

## 4. By any marine or aeronautical communications system;

(iii) To intercept any wire or electronic communication the transmission of which is causing harmful interference to any lawfully operating station or consumer electronic equipment, to the extent necessary to identify the source of the interference; or

(iv) For other users of the same frequency to intercept any radio communication made through a system that utilizes frequencies monitored by individuals engaged in the provision or the use of the system, if the communication is not scrambled or encrypted.

## (8) It is lawful under this subtitle:

(i) To use a pen register or trap and trace device as defined under § 10-4B-01 of this title; or

(ii) For a provider of electronic communication service to record the fact that a wire or electronic communication was initiated or completed in order to protect the provider, another provider furnishing service toward the completion of the wire or electronic communication, or a user of that service, from fraudulent, unlawful, or abusive use of the service.

(9) It is lawful under this subtitle for a person to intercept a wire or electronic communication in the course of a law enforcement investigation of possible telephone solicitation theft if:

(i) The person is an investigative or law enforcement officer or is acting under the direction of an investigative or law enforcement officer; and

(ii) The person is a party to the communication and participates in the communication through the use of a telephone instrument.

(10) IT IS LAWFUL UNDER THIS SUBTITLE FOR A PERSON TO INTERCEPT A WIRE, ORAL, OR ELECTRONIC COMMUNICATION IN THE COURSE OF A LAW ENFORCEMENT INVESTIGATION IN ORDER TO PROVIDE EVIDENCE OF THE COMMISSION OF VEHICLE THEFT IF:

(I) THE PERSON IS AN INVESTIGATIVE OR LAW ENFORCEMENT OFFICER OR IS ACTING UNDER THE DIRECTION OF AN INVESTIGATIVE OR LAW ENFORCEMENT OFFICER; AND

(II) THE DEVICE THROUGH WHICH THE INTERCEPTION IS MADE HAS BEEN PLACED WITHIN A VEHICLE BY OR AT THE DIRECTION OF LAW ENFORCEMENT PERSONNEL UNDER CIRCUMSTANCES IN WHICH IT IS THOUGHT THAT VEHICLE THEFT MAY OCCUR.

(d) (1) Except as provided in paragraph (2) of this subsection, a person or entity providing an electronic communication service to the public may not intentionally divulge the contents of any communication (other than one to the person or entity providing the service, or an agent of the person or entity) while in