

AMENDED IN SENATE JUNE 26, 2000

AMENDED IN SENATE JUNE 13, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2934**

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**Introduced by Committee on Information Technology  
(Dutra (Chair), Alquist, and Ducheny)**

March 23, 2000

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An act to amend Section 1801.1 of, and to repeal and add Section 1801 of, the Vehicle Code, relating to records.

LEGISLATIVE COUNSEL'S DIGEST

AB 2934, as amended, Committee on Information Technology. Department of Motor Vehicles: records and documents.

Existing law authorizes the submission of any document that is required to be submitted to the Department of Motor Vehicles by the Vehicle Code to be submitted to the department by electronic transmission or other means approved by the department. Existing law authorizes the records maintained by the department to be stored in any feasible manner.

This bill would recast this provision to specify that the department may use electronic means to create, collect, receive, accept, store, transfer, distribute, publish, and otherwise utilize information, documents, and other records.

While continuing to authorize the department to approve and permit the submission of documents electronically or by

other means, the bill would authorize, if a signature is required for a document, the signature to be affixed by use of a digital signature, as defined.

The bill would make conforming and clarifying changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1801 of the Vehicle Code is  
 2 repealed.

3 SEC. 2. Section 1801 is added to the Vehicle Code, to  
 4 read:

5 1801. (a) Notwithstanding any other provision of  
 6 law, the department may use electronic means to create,  
 7 collect, receive, accept, store, transfer, distribute,  
 8 publish, and otherwise utilize information, documents,  
 9 and other records. All records maintained by the  
 10 department may be stored in any manner as approved by  
 11 the department, including, but not limited to, any  
 12 electronic media or any other form of data compilation.

13 (b) Notwithstanding any other provision of law,  
 14 whenever any notice, report, statement, court abstract,  
 15 application, form, document, or any other record is  
 16 required to be submitted to the department, the  
 17 department may approve and permit the submission  
 18 electronically or by other means.

19 (c) In any document described in subdivisions (a) and  
 20 (b), in which a signature is required or used, a signature  
 21 may be affixed by use of a digital signature, as defined by  
 22 subdivision (d) of Section 16.5 of the Government Code  
 23 and regulations adopted to carry out that provision.

24 (d) Notwithstanding any other provision of law, the  
 25 printed representation of any electronically created,  
 26 submitted, or stored information, documents, and other  
 27 records, referred to in this section shall be deemed the  
 28 same as an original and is admissible in evidence in all  
 29 administrative, quasi-judicial, and judicial proceedings. A  
 30 record or signature may not be denied legal effect or  
 31 enforceability solely because it was created, collected,



1 received, accepted, stored, transmitted, distributed,  
2 published, or otherwise utilized by electronic means.

3 SEC. 3. Section 1801.1 of the Vehicle Code is amended  
4 to read:

5 1801.1. (a) If a signature on a document is required  
6 by law in order to complete a vehicle registration  
7 ~~transaction, that requirement may be substituted by the~~  
8 ~~department for an electronically submitted document~~  
9 ~~when~~ *transaction, the department may accept an*  
10 *electronically transmitted document without the*  
11 *signature if the document is supported by a signed*  
12 *agreement between the department and the submitter.*  
13 The agreement shall require, at a minimum, each  
14 document to include all information necessary to  
15 complete the transaction, certification by the submitter  
16 as to the truthfulness of all data to be transmitted to the  
17 department, and retention of supporting records by the  
18 submitter.

19 (b) The department may establish minimum  
20 transaction volume levels, audit and security standards,  
21 and technological requirements, or terms and conditions  
22 it deems necessary for the approval of this process.

