

CHAPTER 1053

MAINE DIGITAL SIGNATURE ACT

§9501. Short title

This chapter may be known and cited as the "Maine Digital Signature Act." [PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

§9502. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1999, c. 762, §2 (NEW).]

1. Digital signature. "Digital signature" means a computer-created electronic signature that:

A. Is intended by the person using it to have the same force and effect as the use of a manual signature; [PL 1999, c. 762, §2 (NEW).]

B. Is unique to the person using it; [PL 1999, c. 762, §2 (NEW).]

C. Is capable of verification; [PL 1999, c. 762, §2 (NEW).]

D. Is under the sole control of the person using it; and [PL 1999, c. 762, §2 (NEW).]

E. Is linked to data in such a manner that it is invalidated if the data are changed. [PL 1999, c. 762, §2 (NEW).]

[PL 1999, c. 762, §2 (NEW).]

2. Electronic signature. "Electronic signature" has the same meaning as used in chapter 1051.

[PL 1999, c. 762, §2 (NEW).]

3. State agency. "State agency" means a state department, agency, office, board, commission, quasi-independent agency, authority or institution.

[PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

§9503. Rules adopted by Secretary of State

When a digital signature is used in a transaction involving a state agency, it must conform to rules adopted by the Secretary of State. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. [PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

§9504. Effect of use of digital signature

A digital signature may be accepted as a substitute for, and, if accepted, has the same force and effect as the use of, a manual signature. [PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

§9505. Effect of electronic filing with digital signature

A state agency may allow the electronic filing of information required by that agency. Information filed electronically with a state agency utilizing a digital signature has the same force and effect as if filed as a paper document with a manual signature. [PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

§9506. Use of digital signature

The use or acceptance of a digital signature is at the option of the parties. Nothing in this chapter requires a state agency to use or permit the use of a digital signature. [PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

§9507. Construction

Except as otherwise specifically provided, nothing in this chapter may be construed to preempt, replace or otherwise negate the requirements of chapter 1051. [PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.