

(C) (1) AN OPERATOR OF AN AUTOMATED TELLER MACHINE SHALL ADOPT PROCEDURES FOR EVALUATING THE SAFETY OF THE LOCATION OF THE AUTOMATED TELLER MACHINE BEFORE IT IS INSTALLED.

(2) THE PROCEDURES SHALL INCLUDE A CONSIDERATION OF:

(I) THE EXTENT TO WHICH THE LIGHTING FOR THE AUTOMATED TELLER MACHINE COMPLIES OR WILL COMPLY WITH THE STANDARDS DESCRIBED IN THIS SECTION; AND

(II) THE PRESENCE OF LANDSCAPING, VEGETATION, OR OTHER OBSTRUCTIONS IN THE AREA OF THE AUTOMATED TELLER MACHINE, THE ACCESS AREA, AND THE DEFINED PARKING AREA.

(3) (I) THE OPERATOR OF AN AUTOMATED TELLER MACHINE INSTALLED PRIOR TO JANUARY 1, 1995 SHALL ADOPT PROCEDURES FOR EVALUATING THE SAFETY OF THE LOCATION OF THE EXISTING AUTOMATED TELLER MACHINE.

(II) THE PROCEDURES ADOPTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE A CONSIDERATION OF THE FACTS IDENTIFIED IN PARAGRAPH (2) OF THIS SUBSECTION TO THE EXTENT APPROPRIATE TO EXISTING LOCATIONS.

(III) THIS SUBSECTION DOES NOT IMPOSE A DUTY TO EVALUATE THE SAFETY OF A LOCATION, RELOCATE AN AUTOMATED TELLER MACHINE, MACHINE OR MODIFY THE LANDSCAPING, VEGETATION, OR OTHER OBSTRUCTIONS IN THE AREA OF AN AUTOMATED TELLER MACHINE, ACCESS AREA, OR DEFINED PARKING AREA FOR AN AUTOMATED TELLER MACHINE INSTALLED PRIOR TO JANUARY 1, 1995.

(D) (1) AN OPERATOR OF AN AUTOMATED TELLER MACHINE SHALL PROVIDE DURING THE HOURS OF DARKNESS LIGHTING OF AT LEAST 10 CANDLEFOOT POWER AT THE FACE OF THE AUTOMATED TELLER MACHINE AND EXTENDING IN AN UNOBSTRUCTED DIRECTION OUTWARD 5 FEET.

(2) AN OPERATOR OR, IF DIFFERENT, THE PERSON WHO CONTROLS THE ACCESS AREA OR THE DEFINED PARKING AREA, SHALL PROVIDE DURING THE HOURS OF DARKNESS LIGHTING OF:

(I) AT LEAST 2 CANDLEFOOT POWER WITHIN 50 FEET FROM ALL UNOBSTRUCTED DIRECTIONS FROM THE FACE OF THE AUTOMATED TELLER MACHINE;

(II) AT LEAST 2 CANDLEFOOT POWER IN THAT PORTION OF THE DEFINED PARKING AREA WITHIN 60 FEET OF THE AUTOMATED TELLER MACHINE; AND