AN EXPEDITED ACT to:
(1) prohibit certain merchants from engaging in unfair trade practices with respect to the provision of internet access; and
(2) generally amend the consumer protection law with respect to the provision of internet access.

By adding
Montgomery County Code
Chapter 11, Consumer Protection
Section 11-4A

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Chapter 11 is amended by adding Section 11-4A as follows:

11-4A. Unfair trade practices- Internet Access Service.

(a) A merchant must not engage in any unfair trade practices practice in the provision of internet access service using any facility in its control that is located in a County right-of-way.

(b) An unfair trade practice includes the refusal or failure of a merchant to:

(1) provide any internet access service for which a consumer has paid;

(2) properly install any facility required to provide internet access service to a consumer; or

(3) promptly and effectively respond to a consumer complaint concerning internet access service.

(c) Internet access service means the provision of internet access to a consumer over any facility controlled by a merchant that is located in a County right-of-way.

(d) The County Executive must issue regulations under Method (2) that establish minimum internet access service standards that a merchant must comply with.

(e) The Department of Technology Services may receive and investigate complaints of violations of this Section. The Cable Compliance Commission may adjudicate violations of this Section, as provided in Section 8A-31.
(2) The Department may also refer any complaint received under this Section to the Office of Consumer Protection for investigation and enforcement. To enforce any complaint referred to it under this Section, the Office of Consumer Protection may pursue any remedy for violations of this Chapter.

Sec. 2. Expedited Effective Date. The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date when it becomes law.

Approved:

[Signature]

George L. Leventhal, President, County Council
Date

Approved:

[Signature]

Douglas M. Duncan, County Executive
Date

This is a correct copy of Council action.

[Signature]

Linda M. Lauer, Clerk of the Council
Date