

Assembly Bill No. 1489

CHAPTER 49

An act to amend Section 13082 of the Financial Code, relating to point-of-sale systems.

[Approved by Governor July 18, 2005. Filed with Secretary of State July 18, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1489, Calderon. Point-of-sale systems.

Existing law requires 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. Existing law requires certain existing point-of-sale systems and certain systems to be sold on and after January 1, 2006, that include a video touch screen or nontactile keypad to be equipped with a tactually discernible keypad satisfying those requirements.

This bill would require the point-of-sale devices to be equipped with either a tactually discernible keypad or other technology.

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

SECTION 1. Section 13082 of the Financial Code is amended 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 either of the following:

(1) 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 that provides the opportunity for the same degree of privacy input and output available to all individuals.

(2) Other technology, such as a radio frequency identification device, fingerprint biometrics, or some other mechanism that enables a visually impaired person to access the video touch screen device with his or her personal identifier and to process his or her transaction in a manner that 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 discernable keypad or other technology 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 discernable keypad or other technology 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 discernable keypads or other technology 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) A unit is not in compliance with this section unless it includes a device, whether internal or external to the unit, that does not lend itself to easy removal, allows visually impaired users easy access, and otherwise meets the terms and conditions of this section. If the device is freestanding, it shall be permanently attached to the unit by means of a braided wire or some other tether.

(f) 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.