

21-105. CONSTRUCTION AND APPLICATION.

THIS TITLE MUST BE CONSTRUED AND APPLIED:

(1) TO FACILITATE ELECTRONIC TRANSACTIONS CONSISTENT WITH OTHER APPLICABLE LAW;

(2) TO BE CONSISTENT WITH REASONABLE PRACTICES CONCERNING ELECTRONIC TRANSACTIONS AND WITH THE CONTINUED EXPANSION OF THOSE PRACTICES; AND

(3) TO EFFECTUATE ITS GENERAL PURPOSE TO MAKE UNIFORM THE LAW WITH RESPECT TO THE SUBJECT OF THIS TITLE AMONG STATES ENACTING IT.

21-106. LEGAL RECOGNITION OF ELECTRONIC RECORDS, ELECTRONIC SIGNATURES, AND ELECTRONIC CONTRACTS.

(A) A RECORD OR SIGNATURE MAY NOT BE DENIED LEGAL EFFECT OR ENFORCEABILITY SOLELY BECAUSE IT IS IN ELECTRONIC FORM.

(B) A CONTRACT MAY NOT BE DENIED LEGAL EFFECT OR ENFORCEABILITY SOLELY BECAUSE AN ELECTRONIC RECORD WAS USED IN ITS FORMATION.

(C) IF A LAW REQUIRES A RECORD TO BE IN WRITING, AN ELECTRONIC RECORD SATISFIES THE LAW.

(D) IF A LAW REQUIRES A SIGNATURE, AN ELECTRONIC SIGNATURE SATISFIES THE LAW.

21-107. PROVISION OF INFORMATION IN WRITING; PRESENTATION OF RECORDS.

(A) (1) IF PARTIES HAVE AGREED TO CONDUCT A TRANSACTION BY ELECTRONIC MEANS AND A LAW REQUIRES A PERSON TO PROVIDE, SEND, OR DELIVER INFORMATION IN WRITING TO ANOTHER PERSON, THE REQUIREMENT IS SATISFIED IF THE INFORMATION IS PROVIDED, SENT, OR DELIVERED IN AN ELECTRONIC RECORD CAPABLE OF RETENTION BY THE RECIPIENT AT THE TIME OF RECEIPT.

(2) AN ELECTRONIC RECORD IS NOT CAPABLE OF RETENTION BY THE RECIPIENT IF THE SENDER OR ITS INFORMATION PROCESSING SYSTEM INHIBITS THE ABILITY OF THE RECIPIENT TO PRINT OR STORE THE ELECTRONIC RECORD.

(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