

By Mrs. Poirier of North Attleborough, petition of Elizabeth Poirier and other members of the General Court for legislation to prohibit businesses from misrepresenting the geographic location of such business. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT PROHIBITING INTENTIONAL MISREPRESENTATION BY A BUSINESS OF ITS LOCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 93 of the General Laws is hereby amended by adding
2 the following section:—

3 Section 114. (a) It is hereby declared to be an unfair and decep-
4 tive act or practice in violation of chapter 93A for any provider or
5 vendor of a product or service to misrepresent the geographic
6 location of its business by doing either of the following:

7 (1) listing a local telephone number in a local telephone direc-
8 tory listing or advertisement if each of the following is satisfied:

9 (i) calls to the telephone number are routinely forwarded or
10 otherwise transferred to a provider's or vendor's business location
11 that is outside the calling area covered by the local telephone
12 directory.

13 (ii) the listing does not identify the true physical address,
14 including the city and state, of the provider's or vendor's busi-
15 ness.

16 (2) listing a fictitious business name or an assumed business
17 name in a local telephone directory listing or advertisement if
18 each of the following is satisfied:

19 (i) the name misrepresents the provider's or vendor's geo-
20 graphic location.

21 (ii) the listing does not identify the true physical address,
22 including the city and state, of the provider's or vendors business.

23 (b) for purposes of this section the following terms shall have
24 the following meanings:

25 “Local telephone directory”, a telephone classified advertising
26 directory or the business section of a telephone directory that is
27 distributed free of charge to some or all telephone subscribers in a
28 local area directory.

29 “Local telephone number”, a telephone number that has a three-
30 number prefix used by a telephone service company for tele-
31 phones physically located within the area covered by the local
32 telephone directory in which the number is listed. The term shall
33 not include long distance numbers or 800- or 900- exchange
34 numbers listed in a local telephone directory.