

ACT 4

S.B. NO. 2292

A Bill for an Act Relating to Automated Teller Machines.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to require that an agreement to operate or share an automated teller machine may not prohibit, limit, or restrict the right of the owner or operator of the automated teller machine to charge a transaction fee to a person who uses an automated teller machine card or other access device for an account that is located within or without the United States.

SECTION 2. Chapter 412, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§412- Authority of owners or operators of automated teller machines.

An owner or operator of an automated teller machine may assess a transaction fee on any person for use of that machine who uses a card or other access device for an account that is located within or without the United States.

Agreements to operate or share an automated teller machine may not prohibit, limit, or restrict the right of the owner or operator of the automated teller machine to charge a person a transaction fee.”

SECTION 3. The Hawaii Revised Statutes is amended by adding a new section to be appropriately designated and to read as follows:

“§ - Authority of owners or operators of automated teller machines.

An owner or operator of an automated teller machine may assess a transaction fee on any person for use of that machine who uses a card or other access device for an account that is located within or without the United States.

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Agreements to operate or share an automated teller machine may not prohibit, limit, or restrict the right of the owner or operator of the automated teller machine to charge a person a transaction fee.”

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved March 31, 2008.)

Note

1. Edited pursuant to HRS §23G-16.5.