

## **PROPOSED CHANGES TO CHAPTER 19 OF THE PHOENIX CITY CODE**

### Amendment Proposal

#### **Amend Chapter 19, Section 19-3.01 (Exemptions) to the Phoenix City Code to add:**

(D) A manufacturer of any personal wireless communication device or provider of commercial mobile service, as defined in 47 U.S.C. § 332(d), that offers in-store credit only for the return of a device or any authorized agents that are legally permitted to access customer account information and have a contractual relationship with the manufacturer or provider to sell their authorized products and services and implement the same return policy.

#### **Concurrently amend Chapter 19, Section 19-1 (Definitions) to the Phoenix City Code to add:**

(32) Wireless communication device means any device through which personal wireless services, as defined in 47 U.S.C. § 332(c)(7)(C)(i), are transmitted.

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47 U.S.C. § 332(c)(7)(C)(i) defines personal wireless service as commercial mobile services, unlicensed wireless services and common carrier wireless exchange services.

47 U.S.C. § 332(d) defines commercial mobile service as any mobile service (as defined in Section 153 of this title) that is provided for profit and makes interconnected service available (a) to the public or (b) to such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Federal Communications Commission.