This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents affecting only the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

Driver and Vehicle Records Division

November 1, 2021
Introduction

The purpose of this document is to provide guidance on the use of digital signatures on documents related to the issuance of certificates of title.

What is a Digital Signature?

A digital signature is a cryptographic signature (a digital key) used to authenticate the user, provide nonrepudiation, and ensure message integrity. This is the strongest signature because it protects the signature by a type of tamper-proof seal that breaks if the message content were to be altered.

Nebraska Digital Signature Authority

The use of digital signatures is governed by the Nebraska Digital Signatures Act, Neb.Rev.Stat. §86-611 and Nebraska Administrative Code, Title 437.

Use of Digital Signatures for Documents Related to the Issuance of Certificates of Title

Digital signatures meeting all requirements of the Nebraska Digital Signatures Act may be accepted as follows:

- Digital signature services must be provided by an approved certification authority. List is available on the Nebraska Secretary of State’s website at: https://sos.nebraska.gov/sites/sos.nebraska.gov/files/doc/certification-authorities.pdf.
- Digital signatures must be retained in a format which cannot be altered and indicates any unauthorized attempts to alter.
- Electronic records associated with the digital signature must be retained for five years and available to the Department of Motor Vehicles upon request.
- Documents presented for title issuance must contain markings indicating a digital signature has been applied including the name of the individual who has signed.
  - If a document cannot be imprinted with digital signature information in the appropriate location a wet signature is required.
- When a digital signature is for an entity other than an individual (business, trust, etc.), the digital signature must identify both the entity and the individual signing.