

## **808 KAR 1:060. Automated teller machines.**

RELATES TO: KRS 286.3-180, 286.5-061, 286.6-055

STATUTORY AUTHORITY: KRS 286.1-020(1), 286.5-702, 286.6-070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 286.1-020(1) authorizes the commissioner to promulgate administrative regulations necessary to implement KRS Chapter 286. This administrative regulation provides for the use of an automated teller machine by a financial institution and specifies that an automated teller machine is not a branch or service facility of the financial institution.

Section 1. Definition. "Financial institution" means a state chartered bank, savings and loan association, or credit union.

Section 2. A financial institution may receive and act upon a communication from a customer transmitted through an automated teller machine. The communication may:

- (1) Request the withdrawal of funds either from the customer's deposit account or from a previously authorized line of credit;
- (2) Instruct the institution to receive funds or to transfer funds for the customer's benefit;
- (3) Make a balance inquiry;
- (4) Instruct the financial institution to receive cash or a check; or
- (5) Request the financial institution to dispense cash to the customer at the location of the automated teller machine.

Section 3. A transaction initiated by an automated teller machine shall be subject to verification by the financial institution.

Section 4. A financial transaction effected by use of an automated teller machine shall be deemed to be transacted at the institution and not at the automated teller machine. The automated teller machine shall not be considered to be a branch, branch office, or service facility.

(2 Ky.R. 140; Am. 266; eff. 11-12-75; 8 Ky.R. 19; eff. 8-5-81; 12 Ky.R. 40; eff. 8-13-85; 25 Ky.R. 1182; eff. 1-19-99; TAm eff. 4-17-2007; 45 Ky.R. 2192, 2904; eff. 5-3-2019.)