

# MDOT – Using Digital Electronic Signatures (e-Sign)

## Overview of e-Sign

- Federal law enacted in June 2000 (e-Sign act) which mandates that digital signatures have the same legal validity as traditional handwritten signatures.
- In fact the federal law states that it is illegal to refuse an electronic signature or attempt to require handwritten signatures.
- Michigan Attorney General provided guidance for MDOT to use e-Sign in August 2011.



## Michigan Law / MDOT Rules:

- Scanned signatures, faxed signatures, cursive fonts, etc. are all not recognized as legal signatures in MI
- Digital electronic signatures are unique to each person. They are password protected and encrypted into the PDF document.
- If a document requires multiple signatures, in Michigan all the signatures must be the same type. This is because you cannot print a document with an electronic signature and you can't scan handwritten signatures. Same Document must be all one method or the other.
- For records retention and archiving purposes whenever digital electronic signatures are used on documents, the electronic file (adobe PDF file) is considered the legal original record document. (printouts of e-Sign documents are meaningless)

## Benefits of Using e-Sign

- Quick document turnaround. Weeks to days, days to hours, etc.
- Eliminate all “Mail time” in process.
- Saves thousands of dollars in overhead, postage, paper and printing costs.
- e-Sign essentially has no cost to use. The only requirement is a licensed version of Adobe or other PDF software that supports encrypted PCSK12 digital IDs.
- E-Sign already saving MDOT hundreds of thousands of dollars. Full implementation estimated to be over \$4 million in savings.
- 2012 results prove that Contractors using e-sign are getting paid 4-5x faster for contract modification work than their competitors who don't use e-sign.

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## Further Assistance:

### MDOT BOHIM 2012-02

[http://www.michigan.gov/mdot/0,1607,7-151-9622\\_11044\\_20469---,00.html](http://www.michigan.gov/mdot/0,1607,7-151-9622_11044_20469---,00.html)

- IM has step-by-step instructions for setting up and using e-sign.

### Instructions:

- Setting up electronic signature

[http://www.michigan.gov/documents/mdot/Setting\\_Up\\_an\\_Electronic\\_Signature\\_422066\\_7.pdf](http://www.michigan.gov/documents/mdot/Setting_Up_an_Electronic_Signature_422066_7.pdf)

- Applying an image to digital signature

[http://www.michigan.gov/documents/mdot/Applying\\_an\\_Image\\_To\\_Digital\\_Signature\\_422061\\_7.pdf](http://www.michigan.gov/documents/mdot/Applying_an_Image_To_Digital_Signature_422061_7.pdf)

- Trusting and validating a digital signature

[http://www.michigan.gov/documents/mdot/Trusting\\_and\\_Validating\\_a\\_Digital\\_Signature\\_422068\\_7.pdf](http://www.michigan.gov/documents/mdot/Trusting_and_Validating_a_Digital_Signature_422068_7.pdf)

- How to add a digital signature via iPhone

[http://www.michigan.gov/documents/mdot/How\\_To\\_Add\\_A\\_Digital\\_Signature\\_Via\\_iPhone\\_422065\\_7.pdf](http://www.michigan.gov/documents/mdot/How_To_Add_A_Digital_Signature_Via_iPhone_422065_7.pdf)

- The MDOT FieldManager Helpdesk Line can respond to most e-Sign questions.

**MDOT FieldManager Help Desk**  
517-322-1556

[fieldmanager-admin@michigan.gov](mailto:fieldmanager-admin@michigan.gov)

- MDOT Construction Contracts Unit is also available for e-Sign assistance, training, and presentations.

**Jason Clark, PE**  
**Construction Contracts Engineer**  
**Michigan Department of Transportation**  
517-242-6378  
[clarkj25@michigan.gov](mailto:clarkj25@michigan.gov)

- Adobe is the only program supported by MDOT.



## MDOT OFFICE MEMORANDUM

**DATE:** February 28, 2012  
**TO:** Region Engineers  
Region Associate Operations Engineers  
Region Construction Engineers  
TSC Managers  
TSC Construction Engineers  
**FROM:** Gregory C. Johnson, P.E.  
Chief Operations Officer  
Randy R. Van Porthuet, P.E.  
Bureau Director of Field Services  
**SUBJECT:** Bureau of Highway Instructional Memorandum 2012-02  
Digitally Encrypted Electronic Signatures

The Michigan Attorney General's office, in concurrence of the Federal Highway Administration, has issued a decision authorizing the Michigan Department of Transportation (MDOT) to use and accept digitally encrypted electronic signatures. These digital signatures are not scanned copies of handwritten signatures or faxed copies of a handwritten signature, but are a secure electronic "object" that is embedded into the electronic PDF document by the signer with their unique password, identity, and the date/time digitally encrypted into the electronic document.

Signatures are commonly used to authenticate documents. When you sign a paper document, you are authenticating its contents. Similarly, digital electronic signatures are used to authenticate the contents of electronic documents. These electronic signatures are unique to the signer and often provide enhanced verification of the signer's identity.

It has been legally acceptable to use digital electronic signatures for interstate and foreign commerce since passing the Electronic Signatures in Global and National Commerce Act (E-SIGN Act) on June 30, 2000, by the United States Congress. The act ensures the validity and legal effect of contracts entered into electronically and prevents these contracts from being

Please share this information with consultant  
**Gregory C. Johnson, P.E.**  
Digitally signed by Gregory C. Johnson, P.E.  
DN: cn=Gregory C. Johnson, P.E., o=MDOT, ou=Executive, email=johnsong2@michigan.gov, c=US  
Date: 2012.02.28 10:59:39 -05'00'

Chief Operations Officer