

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 84

(Chair, Judicial Proceedings Committee)(By Request -  
Departmental - Transportation)

Judicial Proceedings

Environment and Transportation

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**Vehicle Laws - Certificate of Title Application - Signature Requirement**

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This departmental bill repeals a requirement that a signature be made in ink on an application for a certificate of title of a vehicle.

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**Fiscal Summary**

**State Effect:** None. The change is procedural in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** The Maryland Department of Transportation has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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**Analysis**

**Current Law/Background:** An application for a certificate of title of a vehicle must be made by the owner of the vehicle on the required form. The application must be signed in ink by (1) each owner who is an individual; (2) the individual cosigning the application on behalf of a minor, as specified; (3) an officer or authorized agent of the owner, if the owner is a business, firm, association, or corporation; (4) a partner or joint venture, if the owner is a partnership or joint venture; (5) an officer or authorized agent, if the owner is an unincorporated association, joint stock company, or other group described in § 6-406 of the Courts and Judicial Proceedings Article; or (6) a trustee, if the owner is a trust.

The Motor Vehicle Administration (MVA) advises that, with upcoming information technology system changes, it will have greater system capability for customers to apply for transactions over the web and to submit applications and upload other supporting documents. However, MVA notes that the existing statutory ink signature requirement is a barrier to this electronic documentation effort; removing the requirement will allow more documents to be accepted electronically.

MVA further advises that the change is consistent with the Maryland Uniform Electronic Transactions Act, which specifies in § 21-106(d) of the Commercial Law Article that, if a law requires a signature, an electronic signature satisfies the law.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 21, 2019  
mm/ljm Third Reader - February 1, 2019

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**ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES**

TITLE OF BILL: Motor Vehicle Administration – Vehicle Title Application –  
Signature Requirement

BILL NUMBER: SB 84

PREPARED BY: Maryland Department of Transportation / Motor Vehicle  
Administration  
(Dept./Agency)

**PART A. ECONOMIC IMPACT RATING**

This agency estimates that the proposed bill:

  X   WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESS

OR

       WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESSES

**PART B. ECONOMIC IMPACT ANALYSIS**