

STATE TELEMARKETING LAWS

Maryland

Telemarketing and Robocall Laws

Statutes, rules, and how they differ from the TCPA



By Adam Young and Harrison Gevirtz

<https://tcpa.com/state-telemarketing-laws/maryland/>

01. Stop the Spam Calls Act

MD. COM. LAW §§ 14-4501 TO 14-4503

Prior express written consent for automated or recorded solicitations, caller ID rules, calling hours and a call cap, with a private action since 2024.

02. Maryland TCPA (MTCPA)

MD. COM. LAW §§ 14-3201, 14-3202

Incorporates the TCPA, FCC rules and the TSR into state law: \$500 per violation or actual damages, plus reasonable attorney fees.

AT A GLANCE

Maryland at a glance

WHY MARYLAND MATTERS

Maryland makes every TCPA, FCC rule and TSR violation a state violation worth \$500 plus attorney fees, and adds its own mini-TCPA: an 8 p.m. cutoff, a three-call daily cap and consent for automated systems.



Who and what is covered

Subtitle 45 borrows Pub. Util. § 8-205: "an organized activity, program, or campaign" to call Maryland residents to sell, offer a prize, poll, or gather survey data used to solicit.

Texts and voicemail

The consent definition expressly covers solicitations "by telephone call, text message, or voicemail." Calls to any number are covered.

Aa. **Managers**

Managing, directing or supervising callers is itself telephone solicitation.

Bb. **Exempt**

Seven exemptions, but they excuse only the consent rule, not hours or caps.

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Cc. **Area codes**

Calls to Maryland area codes are presumed made to Maryland residents.





Consent for automated calls

Without prior express written consent, no telephone solicitation may use "an automated system for the selection or dialing of telephone numbers" or play a recorded message (§ 14-4502(a)(3)).

Signed and specific

Names the number and the technology, and says consent is not a condition of purchase. E-signatures count.

No general EBR

Only a single reply to an inquiry, or an informational call the customer turns into a sale, is exempt.

01. Federal rules, state remedy

MD. COM. LAW § 14-3201

National registry scrubbing and internal do-not-call procedures under 47 C.F.R. § 64.1200 are enforceable in Maryland at \$500 plus fees.

02. One call can be enough

MD. COM. LAW § 14-3202

On its face the MTCPA has no counterpart to the federal rule requiring more than one call in 12 months for do-not-call suits.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

Maryland has no state do-not-call list, and the Attorney General points residents to the National Do Not Call Registry. Federal registry and internal list rules become state law through the MTCPA.



Calling hours and call caps

Section 14-4502(c) applies to live and automated solicitations alike, with or without consent. It has no exemption carve-out.

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Calls per 24 hours

Maximum to the same called party on the same subject, regardless of the numbers used.



8 a.m. to 8 p.m.

In the called party's time zone. A consented call at 8:15 p.m. still violates the rule.



No voice disguise

No intentional voice alteration to conceal identity and defraud or obtain personal data.

Robocalls and caller ID

Pub. Util. § 8-204 bars automated dialing with a prerecorded message to sell, offer prizes, poll or gather sales survey data, absent consent or a preexisting business relationship.

Criminal fines

Violations of §§ 8-204 and 8-205 are misdemeanors: up to \$1,000 for a first offense and \$5,000 for each later offense.

Aa. **Transmit**

Send the originating number and, when available, the caller name.

Bb. **No blocking**

No device or method to block or control number transmission.

Cc. **No spoofing**

No different number displayed to conceal the caller's identity.

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Telephone sales contracts

Maryland requires no telemarketer registration or bond. Under the MTSA, a contract from a merchant-initiated telephone sale is not enforceable unless reduced to a writing signed by the consumer.

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Point type notice

"You are not obligated to pay any money unless you sign this contract and return it to the seller."



Match the pitch

Same description as the call, the seller's contact details, total price, and no exclusion of representations.



No charge first

No charge to the credit account until the merchant receives the signed contract.

Lawsuits and penalties

\$500

MTCPA: \$500 per violation
or actual damages, plus
fees. Each prohibited
practice counts separately.

Treble

Spam Calls Act: up to \$500
or actual damages, up to
triple if willful or knowing.
No waivers.

\$25,000

Consumer Protection Act
fine per repeat violation;
\$10,000 for a first violation.



Maryland vs. the TCPA

Maryland is stricter on hours, call caps and consent for automated systems, even for consented calls. The MTCPA adds fees, single-call standing and per-practice counts to federal violations. Subtitle 45 damages are "up to \$500" rather than fixed.

Maryland

Calls 8 a.m. to 8 p.m., three a day per subject, no Duguid limit, \$500 plus attorney fees.

Federal TCPA

Calls 8 a.m. to 9 p.m., no cap, number-generator test, \$500 per violation, no fee shifting.

Key court rulings

Maryland courts have read the MTSA broadly and the MTCPA within federal limits. No reported decision construing the Stop the Spam Calls Act was located.

Prerecorded rules

Under Worsham, the MTCPA cannot enforce the § 227(d) technical standards for prerecorded messages.

Aa. **Md. 2024**

Smart Energy: the MTSA covers calls a consumer makes in reply to a mailer.

Bb. **Md. 2008**

Worsham v. Ehrlich: states may not create a § 227(d) private action.

2024

Cc. **D. Md. 2023**

Drake: MTCPA claims need the same elements as the TCPA claim.



Key dates



2008

Worsham

No state private action for § 227(d) message standards.



2023

SB 90, HB 37

Stop the Spam Calls Act enacted; in effect January 1, 2024.



2024

HB 1228

Effective April 25, 2024: private action, polling exemption, anti-waiver.



2026

Hoover

4th Cir. affirms dismissal of the SmartEnergy challenge to the PSC order.

01. Calls and consent

MD. COM. LAW § 14-4502

- Get signed written consent for automated or recorded calls.
- No solicitations 8 p.m. to 8 a.m., even with consent.
- Cap at three per 24 hours per subject, all channels.
- Send true caller ID; never block, spoof or alter voices.

02. Federal rules and sales

MD. COM. LAW §§ 14-2203, 14-3201

- Comply with the TCPA, FCC rules and TSR in full.
- Signed contract before charging; mailer calls count.
- Do not rely on waivers of Subtitle 45 rights.

CHECKLIST

Compliance checklist

PLEASE NOTE

This checklist summarizes state law for general information and is not legal advice. Statutes change; confirm current text with the official source.



Sources behind this deck (1 of 2)

MARYLAND LAW

[Md. Com. Law § 14-4501](#) definitions

[Md. Com. Law § 14-4502](#) consent, caller ID, hours

[Md. Com. Law § 14-4503](#) remedies

[Md. Com. Law § 14-3201](#) MTCPA

[Md. Com. Law § 14-3202](#) MTCPA remedies

[Md. Com. Law §§ 14-2201 to 14-2205](#) MTSA

[Md. Com. Law § 13-301](#) unfair practices

[Md. Com. Law § 13-408](#) private action

[Md. Com. Law § 13-410](#) civil penalties

[Md. Com. Law § 13-411](#) criminal penalties

MARYLAND LAW (CONTINUED)

[Md. Pub. Util. § 8-204](#) prerecorded calls

[Md. Pub. Util. § 8-205](#) caller ID blocking

[2023 Md. Laws Ch. 413 \(S.B. 90\)](#)

[2023 Md. Laws Ch. 414 \(H.B. 37\)](#)

[2024 Md. Laws Ch. 214 \(H.B. 1228\)](#)

[Maryland AG: How to Stop Telemarketing Calls and Junk Mail](#)

Read the full Maryland guide: <https://tcpa.com/state-telemarketing-laws/maryland/>

Sources continued (2 of 2)

COURT DECISIONS

[In re Smart Energy Holdings, LLC](#), No. 1, Sept. Term 2023 (Md. 2024)

[Worsham v. Ehrlich](#), No. 1442, Sept. Term 2007 (Md. Ct. Spec. App. 2008)

[Worsham v. Accounts Receivable Mgmt.](#), No. 11-2390 (4th Cir. 2012)

[Drake v. Synchrony Bank](#), No. 1:19-cv-02134 (D. Md. 2023)

[SmartEnergy Holdings, LLC v. Hoover](#), No. 25-1936 (4th Cir. 2026)

FEDERAL LAW

[47 U.S.C. § 227](#) Telephone Consumer Protection Act

[47 C.F.R. § 64.1200](#) FCC telemarketing and robocall rules

[16 C.F.R. § 310.4](#) TSR abusive practices

Read the full Maryland guide: <https://tcpa.com/state-telemarketing-laws/maryland/>

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Full text: <https://tcpa.com/disclaimer/> and <https://tcpa.com/terms/>

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The law changes

Current as of October 15, 2026. Statutes, FCC and FTC rules and court decisions change, and some changes are adopted before they take effect. This deck may not reflect later developments.

Courts disagree. Courts in different places can read the same rule differently. Case summaries are not predictions: any other matter turns on its own facts, court and law.

Check the official source. Verify each point against the statute, rule or opinion on the Sources slides. If an official source and this deck differ, the official source controls.

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Read the full Maryland guide on TCPA.com

The guide covers the Stop the Spam Calls Act, the MTCPA, telephone sales contracts, robocall rules, key rulings and a compliance checklist, with links to the official sources.



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Adam Young

Adam Young is a Miami entrepreneur, the CEO of Ringba and the author of The Pay Per Call Revolution, with more than a decade in telecom, call routing and performance marketing. At TCPA.com he writes about the TCPA, robocall enforcement, tech support fraud cases and what DOJ, FTC and FCC actions mean for companies that make calls. His goal is simple: keep good companies compliant and keep scammers off the phone network.

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Harrison Gevirtz is the Chief Strategy Officer of Ringba, a call tracking and pay per call platform based in Las Vegas. He has worked for years in call tracking, call routing and telemarketing operations, with a focus on how federal regulations affect daily operations. At TCPA.com he covers TCPA litigation, TSR enforcement, tech support fraud prosecutions and FCC rulemaking for executives and compliance managers who are not lawyers.

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