

Assembly Bill No. 2312

CHAPTER 760

An act to add Section 13082 to the Financial Code, relating to point-of-sale devices.

[Approved by Governor September 24, 2004. Filed with Secretary of State September 24, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2312, Dutra. Point-of-sale devices.

Existing law defines a point-of-sale device, and prohibits the operator of a point-of-sale device from charging a customer a fee for the use of the device unless that fee is disclosed in advance of the customer being obligated to pay for any goods or services. Existing law requires that a ticket vending machine at a public transit station, when improved or replaced, be equipped with audio instructions to assist the visually impaired.

This bill would require that, whenever a point-of-sale system is changed or modified to include a video touch screen or nontactile keypad, the point-of-sale device also be equipped with a tactually discernible numerical keypad meeting specified requirements that enables a visually impaired person to enter personal information necessary to process a transaction. The bill would require certain existing point-of-sale systems that include a video touch screen or nontactile keypad to be equipped with a tactually discernible keypad satisfying those requirements. The bill would also require a manufacturer or distributor, on and after January 1, 2006, to offer for availability touch screen devices to be used and sold in this state that satisfy those requirements.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to stop the expansion of point-of-sale devices that do not allow a blind or visually impaired person to enter his or her own personal identification number or any other personal information necessary to process a transaction with the same degree of privacy given to all other individuals.

SEC. 2. Section 13082 is added to the Financial Code, to read:

13082. (a) Whenever a point-of-sale system is changed or modified to include a video touch screen or any other nontactile keypad, the point-of-sale device that would include the video touch screen or



nontactile keypad shall also be equipped with a tactually discernible numerical keypad similar to a telephone keypad containing a raised dot with a dot base diameter between 1.5 millimeters and 1.6 millimeters and a height between 0.6 millimeters and 0.9 millimeters on the number 5 key that enables a visually impaired person to enter his or her own personal identification number or any other personal information necessary to process the transaction in a manner which provides the opportunity for the same degree of privacy input and output available to all individuals.

(b) (1) On or before January 1, 2010, any existing point-of-sale system, except as provided in paragraph (2), that includes a video touch screen or any other nontactile keypad shall also be equipped with a tactually discernible keypad as described in subdivision (a).

(2) At locations equipped with two or less point-of-sale machines, only one point-of-sale machine shall be required to be equipped with a tactually discernible keypad on or before January 1, 2010, as described in subdivision (a).

(c) On and after January 1, 2006, a manufacturer or distributor shall be required to offer for availability touch screen or other nontactile point-of-sale devices to be used and sold in this state that are equipped with tactually discernible keypads as described in subdivision (a) that enable a visually impaired person to enter his or her own personal identification number or any other personal information necessary to process a transaction in a manner that ensures personal privacy of the information being entered.

(d) As used in this section, “point-of-sale device” includes any device used by a customer for the purchase of a good or service where a personal identification number (PIN) is required, but does not include the following:

(1) An automated teller machine as defined in subdivision (c) of Section 13020.

(2) A point-of-sale device that is equipped to, or exclusively services, motor fuel dispensers.

(e) This section shall not be construed to preclude or limit any other existing right or remedy as it pertains to point-of-sale devices and accessibility.

