

# eRegulations

**Makes reading, responding to,  
and using regulations -- without  
a law degree -- less scary**



**Meet Dave.**



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#### SUPPLEMENT I TO PART 1005—OFFICIAL INTERPRETATIONS

AUTHORITY: 12 U.S.C. 5512, 5581; 15 U.S.C. 1693b.

EFFECTIVE DATE NOTES: 1. At 77 FR 6285, Feb. 7, 2012, part 1005 authority citation was revised, effective Feb. 27, 2013. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 12 U.S.C. 5512, 5581; 15 U.S.C. 1693b. Subpart B is also issued under 12 U.S.C. 5601; Pub. L. 111–203, 124 Stat. 1376 (2010).

2. At 77 FR 50282, Aug. 20, 2012, part 1005 authority citation was revised, effective Feb. 27, 2013. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 12 U.S.C. 5512, 5581; 15 U.S.C. 1693b. Subpart B is also issued under 12 U.S.C. 5601; Pub. L. 111–203, 124 Stat. 1376 (2010).

SOURCE: 76 FR 81023, Dec. 27, 2011, unless otherwise noted.

## Subpart A—General

### § 1005.1 Authority and purpose.

(a) *Authority.* The regulation in this part, known as Regulation E, is issued by the Bureau of Consumer Financial Protection (Bureau) pursuant to the Electronic Fund Transfer Act (15 U.S.C. 1693 *et seq.*). The information-collection requirements have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and have been assigned OMB No. 3170–0014.

(b) *Purpose.* This part carries out the purposes of the Electronic Fund Transfer Act, which establishes the basic rights, liabilities, and responsibilities of consumers who use electronic fund transfer services and of financial institutions that offer these services. The primary objective of the Act and this part is the protection of individual consumers engaging in electronic fund transfers.

EFFECTIVE DATE NOTE: At 77 FR 6285, Feb. 7, 2012, § 1005.1 was amended by revising paragraph (b), effective Feb. 27, 2013. For the convenience of the user, the revised text is set forth as follows:

### § 1005.1 Authority and purpose.

\* \* \* \* \*

(b) *Purpose.* This part carries out the purposes of the Electronic Fund Transfer Act, which establishes the basic rights, liabilities, and responsibilities of consumers who use electronic fund transfer and remittance transfer services and of financial institutions or other persons that offer these services. The primary objective of the act and this part is the protection of individual consumers engaging in electronic fund transfers and remittance transfers.

### § 1005.2 Definitions.

For purposes of this part, the following definitions apply:

(a)(1) “Access device” means a card, code, or other means of access to a consumer's account, or any combination thereof, that may be used by the consumer to initiate electronic fund transfers.

(2) An access device becomes an “accepted access device” when the consumer:

(1) Requests and receives, or signs, or uses (or authorizes another to use) the



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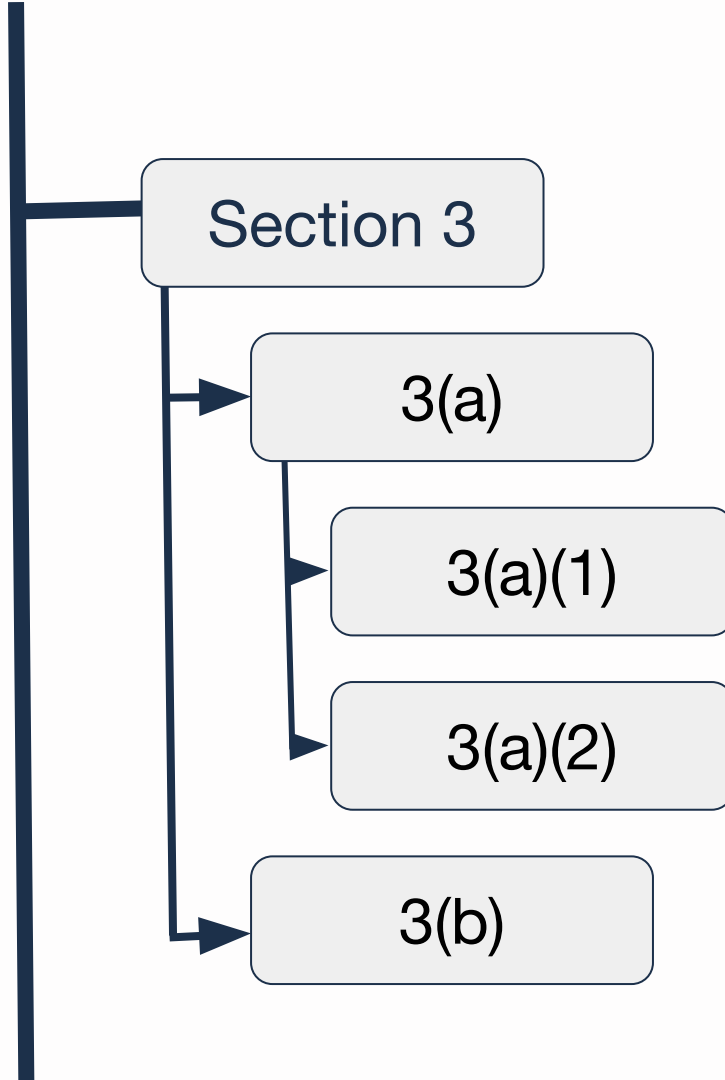
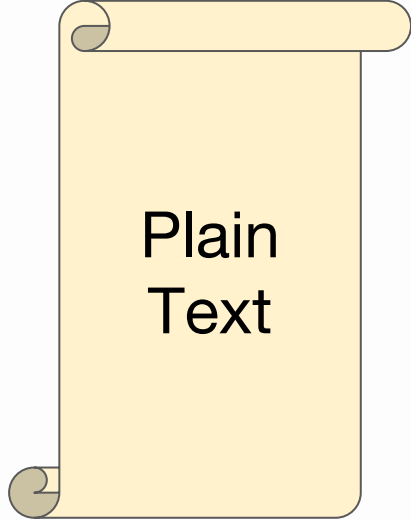
### a. Alternate methods or procedures.

Any person subject to the provisions of this part, on specific approval by the Director as provided in this paragraph, may use an alternate method or procedure in lieu of a method or procedure specifically prescribed in this part. The Director may approve an alternate method or procedure, subject to stated conditions, when it is found that:

1. Good cause is shown for the use of the alternate method or procedure;
2. The alternate method or procedure is within the purpose of, and consistent with the effect intended by, the specifically prescribed method or procedure and that the alternate method or procedure is substantially equivalent to that specifically prescribed method or procedure; and
3. The alternate method or procedure will not be contrary to any provision of law and will not result in an increase in cost to the Government or hinder the effective administration of this part. Where such person desires to employ an alternate method or procedure, a written application shall be submitted to the appropriate Director, Industry Operations, for transmittal to the Director. The application shall specifically describe the proposed alternate method or procedure and shall set forth the reasons for it. Alternate methods or procedures may not be employed until the application is approved by the Director. Such person shall, during the period of authorization of an alternate method or procedure, comply with the terms of the approved application. Authorization of any alternate method or procedure may be withdrawn whenever, in the judgment of the Director, the effective administration of this part is hindered by the continuation of the authorization.

### b. Emergency variations from requirements.

RULINGS HELP 



## § 1005.2 Definitions.

Except as otherwise provided in subpart B, for purposes of this part, the following definitions apply:

- a. 1. **“Access device”** means a card, code, or other means of access to a consumer's account, or any combination thereof, that may be used by the consumer to initiate electronic fund transfers.
  
2. An access device becomes an **“accepted access device”** when the consumer:
  - i. Requests and receives, or signs, or uses (or authorizes another to use) the access device to transfer money between accounts or to obtain money, property, or services;
  - ii. Requests validation of an access device issued on an unsolicited basis;  
or
  - iii. Receives an access device in renewal of, or in substitution for, an accepted access device from either the financial institution that initially issued the device or a successor.





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## § 1005.16 Disclosures at automated teller machines.

### a. Definition.

"Automated teller machine operator" means any person that operates an automated teller machine at which a consumer initiates an electronic fund transfer or a balance inquiry and that does not hold the account to or from which the transfer is made, or about which an inquiry is made.

### b. General.

An automated teller machine operator that imposes a fee on a consumer for initiating an electronic fund transfer or a balance inquiry ~~shall~~ *must provide a notice that a fee will be imposed for providing electronic fund transfer services or a balance inquiry that discloses the amount of the fee.*

1. ~~Provide notice that a fee will be imposed for providing electronic fund transfer services or a balance inquiry; and~~
2. ~~Disclose the amount of the fee.~~

### c. Notice requirement.

~~To meet~~ *An automated teller machine operator must provide the requirements notice required by paragraph (b) of paragraph (b) this section either by showing it on the screen of this section, or the automated teller machine operator must comply with or by providing it on paper, before the following: consumer is committed to paying a fee.*

#### 1. ON-THE-MACHINE.

~~Post in a prominent and conspicuous location on or at the automated teller machine a notice that:~~

- ~~A fee will be imposed for providing electronic fund transfer services or for a balance inquiry; or~~
- ~~A fee may be imposed for providing electronic fund transfer services or for a balance inquiry, but the notice in this paragraph (c)(1)(ii) may be substituted for the notice in paragraph (c)(1)(i) of this section only if there are circumstances under which a fee will not be imposed for such services; and~~

#### 2. SCREEN-OR-PAPER-NOTICE.

~~Provide the notice required by paragraphs (b)(1) and (2) of this section either by showing it on the screen of the automated teller machine or by providing it on paper, before the consumer is committed to paying a fee.~~

### d. Imposition of fee.

An automated teller machine operator may impose a fee on a consumer for initiating an electronic fund transfer or a balance inquiry ~~only if:~~

HELP

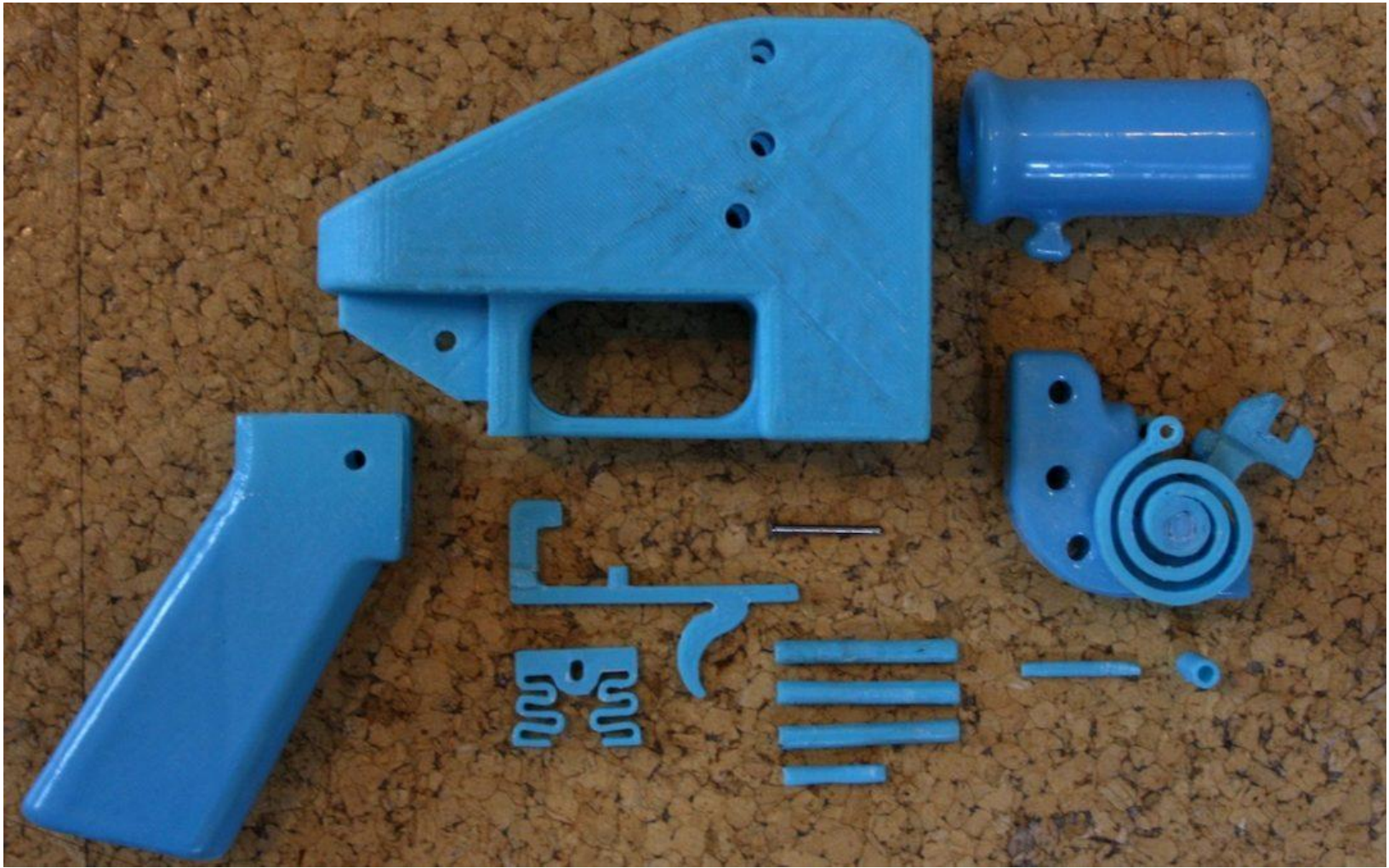






Yarg. This is  
nice.

**Happy Dave.**



This is a  
Regulation



Agency wants to  
change the law



Proposed changes  
to a regulation



30-60 day Notice  
& Comment Period



Final changes added  
to the regulation



This is where the public can engage  
in conversation with the agency.  
*Before the regulation is finalized.*

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40 CFR 264

Authority

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5. Revise § 263.21 to read as follows:

## § 263.21 Compliance with the manifest.

a. ~~The~~Except as provided in paragraph (b) of this section, the transporter must deliver the entire quantity of hazardous waste which he or she has accepted from a generator or a transporter to:



Show more context



b. 1. If the hazardous waste cannot be delivered in accordance with paragraph (a)(1), (a)(2), or (a)(4) of this section because of an emergency condition other than rejection of the waste by the designated facility or alternate designated facility, then the transporter must contact the generator for further ~~directions~~instructions and must revise the manifest according to the generator'sgenerator's instructions.

2. TRANSPORTERS WITHOUT AGENCY AUTHORITY.

If the hazardous waste is ~~rejected by~~not delivered to the next designated facility whiletransporter in accordance with paragraph (a)(3) of this section, and

Write a comment about § 263.21(a)

Write a comment about § 263.21(b)(1)

Write a comment about § 263.21(b)(2)



*By Odin's raven,  
I love this like  
the sea.*

**Euphoric Dave.**



# Launch timelines:



2 years



7 months



4 months



2 months





[ Inaudible squeals  
and pirate grunts  
of joy ]

**Just done lost  
his mind Dave.**

# Thank you!

Learn more about eRegulations:  
[eregs.github.io](https://eregs.github.io)