

**Representative Roger E. Barrus** proposes the following substitute bill:

**ACCESS TO POINT-OF-SALE DEVICES**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Roger E. Barrus**

Senate Sponsor: Sheldon L. Killpack

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**LONG TITLE**

**General Description:**

This bill modifies the Commerce and Trade provisions to enact the Point-of-Sale Device Act.

**Highlighted Provisions:**

This bill:

- ▶ enacts the Point-of-Sale Device Act;
- ▶ defines terms; and
- ▶ establishes access requirements for certain point-of-sale devices.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on January 1, 2007.

**Utah Code Sections Affected:**

ENACTS:

**13-42-101**, Utah Code Annotated 1953

**13-42-102**, Utah Code Annotated 1953

**13-42-201**, Utah Code Annotated 1953

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26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section 13-42-101 is enacted to read:

28 **CHAPTER 42. POINT-OF-SALE DEVICE ACT**

29 **Part 1. General Provisions**

30 **13-42-101. Title.**

31 This chapter is known as the "Point-of-Sale Device Act."

32 Section 2. Section 13-42-102 is enacted to read:

33 **13-42-102. Definitions.**

34 As used in this chapter:

35 (1) "Automated teller machine" is as defined in Section 7-16a-102.

36 (2) "Customer" means a user of a point-of-sale device.

37 (3) "Operator" means a person who owns or who contracts with an owner of a  
38 point-of-sale device to operate the point-of-sale device.

39 (4) (a) Except as provided in Subsection (4)(b), "point-of-sale device" means a device  
40 used by a customer for the purchase of a good or service if the customer's personal  
41 identification number is required for use of the device.

42 (b) "Point-of-sale device" does not include:

43 (i) an automated teller machine; or

44 (ii) a point-of-sale device that is designed to service or exclusively services a motor  
45 fuel dispenser.

46 Section 3. Section 13-42-201 is enacted to read:

47 **Part 2. Requirements for Point-of-Sale Device**

48 **13-42-201. Requirements of an operator of a point-of-sale device.**

49 (1) An operator of a point-of-sale device at a retail establishment that has a video touch  
50 screen or other nontactile keypad shall provide with that point-of-sale device a keypad:

51 (a) if the operator on or after January 1, 2007:

52 (i) installs the point-of-sale device that has a video touch screen or other nontactile  
53 keypad; or

54 (ii) changes the point-of-sale device to include a video touch screen or other nontactile  
55 keypad; and

56 (b) that:

- 57            (i) is a tactually discernible keypad  $\hat{H}\rightarrow$  or overlay  $\leftarrow\hat{H}$  :  
58            (ii) enables a visually impaired customer to enter the customer's own personal  
59 identification number; and  
60            (iii) provides the opportunity for the same degree of privacy input available to all  
61 individuals.  
62            (2) This section does not preclude or limit any other existing right or remedy as it  
63 pertains to point-of-sale devices and accessibility.  
64            Section 4. **Effective date.**  
65            This bill takes effect on January 1, 2007.

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**Fiscal Note**  
**Bill Number HB0432S01**

**Access to Point-of-sale Devices**

*24-Feb-06*

*11:21 AM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

There may be some increased costs associated with replacing point-of-sale keypad devices.

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**Office of the Legislative Fiscal Analyst**