making sales calls to New Jersey residents who have placed their residential and/or mobile phone numbers on the national "Do Not Call" registry.



Bars telemarketers who haven't registered with Consumer Affairs from calling any New Jersey resident.



Prohibits telemarketers from calling New Jersey residents between the hours of 9 p.m. and 8 a.m.



Bars telemarketers from intentionally blocking consumers' use of caller identification.



Requires telemarketers or sellers that carry out "any plan, program or campaign" to sell merchandise to consumers in New Jersey to register with Consumer Affairs annually and disclose certain information about their business operations and principals.



Imposes stiff penalties against violators of up to \$10,000 for the first offense and up to \$20,000 for each subsequent offense.



Covers most telemarketing calls regardless of where the telemarketer is calling from.



Requires telemarketers and sellers to maintain in-house "Do Not Call" lists pertaining to "existing customers" who have said they do not want to receive sales calls from the telemarketers.



Requires telemarketers at the beginning of every sales call to disclose the name of person making the call as well as the name of the telemarketing company, the name of person or company the telemarketer is calling on behalf of and the purpose of the call.

## How do I sign up for the New Jersey “Do Not Call” list?

The law allows Consumer Affairs to utilize the New Jersey telephone numbers on the federal “Do Not Call” registry to establish a State-specific no telemarketing call list. That means anyone who has signed up for the federal registry is automatically placed on the State’s list and covered under the law. You are not required to register again with New Jersey.

Individuals who haven’t signed up for the national registry and who want to stop telemarketing calls, may register their home and/or mobile phone numbers by calling the Federal Trade Commission at 1-888-382-1222 or by logging onto <http://www.donotcall.gov>. To register by phone, you must call from the telephone number you want to register. To register online, you will need an active e-mail address. If you have more than one telephone number, be sure to register each one or you may still get calls on the number that’s not registered. The phone number will remain on the registry for five years from the date you register (unless you take the number off the list or the phone is disconnected.) Registration is free. Remember, telemarketers will have up to three months from the date you register to stop calling you.

## How do I file a complaint?

If you have registered your telephone number on the federal registry for at least three months and are still receiving telemarketing calls, you may contact Consumer Affairs at 888-NJNOCALL(888-656-6225) or log onto <http://www.njconsumeraffairs.com> for a complaint form. You may either file your complaint online or fill out the complaint form, sign it and return it to:

**Division of Consumer Affairs  
P.O. Box 45025  
Newark, New Jersey 07101**

Complaints should include the date of the call, the name of the telemarketer, the name of the seller, the telemarketer’s address and/or the telemarketer’s telephone number, if available. Consumer Affairs will investigate and, where appropriate, prosecute the violator.

## Who can call me?

New Jersey’s “Do Not Call” law will stop most, but not all, telemarketing calls.

You may still receive calls from individuals if:



they’re calling on behalf of charities, political organizations or pollsters (Please note: You may ask third-party professional fund-raisers who call on behalf of charities to stop calling you and to tell the charity to put you on the charity-specific “no-call” list. The fund-raiser must honor your request);



you’ve given the company written permission to call you;



you’re an “existing customer” (someone who bought merchandise on credit or has a written contractual obligation with a seller); or



you’re an “established customer” for whom a seller has previously provided continuing services where the relationship has not been terminated and the telemarketer’s call is limited to the service that is being provided. (However, the telemarketer can’t “up-sell” or try to offer a new or enhanced service to the customer).