

Revised regs update ADA standards governing certain facilities.

## Follow ADA's ATM Standards

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THE JUSTICE DEPARTMENT issued new Americans with Disabilities Act (ADA) regulations in late July. The revised regulations update ADA standards governing the construction and alteration of facilities ADA covers, including places of public accommodation such as private businesses and commercial facilities (covered by Title III of the ADA), and state and local government facilities (covered by Title II). The regulations become effective March 15, 2011.

### Accessible design standards

The Justice Department's 2010 Standards for Accessible Design consist of the U.S. Access Board's 2004 ADA accessibility guidelines and the requirements contained in the department's regulations (sub-

part D of 28 CFR part 36). The Access Board is an independent federal agency that develops accessibility standards for people with disabilities. Once the department's rules take effect next March, the Access Board's 2004 standards become legally enforceable.

The new ATM standards set out detailed requirements, including communication-related requirements for individuals who are blind or have low vision (so-called "talking" ATMs). They also address physical access issues such as height and reach ranges for individuals with mobility challenges.

### Revised ATM accessibility standards

Section 220 of the Access Board's accessibility guidelines state that wherever

you provide an ATM, you must have at least one accessible machine at each location to comply with Section 707—Automated Teller Machines and Fare Machines. In general, if a credit union provides both interior and exterior ATMs, they'll be considered separate locations. Accessible ATMs, including those with speech and those that are within reach of people who use wheelchairs, must provide all the functions available to consumers at that location at all times. For example, it's unacceptable for the accessible ATM only to provide cash withdrawals while inaccessible ATMs have additional functions.

In general, Section 707 requires the following:

► **Clear floor or ground space.** The minimum space is 30 inches (760 mm) by 48 inches (1220

mm), which allows a parallel approach by a wheelchair user. This standard isn't applicable to drive-up-only ATMs.

► **Operable parts.** Each operable part of the ATM should be differentiated by sound or touch without activation, unless a clear or correct key is provided. These parts also must be operable with one hand and shouldn't require tight grasping, pinching, or twisting of the wrist (Section 309 of the Access Board's accessibility guidelines).

► **Speech output.** ATMs must be speech-enabled under Section 707.5 of the accessibility guidelines. This means operating instructions, visible transaction prompts, user input verification, error messages, and any other displayed information for full use of the machine must be accessible to and independently usable by individuals with vision impairments. Speech must be recorded or digitized human, or synthesized, and delivered through a mechanism that is readily available to all ATM users, such as through a telephone handset or a headset plugged into an audio jack.

There are exceptions. For example, audible tones are permitted instead of speech for visible output that isn't



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displayed for security purposes, for example, asterisks representing personal identification numbers. If there are advertisements displayed, they'll have to be audible unless they convey information that can be used in the transaction being conducted. Lastly, where speech synthesis can't be supported, dynamic alphabetic output isn't required to be audible.

The speech function must include volume control, and speech must be capable of being repeated or interrupted. Speech output for any single function should be permitted to be automatically interrupted when a transaction is selected, however.

► **Privacy.** ATMs must provide the opportunity for the same degree of privacy of input and output available to all individuals. In addition to people who are visually impaired, people with limited reach who use wheelchairs or who are short may not be able to effectively block the ATM screen with their bodies and may prefer to use speech output. They also could benefit from an option to render the visible screen blank, thereby affording them greater person privacy.

► **Input controls.** At least one input control must be discernible by touch

for each function. Where provided, key surfaces not on active areas of display screens, must be raised above surrounding surfaces. Where membrane keys are the only method of input, each shall be tactilely discernible from surrounding surfaces and adjacent keys.

► **Numeric key layout.**

The ATM's numeric keys must be arranged in a 12-key ascending (like a telephone) or descending (like a computer) keypad layout. The No. 5 key must be tactilely distinct from the other keys.

► **Function keys.** These keys must contrast visually from background surfaces. Characters and symbols on key surfaces shall contrast visually from key surfaces. Visual contrast shall be either light-on-dark or dark-on-light. Function key surfaces must have tactile symbols, for example "enter" should have a raised circle and "clear," a raised left arrow, etc. These symbols are all described in the accessibility standards.

► **Display screen.** It must be visible from a point located 40 inches (1015 mm) above the center of the clear floor space in front of the machine (this doesn't apply to drive-up-only ATMs). Characters displayed on the screen must be in a sans serif font and a minimum of

3/16 inch (4.8 mm) high. Characters also must contrast with their background with either light characters on a dark background or dark characters on a light background.

► **Braille instructions.**

The ATM must have Braille instructions for initiating the speech mode.

► **Timing for compliance**

Compliance with most of the Justice Department's ADA rule is required on March 15, 2011. The mandatory compliance date for the 2010 accessibility standards is March 15, 2012, as follows:

► Any ATMs that are newly installed or altered on or after March 15, 2012, will be required to comply with the 2010 accessibility standards.

► There is a safe harbor for ATMs that are in compliance with the original 1991 ADA accessibility standards. These ATMs won't need to be modified unless they're altered on or after March 15, 2012.

► ATMs that don't comply

with the 1991 standards must be modified to comply with either the 1991 or 2010 standards before March 15, 2012.

What about speech capability? The 1991 standards required that instructions and all information for use be made "accessible to and *independently usable* by persons with vision impairments." So, many ATMs will need to be speech-enabled in order to comply with either the 1991 or 2010 standard.

This is just a quick overview of the ATM accessibility standards. Be sure to review the standards and consult with your ATM service provider to determine if any changes need to be made to your credit union's current ATMs. ☺

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## RESOURCES

- CUNA, [cuna.org](http://cuna.org): e-Guide to Federal Laws and Regulations, select "regulations & compliance."
- The Americans with Disabilities Act revised regulations: [ada.gov](http://ada.gov).
- The Access Board's accessibility guidelines: [access-board.gov](http://access-board.gov).