
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 131 Session of
1997

INTRODUCED BY YOUNGBLOOD, THOMAS, LEDERER, BELARDI, HORSEY,
CAWLEY, TIGUE, LAUGHLIN, CARN, SANTONI, TRAVAGLIO, MELIO,
SHANER, STABACK, TRELLO, JOSEPHS, WOJNAROSKI, ROEBUCK, RAMOS,
COLAFELLA, DALEY AND BELFANTI, JANUARY 29, 1997

REFERRED TO COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT,
JANUARY 29, 1997

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,

federally chartered savings and loan association, federally chartered credit union, State-chartered credit union and any entity that owns or operates an automated teller machine.

Section 3. Disclosure required.

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

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

Section 4. Fee restrictions.

(a) General rule.--No customer shall be liable to pay any fee or surcharge to any financial institution for an ATM transaction unless the fee or surcharge was displayed on the ATM screen prior to the transaction. No customer shall be billed for more than one fee per ATM transaction regardless of the number of financial institutions involved in the transaction.

(b) Cash dispensing requirement.--No customer shall be liable to pay any ATM fee or surcharge to any financial institution that does not dispense cash at all of the institution's branch locations.

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

1 Section 5. Effective date.

2 This act shall take effect in 30 days.