

CUSTOMER, INCLUDING ANY INITIAL OR PERIODIC DISCLOSURE STATEMENT FURNISHED UNDER THE FEDERAL ELECTRONIC FUND TRANSFER ACT.

(5) THE ISSUER OF AN ACCESS DEVICE SHALL BE DEEMED TO BE IN COMPLIANCE WITH THE NOTICE REQUIREMENT OF THIS SUBSECTION IF THE ISSUER ADVISES THE CUSTOMER TO:

(I) BE AWARE OF THE CUSTOMER'S SURROUNDINGS WHEN USING AN AUTOMATED TELLER MACHINE, PARTICULARLY DURING THE HOURS OF DARKNESS;

(II) BE ACCOMPANIED BY ANOTHER PERSON WHEN USING AN AUTOMATED TELLER MACHINE DURING THE HOURS OF DARKNESS;

(III) REFRAIN FROM DISPLAYING CASH, PLACE CASH IN A POCKET AS SOON AS A TRANSACTION IS COMPLETED, AND COUNT CASH IN THE SAFETY OF A LOCKED ENCLOSURE SUCH AS A CAR OR HOME;

(IV) USE ANOTHER AUTOMATED TELLER MACHINE OR RETURN AT A LATER TIME IF ANYTHING SUSPICIOUS IS NOTICED;

(V) CANCEL A TRANSACTION, PLACE THE ACCESS DEVICE IN A POCKET, AND LEAVE IF ANYTHING SUSPICIOUS IS NOTICED WHEN USING AN AUTOMATED TELLER MACHINE; AND

(VI) IMMEDIATELY REPORT ALL CRIMES TO THE OPERATOR OF THE AUTOMATED TELLER MACHINE AND TO LOCAL LAW ENFORCEMENT OFFICIALS.

(6) FOR AN ACCESS DEVICE ISSUED BEFORE JANUARY 1, 1995, COMPLIANCE WITH THE PROVISIONS OF THIS SUBSECTION SHALL BE OPTIONAL UNLESS:

(I) A CUSTOMER REQUESTS IN WRITING THAT THE NOTICE REQUIRED BY THIS SUBSECTION BE PROVIDED; OR

(II) THE ACCESS DEVICE IS REISSUED, RENEWED, OR REPLACED ON OR AFTER JANUARY 1, 1995.

~~(B) (1) ONLY THE STATE MAY ENACT A LAW REGARDING CUSTOMER SAFETY AT AUTOMATED TELLER MACHINES.~~

~~(2) THIS SECTION SHALL PREEMPT ANY LOCAL LAW GOVERNING CUSTOMER SAFETY AT AUTOMATED TELLER MACHINES.~~

1-403.

(A) A BANKING INSTITUTION MAY HAVE AN AUTOMATED TELLER MACHINE IF THE COMMISSIONER APPROVES.

(B) (1) THE COMMISSIONER MAY APPROVE A PROPOSED AUTOMATED TELLER MACHINE ONLY IF:

(I) THE BANKING INSTITUTION FILES WITH THE COMMISSIONER AN APPLICATION IN THE FORM THAT THE COMMISSIONER REQUIRES; AND