

RMV SIGNATURE GUIDELINES

ELECTRONIC SIGNATURES ON RMV DOCUMENTS



JULY 22, 2020

Electronic Signatures – Background Information

What prompted the RMV's consideration of usage/acceptance of Electronic Signatures?

- The RMV received a number of inquiries from dealers, their software vendors, and insurance agents about the use of electronic signatures
- The advancement of technology makes electronic signatures “business as usual” in many industries, including ones that are highly regulated (e.g., financial services)
- The advent of COVID-19 requires more “contactless” registration process; electronic signatures help facilitate this

Electronic Signatures – Background Information (cont'd)

What external research did the RMV undertake?

- The RMV researched the November 2019 NHTSA Odometer disclosure regulation
- We worked with the Massachusetts Department of Revenue to obtain their permission and understand their standards for the use of electronic signatures on sales-tax-related documents
- We reached out to other states that have experience with electronic titles and MCOs, specifically TX, GA, and CA
- Based on a combination of Texas statutes and regulations, we developed the draft Electronic Signature Guidelines

Goals for Electronic Signature

To look at the registration process from a customer and business partners prospective, and:

- Promote a “contactless” registration process
- Minimize the usage of physical paper and associated data entry
- Simplify the overall vehicle purchase and registration process

What is an Electronic Signature ?

- An Electronic Signature is a digital contract or other electronic record executed by a person with an intent to sign the contract or record
- Online contracts are made for a variety of business transactions, such as purchasing a car, buying an insurance policy, or closing a mortgage. The law allows businesses to satisfy their obligation to provide legally required notices to customers by sending those notices electronically, once the consumer provides consent for such online communication
- For the RMV, Electronic Signatures include both “Electronic Signatures” and “eSignatures”

What is an Electronic Signature? (continued)

- An Electronic Signature is where a person and document are present and the person signs using a signature pad **or** the person authenticates to a system and as part of completing the document, applies a stamp/signature
 - Examples:
 - Insurance agent applies an electronic insurance stamp to the RTA they are creating
 - RMV customer submits a CDL Medical Certification securely via MyRMV
 - RMV customer signs the signature pad as part of a license transaction

What is an eSignature?

- An eSignature is a form of Electronic Signature where the person is not present
- In these cases, the signer authenticates to the eSignature product and the document is presented in a manner where the person is prompted to walk through the document and sign in the appropriate place(s)
- eSignatures for an organization must identify the organization, the individual(s) signing, and their official capacity at the organization

To What Documents Do Electronic Signatures Apply?

- Documents, contracts, and agreements that the customer or business partner completes and submits directly to the RMV are appropriate for either web-based or direct submission using both forms of electronic signatures
- RMV documents that a third party completes and provides to the customer for signature that are subsequently submitted to the RMV (most of the registration and sales tax document fit here)

Secure and Non-Secure Documents

- A secure document has security features in the paper or medium it is printed on (for example a vehicle title, driver's license or Certificate of origin (MCO))
- A non-secure document is everything else and the majority of RMV documents (e.g., the Registration and Title Application and all the sales-tax forms)
- Electronically signed non-secure documents can be submitted to the RMV Service Centers and any other location that processes RMV transactions
- Electronically signed secure documents can only be processed through EVR Version 2 locations

Secure and Non-Secure Documents (continued)

- Both secure and non-secure documents can be signed using an Electronic Signature
 - A secure document generally is “secured” because of statutory or regulatory requirement
 - Even when true electronic version of secure documents are allowed, one must allow for three versions of the secure document: electronic, paper, and hybrid
 - The proposed MCO is an example of a “hybrid” as it is a combination of a physical and electronic document
 - This means that if a hybrid secure document is signed electronically, both the physical and electronic document have to be preserved

Use Case With the Electronic Signature Guidelines

Why did the RMV create Electronic Signature Guidelines with a use case?

- To encourage thinking about how your business process/workflow could effectively incorporate e-Signatures
- The most successful and efficient implementations of eSignatures are cases where it is integrated into the overall business or “sales” workflow
- EVR Version 2 allows EVR users to electronically obtain license and registration data at the beginning of the registration/vehicle sale business process
- The proper identification of the registrant/electronic signature signer is critical

Use Case

Is the workflow as specified in the use case mandatory?

- No, we are simply trying to provide the industry with a workflow that we thought would work well

What are the next steps if we want to use eSignatures?

- Review your business process to determine how and where eSignatures fit into the process both near and long term
- Decide if you or vendor partner is going to undertake the implementation effort for eSignatures

Timeframes and Comments

What is the timeframe for the RMV to finalize the guidelines?

- The RMV has set a goal of finalizing the guidelines by Monday, August 10, 2020
- This is dependent on the volume of the comments we receive and any related adjustments that may be necessary

If we have comments, where should we direct them and by when?

- Comments should be sent to ATLAS.EVR@dot.state.ma.us by COB Monday July 27, 2020
- If you have any suggestion for addition RMV forms that should be considered for Electronic Signatures, please include them with your comments

RMV Signature Signature Document

The RMV Signature Guideline document can be found at either:

- Business Partner Website for EVR:

<https://atlas.massrmv.com/ElectronicVehicleRegistration.aspx>

Or

- Business Partner Website for IPM:

<https://atlas.massrmv.com/IPMProgram.aspx>

- Comments should be sent to ATLAS.EVR@dot.state.ma.us by COB Monday July 27, 2020

Questions?