



Federal Deposit Insurance Corporation  
550 17th Street NW, Washington, D.C. 20429-9990

Financial Institution Letter  
FIL-66-2009  
November 27, 2009

## ELECTRONIC FUND TRANSFER ACT (REGULATION E) Disclosures at Automated Teller Machines

**Summary:** The Federal Deposit Insurance Corporation (FDIC) is aware that a number of banks may not be fully complying with Section 205.16 of Regulation E. This regulation requires appropriate fee disclosures (1) on or at automated teller machines (ATMs), and (2) on either the screen of the machine or on a paper notice. The FDIC is reminding banks to ensure ATM fee disclosures fully comply with Regulation E.

**Distribution:**  
FDIC-Supervised Institutions

**Suggested Routing:**  
Chief Executive Officer  
Chief Compliance Officer

**Related Topics:**  
FIL-25-2001 (Inactive FIL)

**Attachment:**  
None

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### Highlights:

- The ATM fee disclosure requirements of Regulation E are set forth in Section 205.16, 12 C.F.R. 205.16, and took effect October 1, 2001.
- Section 205.16, requires an ATM operator that charges a fee to post a notice that a fee will be imposed for providing electronic fund transfer services or for a balance inquiry and disclose the amount of the fee.
- Notices must be posted *both* (1) in a prominent and conspicuous location on or at the automated teller machine, *and* (2) on the screen or on paper *before* the consumer is committed to paying a fee.
- An ATM operator may impose a fee on a consumer for initiating an electronic fund transfer or a balance inquiry *only if* the consumer is provided these notices and the consumer elects to continue the transaction or inquiry after receiving such notices.
- The FDIC notified FDIC-supervised banks of the amendments to these disclosure requirements in a Financial Institution Letter (FIL) dated March 23, 2001 (FIL-25-2001).