

D-08-22-02

Date: August 25, 2022
Bulletin: All Dealers and Tag and Title Agencies
From: Business Licensing and Compliance
RE: **Revised: Electronic Signature requirements for titling and registration documents**

The purpose of this bulletin is to provide further detail and clarification regarding electronic/digital signatures on titling and registration documents.

The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) has eliminated the requirement of an ink (wet) signature requirement for title documents. For the Federal Odometer statement all business must adhere to the NHTSA ruling 40 CFR 580.

Dealerships or service providers must use an electronic signature solution that allows the forms to be signed via a signing device or through a compliant process using email. The electronic signature process must use an identity proofing / authentication protocol or methodology to determine the identity of the signer which meets the National Institute of Standards and Technology assurance level 2.

Dealerships or service providers must submit an electronic signature certification page along with the forms and other transaction documents. Dealerships or service providers must maintain records related to the signature authentication for the normal document retention period.

An attestation statement on the dealership or service provider's letterhead must accompany the transaction documents and it must include the following verbiage:

[NAME OF DEALER OR SERVICE PROVIDER] attests that the electronic signature(s) on the odometer disclosure documents meet the requirements set forth by National Highway Traffic Safety Administration Rule 49 CFR 580 for assurance Level 2.

BEST PRACTICES:

- If an owner of a vehicle is under 18, a parent, spouse, employer or other responsible adult must sign as co-signer. Co-signer is only certifying the accuracy of the information; they will not be shown on the title.
- Company and Corporate signatures need to have the capacity of the individual stated after the signature.
- Be sure to keep copies of customer identification with the transaction paperwork at your business and send a copy with the MVA transaction documents.

- Make sure to maintain all documents and records in compliance with all federal, state, and local regulations.

If you have any questions, please contact us at 410-787-2952 or mvablcsd@mva.maryland.gov.