

CHAPTER 182

AN ACT concerning automated teller machines.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.17:16K-16 Definitions relative to automated teller machines.

1. As used in this act:

"Automated teller machine" means any electronic information processing device located in the State of New Jersey which accepts or dispenses cash in connection with a credit or deposit account.

"Operator" means any State or federally chartered bank, savings bank, savings and loan association, credit union, or other entity, which owns or operates an automated teller machine.

C.17:16K-17 Required display on automated teller machine.

2. Every automated teller machine located in this State shall have displayed on it, in a conspicuous place, a permanent, affixed label or notice that appears on the automated teller machine screen that clearly indicates the name and contact telephone number of the operator of the automated teller machine.

C.17:16K-18 Enforcement; violations, penalties.

3. a. The Department of Banking and Insurance shall enforce the provisions of this act.

b. Any party found to be in violation of this act shall be subject to a civil penalty of not more than \$1,000 per day for each day that the party is in violation of this act, which penalty may be collected by summary proceedings instituted by the Commissioner of Banking and Insurance in accordance with the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). An operator of an automated teller machine shall not be subject to a civil penalty pursuant to this section if the label or notice has been removed or defaced without notice to the operator unless the operator knew or reasonably should have known of the removal or defacement.

c. Any provision of any agreement contrary to the provisions of this act and against public policy shall be void and unenforceable.

4. This act shall take effect on the 60th day after enactment.

Approved December 22, 2004.