

AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY RULING FREQUENTLY ASKED QUESTIONS



The U.S. Department of Justice (DOJ) has issued a final ruling on new accessibility standards under the Americans with Disabilities Act (ADA), which pertain to automated teller machines (ATMs). The Final Rule imposes new standards for ATMs that include, but are not limited to, a voice guidance requirement, Braille signage and input controls for visually-impaired individuals.

Diebold continually monitors these types of standards and has designed and engineered the Opteva® ATM line to comply with these new standards. Read the following questions and answers for more details about the 2010 Standards.

What is new for the 2010 Standards?

1. What does the new 2010 Standard require for height and reach?

To ensure consumers can easily access input controls, an ATM's reach must be between 15 and 48 inches. The majority of Opteva ATMs comply with this requirement, with the exception of the Opteva 740 and 750 drive-up units, which are exempt, and the Opteva 760 with After Hour® Depository. It is important to note that if the live touch-command areas on the ATM screen are higher than the function keys, the graphic area containing the touch commands must be lowered to the required height for the unit to be compliant.

2. Is voice guidance required for ATMs?

Yes, voice guidance is required on ADA-accessible ATMs.

3. Is voice guidance available on Opteva ATMs?

Yes. Opteva terminals come with a default voice that can announce text to speech. Additional premium voice engines are available which are required to support more than one language. The ruling does not specify a specific language, nor the number of languages to be supported on the ATM screens. Financial institutions (FIs) that have supported multiple-language text screens often implement voice guidance in those languages.

4. Are Diebold ix Series® ATMs capable of being upgraded?

Multiple options are available to upgrade the ix Series terminals to meet ADA guidelines.

5. Do all banking and non-banking services offered through the ATM need to be offered at ADA-accessible ATMs?

Yes. All banking and non-banking services offered at a location through an institution's ATMs must also be offered on ADA accessible ATMs. For example, if postage stamps or theater tickets are offered at a location through an institution's non-accessible ATMs, they must also be offered at that location on the institution's ADA-accessible ATMs.

6. Does every ATM need to be ADA-accessible?

At least one ATM per location must be ADA-accessible. When a bank offers both interior and exterior ATMs at a location, for example, one inside a branch lobby and one outside drive-up, each installation is considered a separate location and each must be ADA-accessible.

7. What's new for 2010 Standard regarding keypads?

The 2010 Standards require a left arrow symbol "<" on the clear function key. The ATM's keypad also must be arranged in a 12-key ascending layout, such as telephone keys, or descending, such as a computer number pad layout. In addition, function keys must be designed to contrast visually from their background surfaces.

8. Can the function keys just be swapped out?

Function keys cannot be swapped out because they are part of a security-encrypted keypad. However, keypads can be upgraded to the 2010 Standard. Encrypted PIN Pad (EPP) keyboards also fall under the category of Payment Card Industry (PCI) compliance. Consideration to both ADA and PCI requirements and upgrading to the EPP5 with PCI firmware should be well thought out in the planning process—please take this into consideration when planning and consult your legal department.

9. How do touch-screen capabilities factor into ADA requirements?

Transactions should be mapped to the keypad. The highest operational point can be no more than 48 inches (at the point of the top function key). All Opteva terminals, if installed correctly per litho, comply with this requirement.

10. Are Braille instructions required to initiate voice guidance on all ADA-accessible ATMs?

Yes. Braille instructions that explain how to initiate the voice guidance feature must be provided. Diebold can provide Braille labels with compliance instructions that can be applied on the fascia beside the headphone jack and comply with local Braille standards.

11. Do drive-up ATMs need to provide voice guidance and Braille signage?

Yes, if a drive-up ATM is a separate location then it must be ADA-accessible and provide voice guidance and Braille signage.

12. Must enhanced security be offered to individuals using voice guidance?

Yes. Voice guidance users must have a privacy screen, or an option to render the ATM screen blank, for greater security.

What does the American Bankers Association (ABA) recommend?

According to the ABA, consider developing and implementing a compliance plan by taking the following steps:

STEP 1. Inventory your institution's existing ATMs.

For each ATM, including drive-up ATMs, record the manufacturer, the model number and year the machine was manufactured, if available, or alternatively, the year the ATM was installed. Also, make note of the software operating system, and speech-output capabilities. If you do not have evidence or documentation of compliance with the access, height and reach requirements of the 1991 ADA Standards, you might also note the access route, height and reach range of each ATM.

STEP 2. Compare each ATM's specifications to the 1991 ADA Standards and the 2010 ADA Standards.

Compare the communications-related elements—i.e., the speech output capabilities—to the new 2010 ADA Standards. If any of your ATMs do not comply with the specifications of section 707, work with your ATM vendor to determine the feasibility of upgrading those ATMs to comply with the new communication requirements of the 2010 standard. Whether or not the ATM can be upgraded, and the cost of the upgrade, will depend on the model and age of the ATM. If you do not otherwise have evidence or documentation of compliance with the physical access elements of the 1991 ADA Standards, compare physical access elements—i.e., height, reach range and ground space access—to determine whether the physical access elements comply with the 1991 ADA Standards and are subject to the safe harbor provision.

STEP 3. Consult with your ATM vendor(s) to determine the cost of each upgrade. Remember to factor into these costs all employee hours spent installing new software or hardware and any employee training costs.

STEP 4. Establish a budget, strategic plan and schedule for achieving ATM accessibility. As part of this determination, consider the test for considering if an "undue burden" exists. Communicative elements must be modified unless doing so would be an undue burden. What is considered an undue burden is subjective and will be determined on a case-by-case basis. Factors to consider in creating the strategic plan include:

- a. The nature and cost of the upgrades;
- b. Alternative methods to serve the disabled; and
- c. The overall financial resources of the FI and those of the FI holding company, if applicable.

Remember that existing ATMs need only be modified to comply with the physical access requirements if they did not comply with the 1991 ADA Standards and it is "readily achievable" to do so, based on the same factors enumerated above. For example, lowering an ATM to comply with the revised reach range of the 2010 ADA Standard may not be readily achievable. In addition, it is not necessary to upgrade keyboard configurations as there were no specific keyboard requirements in the 1991 ADA Standard, and ATMs compliant with the 1991 ADA Standards are subject to the safe harbor clause. New ATMs, however, should comply with the keyboard requirements of the 2010 ADA Standards.

STEP 5. Revisit the strategic plan annually. ADA compliance is not static. Much like the Community Reinvestment Act, the ADA imposes continuing and changing responsibilities that require banks to annually review the accessibility requirements, bank resources and emerging technologies. Accessibility measures that previously were deemed too costly may now be affordable. Measures that may have been impractical may be made possible by new technology. In light of the continuing obligation to make facilities, products and services accessible to the disabled, FIs are required to annually review and modify their strategic plan for achieving compliance.

Diebold does not offer legal advice. Customers are encouraged to consult with their own legal departments to review the new regulations and make their own determination regarding compliance dates or requirements.

Contact Information:
Diebold, Incorporated
P.O. Box 3077
Dept. 9-B-16
North Canton, Ohio
44720-8077

800.999.3600 USA
330.490.4000 International
e-mail: productinfo@diebold.com
www.diebold.com