

**PRESERVATION OF PERSONAL PRIVACY (EXCERPT)**  
**Act 378 of 1988**

**445.1711 Definitions.**

Sec. 1.

As used in this act:

- (a) "Customer" means an individual who purchases, rents, or borrows a book, other written material, a sound recording, or a video recording.
- (b) "Employee" means an individual who works for an employer in exchange for wages or other remuneration.
- (c) "Employer" means a person that has 1 or more employees.
- (d) "Ordinary course of business" means activities related to the sale, rental, or lending of, or advertising in, materials described in section 2.
- (e) "Written" includes any electronic means using the Internet or otherwise authorized under the uniform electronic transactions act, 2000 PA 305, MCL 450.831 to 450.849.

**History:** 1988, Act 378, Eff. Mar. 30, 1989 ;— Am. 2016, Act 92, Eff. July 31, 2016

**Compiler's Notes:** Enacting section 2 of Act 92 of 2016 provides: "Enacting section 2. This amendatory act is curative and intended to clarify that the prohibitions on disclosing information contained in 1988 PA 378, MCL 445.1711 to 445.1715, do not prohibit disclosing information if it is incident to the ordinary course of business of the person disclosing the information, including marketing goods and services to customers or potential customers when written notice is provided, and that a civil action for a violation of those prohibitions may only be brought by a customer who has suffered actual damages as a result of the violation."

**Popular Name:** Video Rental Privacy Act