Access One SMS/ MMS content policies

As a participating TCR CSP, Access One is dedicated to providing the highest quality of service, while working to eliminate spam, phishing, and fraudulent messages. To help ensure these goals are met, and in accordance with CTIA messaging guidelines, the Short Code Monitoring Handbook, Bandwidth Inc's Code of Conduct the following policies apply to our SMS/ MMS solutions, whether sent via the Access One App, a third-party provider, or via the API. **Message and date rates may apply to our SMS/ MMS solutions.**

Additional policies, regulations, and laws may exist beyond those listed below. The following is not legal advice. It is strongly recommended you consult your own legal advisor for help understanding legal obligations you may have, given the kind of messaging you wish to send.

Enhanced Business SMS

Use of Enhanced Business SMS must comply with Access One's Terms of Service (see: http://www.accessoneinc.com/content/service-guide and Acceptable Use Policy (see: http://www.accessoneinc.com/terms-of-use and Privacy Policy (see: https://www.accessoneinc.com/wp-content/uploads/2023/11/Policies-Privacy-Policy-1.pdf

Access One Enhanced Business SMS guidelines

- Send no more than 50 messages per originating number per minute
- If sending marketing, promotional or informational messages, capture written consent of recipients prior to sending your messages
- Do not use purchased lists or third party generated lead lists when sending SMS
- Provide clear opt-out instructions on informational, marketing, or promotional messages
- Avoid using link shorteners and non-branded domains for embedded links
- Complete required TCR registration prior to sending SMS messages

If you need to send more than 50 messages per originating number per minute, please evaluate utilizing our High Volume SMS solution which allows up to 60 messages per minute for long code numbers, and 180 messages per minute for toll-free numbers.

Automated messaging

Automated SMS messaging may be used on Access One's platform through Access One provided tools, third-party integrations, and Access One SMS APIs. Automated messaging must only be sent from numbers that have been linked to a TCR campaign designed for automated messaging (ie an "Automated" campaign type). Prior to sending any automated messages, you must have express and logged consent as outlined by the CTIA guidelines from the recipient to message them. Promotional messages (regardless of if automated) must have express, written, and logged consent. Automated messages must include opt-out language on each message (eg "Reply STOP to end"), and all opt-out requests must be honored.

Opt-in/ user consent

Before sending an SMS message to any number you must have their express consent to do so. It's important to note that implied consent is not considered sufficient for SMS outside of immediately responding to a received message, nor is purchasing a list of "users who have opted in to SMS." A user must actively ask to receive SMS messages from you. Remember, consent must be given for each campaign or message type you intend to send. Marketing or promotional messages require the recipients' express prior written consent.

Examples of obtaining consent include using a web form where it is clearly explained that a user is opting into SMS messages, or by having them send a message to your number. It is highly recommended to use a double opt-in, confirming their consent via SMS and validating their number.

You must also log and track consent, and opt-ins and opt-outs. In certain cases carriers may request proof that an individual has opted in including an overview of how your opt-in/ opt-out process works.

Failure to ensure opt-in may result in your number or service being blocked or suspended by mobile carriers or Access One.

Opt-out

You must provide a clear way for users to opt out of your SMS messages, via text. The CTIA guidelines provide clear command keywords that must be honored for opt-out requests, including **STOP** and **UNSUBSCRIBE**.

Instructions for opt-ing out must be included on any informational or promotional messages.

Long-code and Toll-free SMS when used outside of our High Volume SMS solution do not automatically manage opt-outs, and you will need to manage and track opt-out requests when not using High Volume SMS. Similarly, you will need to manage opt-outs received through other methods, to avoid sending SMS to consumers that have opted out.

Prohibited campaigns

While SMS provides a great way to engage your opted-in customers, there are limitations and restrictions in terms of what types of messages may be sent, and to the content of the messages. The following campaigns (use cases) are strictly prohibited across all of Access One's SMS solutions:

- Loan and mortgage advertisements
- Credit repair offers
- Debt relief offers
- Debt collection attempts
- Work from home advertisements
- Secret shopper advertisements
- Political advertisements and messages
- Alcohol, tobacco, or firearms advertisements
- Pharmaceutical, vitamin, or other drug advertisements
- Campaigns that may be similar to the above

In addition, businesses that engage in the following activities are prohibited from using SMS, regardless of their message content, consent or how they would otherwise use SMS:

- Companies that engage in indirect lending (or otherwise providing loans not financed directly by them), short-term high-interest loans, payday loans, or student loans
- Companies that offer services for stocks, bonds, cryptocurrency, or other types of investment opportunities
- Companies that engage in or provide gambling or sweepstakes
- Companies that engage in credit repair, debt relief, debt collection, or tax relief services
- Companies that promote or provide work from home opportunities including but not limited to multi-level marketing opportunities
- Companies that promote, sell, or otherwise reference products or services related to alcohol, tobacco (including vape), firearms, or fireworks
- Companies that promote, sell, or otherwise reference substances defined as controlled substances under federal law, regardless of legality, including marijuana (cannabis)
- Companies that promote, sell, or otherwise reference Kratom or similar substances, regardless of legality
- Companies that buy, sell, or otherwise share SMS opt-in or phone numbers for the purpose of sending SMS with third parties
- Companies that engage in third-party affiliate/lead generation, including the collection of information to be shared with loan providers, service providers, or for other lead generation purposes

Note: Access One is currently unable to offer exceptions to the above prohibited campaigns. Messages similar in nature may also be blocked by Access One or the carriers at their discretion. Some messages (e.g., an update on your loan application) may be blocked accidentally, in which case Access One recommends filing for an individual brand ID and a campaign specific to your messages.

Prohibited content

The following message content is also strictly prohibited and may result in your service being blocked or suspended by the carriers or Access One:

- Messages that engage in any illegal activity or otherwise violate our terms of service, including the acceptable use policy
- Messages that engage in or promote, pornographic or adult entertainment, regardless of legality
- Messages that contain text or references to violence, hate speech, or otherwise engaging in threatening, abusive, harassing, defamatory, libelous, deceptive or fraudulent behavior
- Messages that contain text or otherwise reference substances defined as controlled substances under federal law, regardless of legality, including marijuana (cannabis)
- Messages that contain third-party affiliate/lead generation links
- Messages that contain obfuscated links for the purpose of misleading the reader, or use links contrary to the expectation of the user based on the message text
- Messages that are structured to evade this policy or the policies of carriers (e.g. misspelling, uncommon capitalization, snowshoeing, etc.)

Access One reserves the right to add to this list at any time or determine messages are prohibited at its discretion.

Carrier fees and account restrictions

Accounts in violation of Access One or carrier rules and regulations may be subject to reduced deliverability of messages, additional campaign registration requirements and fees, suspension of service, or termination of service in addition to fines and other penalties passed through Access One by the carriers.

It is your responsibility to be aware of any additional restrictions or changes to policies, regulations, and laws when sending SMS messages, and to adhere to any and all policies related to the recipient number.