

Annotated Code of Maryland
(2000 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Commercial Law

21-107.

(b) If a law other than this title requires a record to be posted or displayed in a certain manner, to be sent, communicated, or transmitted by a specified method, or to contain information that is formatted in a certain manner, the following rules apply:

(1) The record must be posted or displayed in the manner specified in the other law;

(2) Except as otherwise provided in subsection (d)(2) of this section, the record must be sent, communicated, or transmitted by the method specified in the other law; and

(3) The record must contain the information formatted in the manner specified in the other law.

(d) The requirements of this section may not be varied by agreement, but:

(1) To the extent a law other than this title requires information to be provided, sent, or delivered in writing but permits that requirement to be varied by agreement, the requirement under subsection (a) of this section that the information be in the form of an electronic record capable of retention may also be varied by agreement; and

(2) 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, may be varied by agreement to the extent permitted by the other law OR BY § 21-118.1 OF THIS TITLE.

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