

SENATE BILL REPORT

ESHB 1849

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, MARCH 24, 1993

**Brief Description:** Providing for security of automated teller machines and night depositories.

**SPONSORS:** House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Zellinsky, Mielke, Peery, Kessler, Dyer, R. Johnson, Jones, R. Meyers, Jacobsen and Kremen)

**HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE**

**SENATE COMMITTEE ON LABOR & COMMERCE**

**Majority Report:** Do pass.

Signed by Senators Prentice, Vice Chairman; Amondson, Barr, Cantu, McAuliffe, Newhouse, Pelz, and Sutherland.

**Staff:** Traci Ratzliff (786-7452)

**Hearing Dates:** March 23, 1993; March 24, 1993

**BACKGROUND:**

Growth in the use of automated teller machines has led to an increase in the number of persons robbed while using such machines. In some cases, victims of robberies have sued the financial institution controlling the machine alleging that the institution failed to adequately provide for the safety of customers.

**SUMMARY:**

Operators of automated teller machines and night depositories must adopt procedures for evaluating the safety of automated teller machine and night deposit facility sites. Such operators must provide lighting at such facilities as specified in the bill. In addition, operators must mail or provide information regarding basic safety precautions for users of such sites.

Local government laws regarding customer safety at automated teller machines and night deposit facilities are preempted.

Operators of automated teller machines and night deposit facilities who comply with the objective standards and information requirements of this bill have provided adequate measures for the safety of users of the automated teller machine or night depository.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR:**

The bill will provide greater safety for consumers utilizing ATMs and night depositories.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Representative Zellinsky, prime sponsor; Trevor Sandison, WBA (pro); Gary Gardner, Credit Union League (pro)