



City of Chicago



SO2014-2378

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/2/2014

Sponsor(s): O'Connor (40)
Burke (14)
Lane (18)
Cochran (20)

Type: Ordinance

Title: Amendment of Municipal Code Chapter 8-4 by adding new
Section 052 concerning unlocking of wireless
communication devices

Committee(s) Assignment: Committee on Public Safety

SUBSTITUTE
ORDINANCE

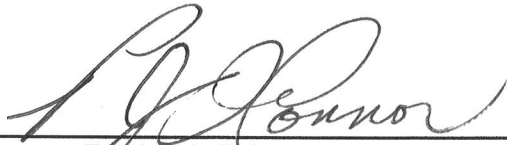
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 8-4 of the Municipal Code of Chicago is hereby amended by adding a new section 8-4-052, underscored as follows:

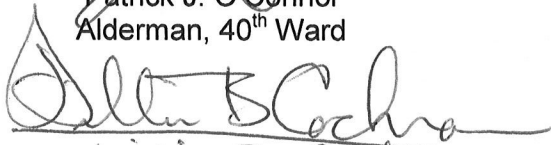
8-4-052 Unlocking wireless communication devices.

- a) For the purposes of this section:
1. The term "unlock" shall mean any process by which the software or hardware of a wireless communication device is modified so as to permit the device's use with a service provider other than the service provider initially associated with the device.
 2. The term "wireless communication device" shall mean any device through which personal wireless services, as defined in 47 U.S.C. 332(c)(7)(C)(i), are transmitted.
- b) Any person who unlocks, or attempts to unlock, a wireless communication device in the city in exchange for a fee or other compensation must:
1. Require the requesting party to provide a driver's license or other government-issued identification showing the party's name, date of birth, and address.
 2. Record the Mobile Equipment Identifier (MEID), International Mobile Station Equipment Identity (IMEI) or Electronic Serial Number (ESN) of the wireless communication device.
 3. Provide, every day, before the hour of twelve noon, the information required in Subsections (b)(1) and (b)(2) to the superintendent of police, along with the name and address of the person offering the unlocking service, by submitting a LeadsOnline electronic reporting form.
 4. Comply with applicable restrictions or prohibitions on unlocking wireless communication devices set forth in federal statutes and regulations, including 17 U.S.C. 1201(a)(1) and 17 U.S.C. 1202(b)(1), as interpreted by the Library of Congress Copyright Office and published in the Federal Register.
- c) It shall be a violation of this section to fail to comply with subsection (b). This section shall be enforceable by the department of police and the department of business affairs and consumer protection. Any person who violates this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense.
- d) This section shall not apply to any provider of commercial mobile service, as defined in 47 U.S.C. 332(d), that unlocks a wireless communication device in the city.

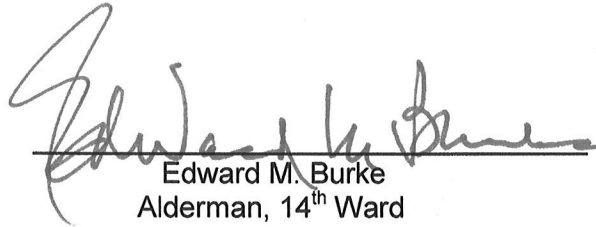
SECTION 2. This ordinance shall be in full force and effect ten days following its passage and publication.



Patrick J. O'Connor
Alderman, 40th Ward



Willie B. Cochran
Alderman 20th Ward



Edward M. Burke
Alderman, 14th Ward



LONA LANE
ALDERMAN, 18th Ward



CITY COUNCIL
CITY OF CHICAGO
COUNCIL CHAMBER

THIRD FLOOR, CITY HALL
121 NORTH LASALLE STREET
SUITE 300, OFFICE 28
CHICAGO, ILLINOIS 60602
TELEPHONE: 312-744-6663

JAMES A. BALCER

ALDERMAN, 11TH WARD
3659 S. HALSTED ST. 60609
TELEPHONE: (773) 254-6677
FAX: (773) 254-8776

JAMES.BALCER@CITYOFCHICAGO.ORG

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April 30, 2014

To the President and Members of the City Council:

Your Committee on Public Safety begs leave to report and recommend that Your Honorable Body pass the proposed substitute ordinance transmitted herewith (referred on April 4, 2014) to amend the Municipal Code Chapter 8-4 by adding a new Section 8-4-052 concerning unlocking wireless communication devices.

This recommendation was concurred unanimously by a viva voce vote of the members of the Committee with no dissenting vote.

(Wards 14, 40, & 20)

Respectfully submitted,

James A. Balcer

Chairman

Committee on Public Safety