
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 376 Session of
2003

INTRODUCED BY YOUNGBLOOD, LAUGHLIN, GRUCELA, KIRKLAND, BEBKO-
JONES, BELARDI, CRUZ, GEORGE, HARHAI, JAMES, LEDERER, MELIO,
PALLONE, SATHER, THOMAS AND J. WILLIAMS, FEBRUARY 24, 2003

REFERRED TO COMMITTEE ON COMMERCE, FEBRUARY 24, 2003

AN ACT

1 Requiring certain financial institutions to post transaction
2 fees for each automated teller machine transaction;
3 restricting transaction fees for automated teller machines;
4 and authorizing a study by the Secretary of Banking to study
5 the impact of such fees on financial institutions and
6 consumers.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the ATM Fee
11 Regulatory Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "ATM." An automated teller machine.

17 "Financial institution." Any national bank, State bank,
18 federally chartered savings bank, State-chartered savings bank,
19 federally chartered savings and loan association, federally

1 chartered credit union, State-chartered credit union and any
2 entity that owns or operates an automated teller machine.

3 Section 3. Disclosure required.

4 (a) General rule.--Each financial institution shall disclose
5 the total transaction fee or surcharge to be imposed for each
6 transaction on the screen of the ATM prior to the completion of
7 the transaction. The customer shall have the right to cancel the
8 transaction after the fee or surcharge is disclosed.

9 (b) Notice.--Each financial institution shall provide
10 written notice to its account holders that a fee may be imposed
11 when the account holder uses ATMs owned or operated by another
12 financial institution or any national, regional or local ATM
13 network whenever a card, code or other means of ATM access is
14 issued by the financial institution for the purpose of
15 initiating ATM transactions.

16 Section 4. Fee restrictions.

17 (a) Display as prerequisite for fee.--No customer shall be
18 liable to pay any fee or surcharge to a financial institution
19 for an ATM transaction unless the fee or surcharge is displayed
20 on the ATM screen prior to the transaction.

21 (b) Single fee per transaction.--No customer shall be billed
22 for more than one fee per ATM transaction regardless of the
23 number of financial institutions involved in the transaction.

24 (c) Cash dispensing requirement.--No customer shall be
25 liable to pay an ATM fee or surcharge to a financial institution
26 that does not dispense cash at all of the institution's branch
27 locations.

28 (d) Telephone exception.--No customer shall be liable to pay
29 any fee or surcharge to any financial institution for any ATM
30 transaction initiated via telephone.

1 Section 5. Effective date.

2 This act shall take effect in 30 days.