

1.1 moves to amend H.F. No. 1335 as follows:

1.2 Page 1, after line 4, insert:

1.3 "Section 1. Minnesota Statutes 2024, section 168.33, subdivision 8a, is amended to read:

1.4 Subd. 8a. **Electronic transmission.** (a) ~~If~~ The commissioner ~~accepts~~ must accept
1.5 electronic transmission of a motor vehicle transfer and registration by a new ~~or~~ motor vehicle
1.6 dealer, used motor vehicle dealer, and a user authorized by the commissioner. A deputy
1.7 registrar who is equipped with electronic transmission technology and trained in its use
1.8 must receive the filing fee provided for in subdivision 7 and review the transfer of each new
1.9 or used motor vehicle to determine its genuineness and regularity before issuance of a
1.10 certificate of title, and must receive and retain the filing fee under subdivision 7, paragraph
1.11 (a), clause (2).

1.12 (b) The commissioner must establish reasonable performance, security, technical, and
1.13 financial standards to approve companies that provide computer software and services to
1.14 motor vehicle dealers and other authorized users to electronically transmit vehicle title
1.15 transfer and registration information and documents. An approved company must be offered
1.16 access to department facilities, staff, and technology on a fair and reasonable basis. An
1.17 approved company must not have an ownership interest with a deputy registrar or a driver's
1.18 license agent. An approved company is not eligible to be appointed by the commissioner
1.19 as a deputy registrar or a driver's license agent.

1.20 (c) A person who transmits a physical document in electronic form, including by scan
1.21 or other means, must retain the physical document in the manner prescribed by the
1.22 commissioner. Information or a document that is not produced in physical form is not
1.23 required to be converted to physical form and must be retained for a period of time as
1.24 determined by the commissioner. A person who transmits a document electronically as

2.1 provided under this subdivision is not required to provide the document in physical form
2.2 to the commissioner or a deputy registrar as a routine course of business.

2.3 **Sec. 2. [168A.50] ELECTRONIC SIGNATURES.**

2.4 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms have
2.5 the meanings given.

2.6 (b) "Electronic" has the meaning given in section 325L.02, paragraph (e).

2.7 (c) "Electronic signature" means an electronic sound, symbol, or process, attached to or
2.8 logically associated with a document, form, physical odometer document, or other record
2.9 and executed or adopted by a person with the intent to sign, agree, or otherwise acknowledge
2.10 the information and facts to be accurate and correct.

2.11 (d) "Physical odometer document" means a physical document that is a certificate of
2.12 title, secure power of attorney, or reassignment document, and contains an odometer
2.13 disclosure statement printed on paper by a secure printing process or other secure process
2.14 by any jurisdiction in compliance with Code of Federal Regulations, title 49, part 580.
2.15 Physical odometer document excludes any other form or document, even if the document
2.16 contains a space for an odometer reading.

2.17 (e) "Requisite document" means any document, form, physical odometer document, or
2.18 record required under this chapter or chapter 168.

2.19 **Subd. 2. Acceptance of electronic signatures.** (a) The commissioner must accept
2.20 electronic signatures on any requisite document.

2.21 (b) The commissioner must accept a physical odometer document that is converted to
2.22 an electronic form by imaging, scanning, or similar process, and is subsequently executed
2.23 by an electronic signature. An electronic document under this paragraph is not an electronic
2.24 power of attorney or electronic title, as the terms are defined in Code of Federal Regulations,
2.25 title 49, section 580.03.

2.26 (c) The commissioner must accept any requisite document with electronic signatures
2.27 by:

2.28 (1) electronic means if the commissioner has a process or system available to accept the
2.29 document by electronic means; or

2.30 (2) physical means, such that the document is printed to paper.

2.31 (d) For a physical odometer document required to be submitted to the commissioner by
2.32 physical means, an electronic document created and executed as provided under paragraph

3.1 (b) must be accompanied by a printed copy of the electronic document and the corresponding
3.2 physical odometer document in its original format prior to execution by an electronic
3.3 signature. This paragraph applies if the physical odometer document is:

3.4 (1) a certificate of title; or

3.5 (2) a secure power of attorney or dealer reassignment that contains physically completed
3.6 data or information, such as by handwriting or printing, that preceded the execution by
3.7 electronic signature.

3.8 Subd. 3. Requirements; limitations. (a) The commissioner may require:

3.9 (1) that a document containing an electronic signature include an indication that the
3.10 signature is electronic; and

3.11 (2) a certification of authenticity, audit trail, or similar statement or proof of assurance.

3.12 (b) The commissioner must not:

3.13 (1) require an electronic signature process or an electronic signature vendor be certified
3.14 by the commissioner before accepting a document that is executed by an electronic signature;

3.15 (2) require a document which has been executed by an electronic signature to be converted
3.16 to physical format by printing for any purpose, except when submission by physical means
3.17 is required; and

3.18 (3) impose any additional requirements for an electronic signature except as authorized
3.19 under this section.

3.20 Subd. 4. Electronic signature capture system. (a) The system or person granting access
3.21 to the system used to capture an electronic signature must verify the identity of the user
3.22 accessing the system. The system used to capture an electronic signature must:

3.23 (1) be securely maintained;

3.24 (2) capture and retain user information, including the Internet Protocol address of the
3.25 signer and date and timestamp of system access or electronic signature capture; and

3.26 (3) retain all information provided to the system for a period of five years.

3.27 (b) Information under paragraph (a), clause (3), must be made available to the
3.28 commissioner, other regulatory agencies, or law enforcement upon request.

3.29 Subd. 5. Use of electronic signature. An electronic signature under this section must
3.30 not be used for any purpose other than as indicated by the signer on the document and must

4.1 be linked to the respective electronic record to ensure that the signature cannot be excised,
4.2 copied, or otherwise transferred unless expressly authorized by the signer.

4.3 Subd. 6. **Authority.** (a) Nothing in this section requires, prohibits, or otherwise limits
4.4 the ability of the commissioner to provide electronic service, process, system, platform, or
4.5 alternative methods to receiving and transmitting electronic data, documents, or records,
4.6 including electronic signature capturing or identity verification.

4.7 (b) Nothing in this section requires, prohibits, or otherwise limits the commissioner to
4.8 provide or issue an electronic power of attorney or electronic title, as the terms are defined
4.9 in Code of Federal Regulations, title 49, section 580.03.

4.10 Subd. 7. **Application; conflicts.** (a) The requirements in this section apply to this chapter
4.11 and chapter 168.

4.12 (b) This section prevails in any conflict arising with another provision in this chapter or
4.13 chapter 168. The Uniform Electronic Transactions Act, chapter 325L, prevails in any conflict
4.14 with this section and governs any area not expressly addressed in this section."

4.15 Renumber the sections in sequence and correct the internal references

4.16 Amend the title accordingly