

(3) A REASONABLE ATTORNEY'S FEE AND OTHER LITIGATION COSTS REASONABLY INCURRED.

(C) THE COURT MAY ASSESS AS DAMAGES IN A CIVIL ACTION UNDER THIS SECTION THE SUM OF THE ACTUAL DAMAGES SUFFERED BY THE PLAINTIFF AND ANY PROFITS MADE BY THE VIOLATOR AS A RESULT OF THE VIOLATION, BUT IN NO CASE SHALL A PERSON ENTITLED TO RECOVER RECEIVE LESS THAN \$1,000.

(D) A GOOD FAITH RELIANCE ON ANY OF THE FOLLOWING IS A COMPLETE DEFENSE TO ANY CIVIL OR CRIMINAL ACTION BROUGHT UNDER THIS SUBTITLE OR ANY OTHER STATE LAW:

(1) A COURT WARRANT OR ORDER, A GRAND JURY SUBPOENA, A LEGISLATIVE AUTHORIZATION, OR A STATUTORY AUTHORIZATION; OR

(2) A GOOD FAITH DETERMINATION THAT SECTION 10-402(D) OF THIS TITLE PERMITTED THE CONDUCT THAT IS THE SUBJECT OF THE ACTION.

(E) A CIVIL ACTION UNDER THIS SECTION SHALL BE FILED WITHIN 2 YEARS AFTER THE DAY ON WHICH THE CLAIMANT FIRST DISCOVERED OR HAD A REASONABLE OPPORTUNITY TO DISCOVER THE VIOLATION.

~~10-4A-09-~~

~~THE REMEDIES AND SANCTIONS DESCRIBED IN THIS SUBTITLE ARE THE ONLY JUDICIAL REMEDIES AND SANCTIONS FOR NONCONSTITUTIONAL VIOLATIONS OF THIS SUBTITLE.~~

SUBTITLE 4B. PEN REGISTERS AND TRAP AND TRACE DEVICES

10-4B-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "WIRE COMMUNICATION" "ELECTRONIC COMMUNICATION", AND "ELECTRONIC COMMUNICATION SERVICE" HAVE THE MEANINGS STATED IN § 10-401 OF THIS TITLE.

(C) "COURT OF COMPETENT JURISDICTION" MEANS A CIRCUIT COURT.

(D) (1) "PEN REGISTER" MEANS A DEVICE THAT RECORDS AND DECODES ELECTRONIC OR OTHER IMPULSES THAT IDENTIFY THE NUMBERS DIALED OR OTHERWISE TRANSMITTED ON THE TELEPHONE LINE TO WHICH THE DEVICE IS ATTACHED.

(2) "PEN REGISTER" DOES NOT INCLUDE ANY DEVICE USED BY A PROVIDER OR CUSTOMER OF A WIRE OR ELECTRONIC COMMUNICATION SERVICE FOR BILLING, OR RECORDING AS AN INCIDENT TO BILLING, FOR COMMUNICATIONS SERVICES PROVIDED BY THE PROVIDER OR ANY DEVICE