



# The Legal Implications of Using VoIP

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Last Updated: March 19th, 2021

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## Guest Post by Dasheek Dennis

Millions of people use VoIP for voice and video communication for professional and personal use. VoIP will exist as long as the internet continues to thrive. As of 2018, at least one billion people are using VoIP as their voice/video/phone service. Because its use has become ubiquitous, it is important to understand the legal implications regarding technology, including Voice over Internet Protocol (VoIP).

## VoIP's influence in the technological world

VoIP is cheaper and more flexible than its cellular counterpart – the smartphone. As opposed to using sometimes spotty cell service and towers to connect voice to voice, VoIP uses the internet. Its capabilities are far greater and wider as well. It can support an endless number of lines, translate voicemail to text, as well as being superior in mobility. People can access each other from various devices by simply connecting to the internet.

While companies like [Comcast, Vonage, and Cisco](#) have been providing businesses with VoIP services for years, Skype, Whatsapp, Messenger, Google Voice, and Discord have been delivering inexpensive VoIP capabilities on a personal level. VoIP and internet service providers will continue to grow at a rapid pace. VoIP isn't exactly modern, as it's been around since the late nineties.

When it comes to regulatory standards, VoIP is loosely regulated by the FCC. Numerous bills have been passed involving VoIP when it comes to taxes and security, but very few have become laws.

There is an ongoing debate about how VoIP is to be viewed. Because VoIP makes use of the internet by breaking down data, turning them into packets, and transferring them over IP, it has been difficult for the FCC to classify it as a telephone service.

So what is it: internet communication or telephone? The FCC exempts VoIP as telecommunication since it transfers information through the internet, and attempts to regulate it with similar standards.

## Legal issues

Ultimately, how should we, as users and providers, consider the legal implications when dealing with VoIP? Here are some regulations and legal implications we should consider:

### VoIP can still be subpoenaed

VoIP transmissions can be recorded and those recordings can be organized, stored, and recovered when needed. In the case where it would be needed by a court system, they can and will be subpoenaed

### VoIP calls can be traced, tapped, and hacked

Security is always a concern with regard to VoIP. Because VoIP translates data over the internet, there is always the potential for intruders to intercept communication through malware and viruses. Your VoIP network is, at the end of the day, an IP network; it is susceptible to some of the same threats as your standard IP network.

### VoIP must comply with communication assistance for law enforcement

The FCC requires some VoIP providers to comply with federal wiretaps in order to provide law enforcement with the ability to intercept communication between two parties without their knowledge.

### Regulations vary depending on state and country

[Although VoIP is illegal in some countries](#): (Guyana, Libya, Oman, North Korea just to name a few), it is obviously legal in the US. Yet each state varies in regulations. In some states, VoIP providers are required to register as telecommunication providers, which makes them prone to the same regulations, taxes, and surcharges as a telecommunication service.

### Providers must comply with LNP

Local Number Portability (LNP) allows users to keep their telephone or mobile number when switching from one service provider to another. According to the FCC's VoIP regulations, providers must allow VoIP customers to retain the ability to port-in or out a number to an interconnected VoIP service.

### Accessible service to accommodate those with disabilities

The FCC has made it mandatory for users over VoIP services to be able to use telecommunications relay services (TRS). This service enables people with hearing and speech disabilities to place and receive phone calls.

### Interconnected VoIP is 911 obligated

911 does work with VoIP, but operates differently than your standard telephone network. Consumers have the right to [configure VoIP connected device locations](#) whenever and wherever they see fit. The FCC requires VoIP providers to provide customers with 911 service as a standard, required feature.

## Final takeaway

VoIP is becoming increasingly popular and may one day become the standard means of communication. Many businesses have abandoned landline, wired telephone services and have embraced VoIP.

Though VoIP is a little shy of 30 years old, it is surprisingly loosely regulated and there is still much debate from Congress and the FCC in regards to VoIP regulatory factors. If you're starting a business or using VoIP, seriously consider these legal implications.

*Dasheek Dennis writes for FreeAdvice.com. He has experience in digital marketing, copywriting, and video game design. He has also assisted numerous non-profits with content creation and grant writing.*

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