

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46  
48  
50

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1559, L.D. 2197, Bill, "An Act to Improve Disclosures of Automated Teller Machine Transactions"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 9-B MRSA §243-A is enacted to read:

§243-A. Electronic terminals; fees for and records of transactions

1. Fees for use of terminals. A financial institution authorized to do business in this State that operates electronic terminals may charge fees for the use of the terminals as specified in this section.

A. A financial institution may charge a reasonable foreign transaction fee for the use of an electronic terminal if the fee is disclosed:

(1) On a sign posted on the electronic terminal or in clear view of a customer while viewing the electronic terminal; or

(2) Electronically during the course of the transaction in a manner that permits a customer to cancel the transaction without incurring the transaction fee.

For the purposes of this paragraph, "foreign transaction fee" means a fee charged for the use of an electronic terminal to a noncustomer of the financial institution that owns the electronic terminal.

B. A financial institution may charge its own customers a reasonable fee for the use of an electronic terminal.

2       2. Records of terminal transactions. For each transaction  
3       processed by an electronic terminal, except for a transaction  
4       involving a negotiable instrument that is its own receipt, the  
5       electronic terminal must make available to the customer at the  
6       time of the transaction a record of each transaction. The record  
7       must include:

8           A. The amount of the transaction. A fee for the  
9           transaction may be included in this amount if the electronic  
10          terminal is owned or operated by a financial institution  
11          other than the financial institution that holds the  
12          customer's account if the fee is disclosed on the record of  
13          the transaction and in accordance with subsection 1;

14           B. The date of the transaction;

15           C. The type of transaction and the type of account to which  
16           or from which money is transferred. Codes may be used for  
17           this purpose if they are explained on the record of the  
18           transaction;

19           D. A number or code that identifies the customer, the  
20           customer's account number or the device used to access the  
21           electronic terminal;

22           E. The location of the electronic terminal or a number or  
23           code identifying that location; and

24           F. The name of each 3rd party to whom or from whom money is  
25           transferred, if the name provided by the customer can be  
26           reproduced by the electronic terminal on the record of the  
27           transaction. A code may be used for this purpose only if it  
28           is explained on the record of the transaction.

30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**FISCAL NOTE**

Any costs associated with compliance reviews will be absorbed by current operational procedures of the Bureau of Banking within the Department of Professional and Financial Regulation.'

2

**STATEMENT OF FACT**

4

6 This amendment provides that a financial institution may  
charge a noncustomer fees for the use of electronic terminals if  
those fees are prominently displayed and the user has an  
8 opportunity to cancel the transaction without incurring a fee.  
It also allocates the new statutory provisions to another part of  
10 the Maine Revised Statutes, Title 9-B, so that the provisions  
apply to all financial institutions authorized to do business in  
12 the State. This amendment adds a fiscal note.

Reported by the Committee on Banking and Insurance  
Reproduced and distributed under the direction of the Clerk of the  
House  
2/21/92 (Filing No. H-958)