

Part 1 General Provisions

7-16a-101 Title.

This chapter is known as the "Automated Teller Machine Act."

Enacted by Chapter 111, 1997 General Session

7-16a-102 Definitions.

As used in this chapter:

- (1) "Automated teller machine" means an electronic information processing device that:
 - (a) is readily accessible to the general public; and
 - (b) on behalf of an issuer:
 - (i) dispenses currency or coin; or
 - (ii) accepts deposits or payments.
- (2) "Customer" means a user of a device for access.
- (3) "Device for access" means a card, code, or other means of access to a customer's account, or any combination of these, that may be used to deposit or withdraw cash through an automated teller machine.
- (4) "Electronic information processing device" means equipment activated by a device for access that transmits electronic impulses to a depository institution on a real-time or delayed-time basis.
- (5) "Issuer" means:
 - (a) a depository institution that issues a device for access, whether or not the depository institution is an operator; or
 - (b) a state or federal governmental agency that issues a device for access that allows a person to receive benefits from or through the state or federal governmental agency.
- (6) "Point-of-sale terminal" means an electronic information processing device controlled by or accessible to a merchant or other provider of goods or services that authorizes:
 - (a) in payment for goods or services, a debit or credit to a customer's account at:
 - (i) a depository institution; or
 - (ii) a state or federal governmental agency; and
 - (b) the merchant or other provider of goods or services to dispense currency or coin to a customer.
- (7) "Operator" means an institution that:
 - (a)
 - (i) is a depository institution;
 - (ii) is a depository institution holding company; or
 - (iii) is an institution directly or indirectly owned or controlled by one or more depository institutions or depository institution holding companies; and
 - (b) owns or contracts with an owner of an automated teller machine to operate the automated teller machine.

Enacted by Chapter 111, 1997 General Session

7-16a-103 Application of chapter.

- (1) This chapter does not:

- (a) authorize a depository institution, or any other person, to engage in any transaction not otherwise specifically permitted by applicable law; or
 - (b) apply to the use of any device capable of transmitting electronic impulses that is not readily accessible to the general public for the primary purpose of initiating transactions with depository institutions.
- (2) Use of an automated teller machine to effect a transaction is only an additional means of effecting the transaction and this chapter does not limit or enlarge the rights of persons under state or federal statute or under any rules or regulations made under those statutes that govern credit or deposit account relationships.

Enacted by Chapter 111, 1997 General Session