

1 instantaneously or otherwise to or from an association terminal or
2 terminals controlled or used by or with other parties; and the
3 establishment and use of such a device or machine shall not be deemed
4 to constitute a branch office and the capital requirements and standards
5 for approval of a branch office as set forth in the statutes and
6 regulations, shall not be applicable to the establishment of any such
7 off-premises terminal, device or machine; and associations may
8 through mutual consent share on-premises unmanned automated teller
9 machines and cash dispensers. The Commissioner of Banks may
10 prescribe rules and regulations with regard to the application for
11 permission for use, maintenance and supervision ~~of said~~ of, and the
12 safety of the public while operating or using terminals, devices and
13 ~~machines;~~ machines authorized by this subdivision;"

14 **SECTION 3.** G.S. 54C-146(a)(1) reads as rewritten:

15 "(a) In addition to the powers granted under this Chapter, but subject to any rules
16 that the Commissioner of Banks may prescribe, a savings bank incorporated or operated
17 under this Chapter may:

- 18 (1) Establish off the premises of any principal office or branch a customer
19 communications terminal, point of sale terminal, automated teller
20 machine, automated or other direct or remote information processing
21 device or machine, whether manned or unmanned, through or by
22 means of which funds or information relating to any financial service
23 or transaction rendered to the public is stored and transmitted,
24 instantaneously or otherwise to or from a savings bank terminal or
25 terminals controlled or used by or with other parties. The
26 establishment and use of a device or machine is not deemed to
27 constitute a branch office, and the capital requirements and standards
28 for approval of a branch office as set forth in the statutes and
29 regulations are not applicable to the establishment of any off-premises
30 terminal, device or machine. Savings banks may, through mutual
31 consent, share on-premises, unmanned, automated teller machines and
32 cash dispensers. The Commissioner of Banks shall adopt rules that
33 provide for the safety of the public while operating or using terminals,
34 devices, and machines authorized by this subdivision."

35 **SECTION 4.** On or before October 1, 2003, the Commissioner of Banks
36 shall adopt temporary rules to provide for the safety and protection of the public while
37 operating or using customer communications terminals, point-of-sale terminals,
38 automated teller machines, automated banking facilities, and other direct or remote
39 information processing devices and machines. In particular, the Commissioner shall
40 adopt temporary rules to require that the terminals, devices, and machines be equipped
41 with (i) safeguards such as posts or other barriers to prevent motor vehicles from
42 intruding into the area where customers stand to use or operate the terminals, devices,
43 and machines and (ii) intercoms, radios, or other means for customers to request and
44 receive emergency assistance.

1

SECTION 5. This act is effective when it becomes law.