

SUBTITLE FOR A PERSON ~~NOT ACTING UNDER COLOR OF LAW~~ TO INTERCEPT A WIRE OR ORAL COMMUNICATION WHERE THE PERSON IS A PARTY TO THE COMMUNICATION AND WHERE ALL OF THE PARTIES TO THE COMMUNICATION HAVE GIVEN PRIOR CONSENT TO THE INTERCEPTION UNLESS THE COMMUNICATION IS INTERCEPTED FOR THE PURPOSE OF COMMITTING ANY CRIMINAL OR TORTIOUS ACT IN VIOLATION OF THE CONSTITUTION OR LAWS OF THE UNITED STATES OR OF THIS STATE OR FOR THE PURPOSE OF COMMITTING ANY OTHER INJURIOUS ACT.

(4) IT IS LAWFUL UNDER THIS SUBTITLE FOR AN OFFICER, EMPLOYEE, OR AGENT OF A GOVERNMENTAL EMERGENCY COMMUNICATIONS CENTER TO INTERCEPT A WIRE OR ORAL COMMUNICATION WHERE THE OFFICER, AGENT OR EMPLOYEE IS A PARTY TO A CONVERSATION CONCERNING AN EMERGENCY.

10-403.

(A) EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THIS SUBTITLE, ANY PERSON WHO MANUFACTURES, ASSEMBLES, POSSESSES, OR SELLS ANY ELECTRONIC, MECHANICAL, OR OTHER DEVICE, KNOWING OR HAVING REASON TO KNOW THAT THE DESIGN OF THE DEVICE RENDERS IT PRIMARILY USEFUL FOR THE PURPOSE OF THE SURREPTITIOUS INTERCEPTION OF WIRE OR ORAL COMMUNICATIONS, IS GUILTY OF A FELONY AND IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR A FINE OF NOT MORE THAN \$10,000, OR BOTH.

(B) IT IS ~~NOT UNLAWFUL~~ LAWFUL UNDER THIS SECTION FOR:

(1) A COMMUNICATIONS COMMON CARRIER OR AN OFFICER, AGENT, OR EMPLOYEE OF, OR A PERSON UNDER CONTRACT WITH, A COMMUNICATIONS COMMON CARRIER, IN THE NORMAL COURSE OF THE COMMUNICATIONS COMMON CARRIER'S BUSINESS, OR TO MANUFACTURE, ASSEMBLE, POSSESS, OR SELL ANY ELECTRONIC, MECHANICAL, OR OTHER DEVICE KNOWING OR HAVING REASON TO KNOW THAT THE DESIGN OF THE DEVICE RENDERS IT PRIMARILY USEFUL FOR THE PURPOSE OF THE SURREPTITIOUS INTERCEPTION OF WIRE OR ORAL COMMUNICATIONS.

(2) A PERSON UNDER CONTRACT WITH THE UNITED STATES, A STATE, A POLITICAL SUBDIVISION OF A STATE, OR THE DISTRICT OF COLUMBIA, IN THE NORMAL COURSE OF THE ACTIVITIES OF THE UNITED STATES, A STATE, A POLITICAL SUBDIVISION THEREOF, OR THE DISTRICT OF COLUMBIA, TO MANUFACTURE, ASSEMBLE, POSSESS, OR SELL ANY ELECTRONIC, MECHANICAL, OR OTHER DEVICE KNOWING OR HAVING REASON TO KNOW THAT THE DESIGN OF THE DEVICE RENDERS IT PRIMARILY USEFUL FOR THE PURPOSE OF THE SURREPTITIOUS INTERCEPTION OF WIRE OR ORAL COMMUNICATIONS.

(3) AN OFFICER, AGENT, OR EMPLOYEE OF THE UNITED STATES IN THE NORMAL COURSE OF HIS LAWFUL ACTIVITIES TO MANUFACTURE, ASSEMBLE, POSSESS OR SELL ANY ELECTRONIC, MECHANICAL, OR OTHER DEVICE KNOWING OR HAVING REASON TO KNOW THAT THE DESIGN OF THE DEVICE RENDERS IT