

110TH CONGRESS
1ST SESSION

S. 2171

To amend the Communications Act of 1934 to establish a uniform set of customer service and consumer protection requirements for providers of wireless telecommunications services.

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2007

Mr. PRYOR introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Communications Act of 1934 to establish a uniform set of customer service and consumer protection requirements for providers of wireless telecommunications services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Uniform Wireless Con-
5 sumer Protection Act”.

6 **SEC. 2. MOBILE SERVICES TERMS AND CONDITIONS.**

7 (a) IN GENERAL.—Subparagraph (A) of section
8 332(c)(3) (47 U.S.C. 332(c)(3)) is amended—

1 (1) by striking the first sentence and inserting
2 “(i) Notwithstanding sections 2(b) and 221(b) or
3 any other provision of law, a State or local govern-
4 ment shall not regulate or adjudicate—

5 “(I) the entry of, or the rates charged by,
6 any provider of commercial mobile service or
7 private mobile service for any such mobile serv-
8 ice or any other service that is primarily in-
9 tended for receipt on or use with a wireless de-
10 vice that is utilized by a customer of such mo-
11 bile service in connection with such mobile serv-
12 ice; or

13 “(II) any terms and conditions of such mo-
14 bile service or any other such service, except
15 pursuant to a law or regulation generally appli-
16 cable to businesses in the State other than a
17 law or regulation that regulates or has the ef-
18 fect of regulating the entry or rates for any
19 such service.”;

20 (2) by inserting after the first sentence, as so
21 amended the following:

22 “(ii) Nothing in this section shall affect the au-
23 thority of the Commission under this Act to adopt
24 consumer protection requirements applicable to pro-

1 viders of commercial mobile service or private mobile
2 services.”;

3 (3) by indenting the sentence beginning “Noth-
4 ing in this subparagraph” 4 ems from the left mar-
5 gin and inserting “(iii)” before “Nothing”; and

6 (4) by redesignating clauses (i) and (ii) in the
7 third sentence as subclauses (I) and (II), respec-
8 tively, and indenting them 6 ems from the left mar-
9 gin.

10 (b) RULEMAKING.—Within 1 year after the date of
11 enactment of this Act, the Federal Communications Com-
12 mission shall adopt a final rule establishing customer serv-
13 ice and consumer protection requirements for providers of
14 commercial mobile service or private mobile service (as
15 such terms are defined in section 332(d)(1) and (3), re-
16 spectively, of the Communications Act of 1934 (47 U.S.C.
17 332(d)(1) and (3))).

18 (c) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall take effect 180 days after the date
20 on which the Commission adopts the final rule described
21 in subsection (b).

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