



## What Every IAD Should Know About the 2010 ADA Standards

Kurtis R. Johnson, Senior Product Manager Triton

### Overview

The Department of Justice (DOJ) published revised regulations for Titles II and III of the Americans with Disabilities Act (ADA) of 1990 in the *Federal Register* on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the *2010 ADA Standards for Accessible Design* (2010 Standards). The 2010 Standards set minimum requirements – both scoping and technical – for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities.

Of most interest for Independent ATM Deployers (IADs) are the portions of the 2010 Standards that are specific to public accommodations and commercial facilities, including financial institutions. The final rule, which ends a rulemaking process that started in 2004, imposes new accessibility standards for automated teller machines (ATMs), including requirements for speech output and tactilely discernable (*i.e.*, raised symbols) input controls to assist visually impaired customers. The American Bankers Association (ABA) urged the DOJ in a comment letter to exempt, or provide a safe harbor, for existing ATMs that are in compliance with current ADA accessibility standards, but the agency declined to do so in the final rule.

As a result, some existing ATMs may have to be retrofitted to comply with the 2010 Standards. The ADA requires upgrading, unless doing so would result in an “undue burden.” Therefore, whether an IAD will have to upgrade existing ATMs will be determined by its resources along with the upgrade costs.

Triton diligently monitors movement surrounding standards such as the ADA. With eyes on these standards, Triton developed the RL, FT, and RT series ATMs with the expectation that these standards would become law. In addition to these ATM models, many of Triton’s earlier ATM models have direct upgrade paths for compliance.

This document is not intended as a substitute for professional legal advice. For information about the ADA, including the 2010 Standards, please visit the DOJ’s website at [www.ada.gov](http://www.ada.gov).

### Compliance Date

According to the DOJ, the 2010 Standards are legally enforceable six (6) months after the publication date in the *Federal Register*, which was September 15, 2010, making the effective date March 15, 2011. The compliance date, the date at which ATMs must comply with the components detailed below, is March 15, 2012. At this time, currently deployed ATMs are not provided protection under the form of a safe harbor clause, meaning ATMs must be upgraded to support speech output. However, the ABA has written a letter to the DOJ requesting clarification of the compliance date as applicable to currently deployed ATMs.



Unless the DOJ provides safe harbor for currently deployed ATMs, these ATMs are subject to the 2010 Standards, specifically as the 2010 Standards pertain to speech output to assist visually impaired customers, by March 15, 2012. Safe harbor could come in many forms (*e.g.*, a “grandfather” clause stating that fielded ATMs are compliant as long as they at least meet the requirements of the 1991 Standards).

### **ATM Compliance Requirements**

The DOJ's ruling regarding ATM compliance with the 2010 Standards can be broken down into two areas: accessibility and input/output controls. For a complete detail of compliance requirements for all Triton ATM models, please refer to Triton's Bulletin #433, *ADA Compliance Statement*, released in September 2010.

It is important to note that where ATMs are provided, at least one ATM at each location complies with the 2010 Standards. If an establishment provides both interior and exterior ATMs, each such installation is considered a separate location. Accessible ATMs, including those with speech and those that are within reach of people who use wheelchairs, must provide all the functions provided to customers at that location at all times. For example, it is unacceptable for the accessible ATM to only provide cash withdrawals while inaccessible ATMs also provide more advanced functionality such as depositing, theater tickets, bill pay, etc.

#### **1. Accessibility**

- **Floor and Ground Surfaces**

A clear floor and ground space shall be provided for the ATM customers (note: this is not a requirement of drive-up only ATMs). Carpet pile height should not exceed ½ inch maximum. In addition, exposed carpet edges are required to be fastened to floor surfaces. A change in level of the floor surface is not permitted. A clear floor and ground space is defined as being at least 30 inches by 48 inches.

- **Reach Ranges**

To ensure the ATM is usable in terms of height and depth, the 2010 Standards detail maximum height and depth dimensions. Regardless of the approach of a customer who uses a wheelchair, the maximum height a customer should be expected to reach is 48 inches and the maximum depth a customer should be expected to reach is 10 inches. For Triton ATMs, these height and depth dimensional requirements are typically measured from the floor to the top 1x4 key along the side of the display and from the front of the ATM to the top 1x4 key along the side of the display, respectively. That particular element (the top 1x4 key) typically represents the extreme reach in both cases. All Triton ATMs manufactured since January 2001 meet this requirement.



## 2. Input and Output Controls

- **Speech Output**

All ATMs must be speech enabled for individuals with vision impairments. Speech requirements are characterized by the 2010 Standards as an “auxiliary aid or service”. The 2010 Standard for an auxiliary aid and service requires that speech output be provided unless doing so would result in an “undue burden (*i.e.*, significant difficulty or expense).” The Triton RL, FT, and RT series of ATMs have supported speech output since product launch. These ATMs feature a headphone jack and text-to-speech engine that instructs a visually impaired user on how to use the ATM. Additionally, for the privacy of the ATM user, the display on the ATM reports that an audio transaction is in progress.
- **Numeric Keys**

The keypad on all Triton ATMs is arranged in a 12-key ascending layout. The number five (5) key is tactilely distinct from the other keys, per the 2010 Standards, on all RL, FT, and RT series ATMs. Previous Triton ATM models may need to be upgraded to a Payment Card Industry (PCI) compliant keypad in order to meet this requirement.
- **Function Keys**

Function key surfaces should have tactile symbols representing their function. For example, the ENTER key should have a raised “O”, the CLEAR key should have a raised “<”, the CANCEL key should have a raised “X”, and keys used to add and subtract value should have a raised “+” and “-”, respectively. Per the DOJ, keypads are not considered to be communicative elements of the ATM, and, as such, are subject to safe harbor. These keypads, however, must comply with the 1991 Standards. All Triton ATM keypads comply with the 1991 Standards.
- **Display Screen**

The 2010 Standard specifies that the display screen should be visible from a point located 40 inches above the center of the floor space in front of the ATM; characters displayed on the screen shall be in a sans serif font with a minimum height of 3/16 inch based on the uppercase letter “T”; and characters should contrast with their background. Triton ATM models comply with this requirement.
- **Braille Instructions**

Braille instructions for initiating the speech mode must be provided. Braille instructions are a standard part of each ATM in the RL, FT, and RT series; however, there were periods of time when Braille instructions were not included on the RL series.

In addition to the compliance requirements detailed in the 2010 Standards, Triton ATMs comply with a number of other regulatory requirements. Triton also strives to ensure the security of the customer using the ATM as well as strives to ensure a secure transmission of the transaction to the approving authorities. Remember, regulatory compliance in any form is not a static target.



Triton has positioned itself to stay abreast of ATM-related regulatory compliance in order to better serve you.

For a complete detail of compliance requirements for all Triton ATM models, please refer to Triton's Bulletin #433, *ADA Compliance Statement*, released in September 2010.

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Your ATMGurus Customer Service Rep is prepared to assist you in determining your upgrade requirements or answer any questions you might have as you review your fleet and prepare for compliance. Please contact your regional: [shelly.davis@atmgurus.com](mailto:shelly.davis@atmgurus.com)

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