

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Danielle W. Gregoire

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the authorization for electronic signatures with motor vehicle title and registration transactions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/14/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the authorization for electronic signatures with motor vehicle title and registration transactions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Laws are hereby amended by inserting after chapter 90J the
2 following chapter:-

3 Chapter 90K. Electronic Signatures with Motor Vehicle Title and Registration
4 Transactions

5 Section 1. Definitions. In this chapter, except when the context otherwise requires, the
6 following words shall have the following meanings:—

7 “Electronic signature”, as defined in section 2 of chapter 110G.

8 “Electronic”, as defined in section 2 of chapter 110G.

9 “Physical odometer document”, a physical document as defined in Part 580 of Title 49
10 United States Code of Federal Regulations containing an odometer disclosure statement printed
11 on paper by a secure printing process or other secure process by any jurisdiction in compliance

12 with the Part. Physical odometer documents, for the purposes of this chapter, are limited to
13 certificates of title, secure powers of attorney, and reassignment documents. The term does not
14 include any other form or document, even if the document contains a space for an odometer
15 reading.

16 Section 2. Acceptance of Electronic Signatures.

17 (a) The registrar shall accept electronic signatures on any document, form, physical
18 odometer document, or record necessary or required by the registrar related to or for the purposes
19 of registering or titling any motor vehicle in the commonwealth, inclusive of, but not limited to,
20 chapters 90 and 90D.

21 (b) A physical odometer document that is made electronic by imaging, scanning, or
22 similar process: (i) is not an “electronic power of attorney” or “electronic title” as those terms are
23 defined in Part 580 of Title 49 United States Code of Federal Regulations; and (ii) shall be
24 accepted by the registrar if subsequently executed with an electronic signature.

25 (c) The registrar shall accept any document, form, physical odometer document, or record
26 with electronic signatures by: (i) electronic means through any process or system available,
27 including but not limited to the electronic vehicle registration program, to accept documents,
28 forms, physical odometer documents, or records by electronic means; or (ii) physical means,
29 such that the document, form, physical odometer document, or record is printed to paper.

30 (d) A physical odometer document which is made electronic by imaging, scanning or
31 other similar process that is subsequently executed with an electronic signature that requires
32 submission to the registrar by physical means shall require the physical odometer document, in
33 its original format, prior to its execution by electronic signature, to accompany the printed copy

34 if the physical odometer document is a: (i) certificate of title; or (ii) secure power of attorney or
35 dealer reassignment and it has physically completed data or information, such as by handwriting
36 or printing, that preceded the execution by electronic signature.

37 Section 3. Requirements and Limitations.

38 (a) The registrar: (i) may require a document containing an electronic signature to include
39 an indication that the signature is electronic; (ii) shall not require an electronic signature process
40 or an electronic signature vendor be certified by the registrar before accepting a document that is
41 executed with an electronic signature; (iii) shall not require a document which has been executed
42 with an electronic signature to be converted to physical format by printing for any purpose,
43 except when submission by physical means is necessary and required; (iv) shall not impose any
44 additional requirement upon an electronic signature except as authorized by this chapter; and (v)
45 may require a certification of authenticity, audit trail, or similar statement or proof of assurance.

46 (b) The system or person granting access to the system used to capture an electronic
47 signature must verify the identity of the user accessing the system. The system must: (i)
48 be securely maintained; (ii) capture and retain the user information, including the Internet
49 Protocol address of the signer and date and timestamp of system access or electronic signature
50 capture; and (iii) retain all information provided to the system for a period of five years, which
51 shall be made available to the registrar, other regulatory agencies, or law enforcement upon
52 request.

53 (c) This chapter shall not be construed to require, limit, prohibit, or otherwise hinder the

54 ability of the registrar to provide electronic services, systems, or alternative methods to
55 receiving and transmitting electronic data, documents, or records, including electronic signature
56 capturing or identity verification.

57 (d) This chapter shall not be construed to require, limit, prohibit, or otherwise hinder the
58 registrar to provide or issue an “electronic power of attorney” or “electronic title” as
59 those terms are defined in Part 580 of Title 49 United States Code of Federal Regulations, or
60 provide an electronic signature process, system, platform, or service.

61 Section 4. Utilization.

62 Electronic signatures may not be used for any purpose other than the purpose indicated
63 by the signer on the document and shall be linked to their respective electronic records to ensure
64 that the signatures cannot be excised, copied, or otherwise transferred unless expressly
65 authorized by the signer.

66 Section 5. Conflict.

67 This chapter shall prevail in any conflict arising with another provision in chapters 90,
68 90D, and 110G of the General Laws. Chapter 110G of the General Laws shall govern any area
69 not expressly addressed in this chapter.

70 SECTION 2. Any permissive clause not expressly exercised by the registrar by policy,
71 rule, or regulation on or after the effective date is deemed not in effect on the date the electronic
72 signature is captured. The registrar shall not retroactively enforce provisions once exercised.

73 SECTION 3. This act shall take effect upon its passage.