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§21–118.1.

(a) (1) In this section the following words have the meanings indicated.

(2) "Electronic postmark certificate" means evidentiary proof, provided to the sender or recipient of an electronic record, that the electronic record:

(i) Was postmarked by a postal authority with a valid electronic postmark on the date and time indicated;

(ii) Was transmitted in a certain form on a specific date and time; and

(iii) Was sent by the person indicated, to the person indicated, and on the date and time indicated.

(3) "Postal authority" means:

(i) The United States Postal Service or other national public or private mail delivery service that provides electronic postmarks; or

(ii) A public or private entity that has the regulatory authority or legal responsibility for providing electronic postmarks.

(b) Subject to § 21-117 of this title, a requirement under a law other than this title to send, communicate, or transmit a record by registered or certified mail, postage prepaid, or by regular mail is satisfied by an electronic record that:

(1) Is addressed properly or otherwise directed properly to an information processing system that the recipient has designated;

(2) (i) Enters an information processing system that is outside the control of the sender; or

(ii) Enters a region of an information processing system that is under the control of the recipient;

(3) Is postmarked by a postal authority with an electronic postmark; and

(4) Is authenticated by an electronic postmark certificate.

(c) An electronic record is subject to the same legal protections as the United States mail if:

(1) The electronic record meets the requirements of subsection (b) of this section; and

(2) The postal authority that postmarked the electronic record under subsection (b)(3) of this section is the United States Postal Service.

(d) This section does not authorize the use of an electronic postmark or electronic postmark certificate for the service of a summons, complaint, or other papers for the purpose of obtaining jurisdiction over a defendant in a lawsuit.

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