

109TH CONGRESS  
1ST SESSION

# H. R. 1716

To amend the Electronic Fund Transfer Act to prohibit any operator of an automated teller machine that displays any paid advertising from imposing any fee on a consumer for the use of that machine, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2005

Mr. ANDREWS introduced the following bill; which was referred to the  
Committee on Financial Services

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## A BILL

To amend the Electronic Fund Transfer Act to prohibit any operator of an automated teller machine that displays any paid advertising from imposing any fee on a consumer for the use of that machine, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Access to Money  
5       (ATM) Act of 2005”.

1 **SEC. 2. PROHIBITION ON USER FEES FOR AUTOMATED**  
2 **TELLER MACHINES THAT CARRY PAID AD-**  
3 **VERTISING .**

4 The Electronic Fund Transfer Act (15 U.S.C. 1693  
5 et seq.) is amended—

6 (2) by redesignating sections 918, 919, 920,  
7 and 921 as sections 919, 920, 921, and 922, respec-  
8 tively; and

9 (3) by inserting after section 917 the following  
10 new section:

11 **“SEC. 918. FEES.**

12 “(a) IN GENERAL.—If an automated teller machine  
13 or other cash dispensing machine at which a consumer  
14 may initiate an electronic fund transfer displays any ad-  
15 vertising on the screen of such machine, whether in the  
16 form of a banner or a trailer or in any other format, for  
17 which the operator of such machine has received any pay-  
18 ment or other financial benefit, no fee may be imposed  
19 on the consumer with respect to such transaction by the  
20 operator of such machine, whether or not the consumer  
21 maintains an account with the operator.

22 “(b) EXCEPTION FOR DIRECT ADVERTISING BY THE  
23 OPERATOR AND PUBLIC SERVICE ANNOUNCEMENTS.—  
24 Subsection (a) shall not apply with respect to—

25 “(1) advertising relating to products or services  
26 provided by the operator of an automated teller ma-

- 1 chine or cash dispensing machine referred to in such
- 2 subsection or by any affiliate of such operator; or
- 3 “(2) any public service announcement.”.

