

325M.01 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in sections 325M.01 to 325M.09 have the meanings given them in this section.

Subd. 2. **Consumer.** "Consumer" means a person who agrees to pay a fee to an Internet service provider for access to the Internet for personal, family, or household purposes, and who does not resell access.

Subd. 3. **Internet service provider.** "Internet service provider" means a business or person who provides consumers authenticated access to, or presence on, the Internet by means of a switched or dedicated telecommunications channel upon which the provider provides transit routing of Internet Protocol (IP) packets for and on behalf of the consumer. Internet service provider does not include the offering, on a common carrier basis, of telecommunications facilities or of telecommunications by means of these facilities.

Subd. 4. **Ordinary course of business.** "Ordinary course of business" means debt-collection activities, order fulfillment, request processing, or the transfer of ownership.

Subd. 5. **Personally identifiable information.** "Personally identifiable information" means information that identifies:

- (1) a consumer by physical or electronic address or telephone number;
- (2) a consumer as having requested or obtained specific materials or services from an Internet service provider;
- (3) Internet or online sites visited by a consumer; or
- (4) any of the contents of a consumer's data-storage devices.

History: 2002 c 395 art 1 s 1

NOTE: This section expires on the effective date of federal legislation that preempts state regulation of the release of personally identifiable information by Internet service providers. Laws 2002, chapter 395, article 1, section 11.