

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

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



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;

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.

Fiscal Note
Bill Number HB0432S01

Access to Point-of-sale Devices

24-Feb-06

11:21 AM

State Impact

No fiscal impact.

Individual and Business Impact

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

Office of the Legislative Fiscal Analyst