

(1990 Replacement Volume and 1999 Supplement)

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

Article - Commercial Law

TITLE 21. THE MARYLAND UNIFORM ELECTRONIC TRANSACTIONS ACT.

21-101. DEFINITIONS.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "AGREEMENT" MEANS THE BARGAIN OF THE PARTIES IN FACT, AS FOUND IN THEIR LANGUAGE OR INFERRED FROM OTHER CIRCUMSTANCES AND FROM RULES, REGULATIONS, AND PROCEDURES GIVEN THE EFFECT OF AGREEMENTS UNDER LAWS OTHERWISE APPLICABLE TO A PARTICULAR TRANSACTION.

(C) "AUTOMATED TRANSACTION" MEANS A TRANSACTION CONDUCTED OR PERFORMED, IN WHOLE OR IN PART, BY ELECTRONIC MEANS OR ELECTRONIC RECORDS, IN WHICH THE ACTS OR RECORDS OF ONE OR BOTH PARTIES ARE NOT REVIEWED BY AN INDIVIDUAL IN THE ORDINARY COURSE OF FORMING A CONTRACT, PERFORMING UNDER AN EXISTING CONTRACT, OR FULFILLING AN OBLIGATION REQUIRED BY THE TRANSACTION.

(D) "COMPUTER PROGRAM" MEANS A SET OF STATEMENTS OR INSTRUCTIONS TO BE USED DIRECTLY OR INDIRECTLY IN AN INFORMATION PROCESSING SYSTEM IN ORDER TO BRING ABOUT A CERTAIN RESULT.

(E) "CONTRACT" MEANS THE TOTAL LEGAL OBLIGATION RESULTING FROM THE PARTIES' AGREEMENT AS AFFECTED BY THIS TITLE AND OTHER APPLICABLE LAW.

(F) "ELECTRONIC" MEANS RELATING TO TECHNOLOGY HAVING ELECTRICAL, DIGITAL, MAGNETIC, WIRELESS, OPTICAL, ELECTROMAGNETIC, OR SIMILAR CAPABILITIES.

(G) "ELECTRONIC AGENT" MEANS A COMPUTER PROGRAM OR AN ELECTRONIC OR OTHER AUTOMATED MEANS USED INDEPENDENTLY TO INITIATE AN ACTION OR RESPOND TO ELECTRONIC RECORDS OR PERFORMANCES IN WHOLE OR IN PART, WITHOUT REVIEW OR ACTION BY AN INDIVIDUAL.

(H) "ELECTRONIC RECORD" MEANS A RECORD CREATED, GENERATED, SENT, COMMUNICATED, RECEIVED, OR STORED BY ELECTRONIC MEANS.

(I) "ELECTRONIC SIGNATURE" MEANS AN ELECTRONIC SOUND, SYMBOL, OR PROCESS ATTACHED TO OR LOGICALLY ASSOCIATED WITH A RECORD AND EXECUTED OR ADOPTED BY A PERSON WITH THE INTENT TO SIGN THE RECORD.

(J) "GOVERNMENTAL AGENCY" MEANS AN EXECUTIVE, LEGISLATIVE, OR JUDICIAL AGENCY, DEPARTMENT, BOARD, COMMISSION, AUTHORITY, INSTITUTION,