

Federal Reserve Bank of San Francisco  
101 Market Street, San Francisco, California 94105

January 9, 2013

To State Member Banks, Bank  
Holding Companies, Financial Holding  
Companies, Savings and Loan Holding Companies,  
and Foreign Banking Offices  
in the Twelfth Federal Reserve District

**President Signs ATM Bill and CFPB Adjusts HMDA Asset-Size Exemption Threshold**

This letter includes two updates to existing consumer protections laws and regulations:

ATM Fee Notices

On December 20, 2012, the President signed into law a bill ([H.R. 4367](#)) that amends Section 904(d)(3)(B) of the Consumer Credit Protection Act (commonly known as the “Electronic Fund Transfer Act”). The legislation reforms the fee disclosure requirements on automated teller machines. As noted in The White House [press release](#), H.R. 4367 eliminates the requirement that ATM operators post notice of a service fee on or at the ATM equipment, while retaining the requirement that such a notice be posted on the ATM screen or by a paper notice issued from the ATM.

HMDA Asset Size Exemption Threshold

On December 28, 2012, the Consumer Financial Protection Bureau (CFPB) issued a [final rule](#) adjusting the asset-size exemption threshold for banks, savings associations, and credit unions under Regulation C which implements the Home Mortgage Disclosure Act (HMDA).

Based on the adjustment, the asset-size exemption will increase to \$42 million. As a result, institutions with assets of \$42 million or less as of December 31, 2012, are exempt from collecting HMDA data in 2013. An institution’s exemption from collecting data in 2013 does not affect its responsibility to report the data it was required to collect in 2012.

**Resources**

Additional information on CFPB rules and related guidance can be found on the CFPB’s website at <http://www.consumerfinance.gov/>.

**Additional Information**

All circulars and documents are available on the Internet through the Federal Reserve Bank of San Francisco’s website, at <http://www.frbsf.org/banking/letters>.

For additional information regarding supervisory expectations, please contact:

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