

ESRA frequently issues position statements on pending legislation or rulemaking; additionally, ESRA may also offer policy positions that seek to change current laws or regulations that do not comport with ESRA's mission. All policy positions are guided by these core principles:

1. Technology Neutrality
2. Interoperability
3. Removal of Barriers
4. Consumer Enablement
5. Non-Discrimination
6. Innovation

Blockchain

ESRA recognizes the potential benefits of the development, standardization and deployment of blockchain and other distributed ledger technologies. These technologies present new opportunities for multiple sectors enabling transactions to be conducted and records to be stored in an efficient, secure, transparent and immutable environment.

ESRA supports and encourages uniformity and interoperability of technology without dictating specific technology. ESRA promotes the principle of technology neutrality, exemplified by E-SIGN and UETA, allowing new technologies and processes to deliver the eventual outcome. ESRA believes that blockchain technology can coexist under current federal and state electronic signature and records laws.

Consistent with the principles above, ESRA further supports and encourages adoption of blockchain and other distributed ledger technologies through enabling laws, regulations and standards that:

- Are technology neutral, focusing on the desired outcomes rather than on the technical means by which outcomes are achieved;
- Advance, enable and support the adoption and recognition of blockchain and other distributed ledger technologies; and
- Are consistent with E-SIGN and UETA.

ESRA opposes laws, regulations and standards that create new or more stringent requirements for use of blockchain and other distributed ledger technologies when compared to requirements for non-electronic records.

Remote Notarization

ESRA supports state oversight of notarial laws, acknowledges the essential assurances provided by notarial acts, and further believes that these essential assurances can be achieved electronically.

ESRA supports and encourages the nationwide adoption of remote online notarization, a form of eNotarization in which the signer appears before the notary by means of real-time audio-video communication with the notary performing the notarial act by electronic means.

ESRA supports enabling laws, regulations and standards that:

- (a) Are technology neutral, focusing on the desired outcome of completing the notarial act rather than the technical means by which it is achieved;
- (b) Advance, enable and support the interstate and intrastate adoption and recognition of remote notarization across all U.S. states and territories.

eTitling

The titling, lien processing, registering, transferring, remarketing, and disposing of publicly registered vehicles should be electronically enabled. ESRA supports the adoption of interstate and intrastate electronic processes for automating public document processing and transactions, or e-Titling.

Specifically, ESRA supports and encourages:

- The removal of governmental barriers to e-Titling.
- The use of electronic technologies and methodologies to promote document processing, authentication, e-signatures, e-notarization, secure transactions, storage, retention and data transfer.
- The adoption of electronic signatures and records for certifications under the federal Truth in Mileage Act.
- The adoption of best practices for state initiatives on e-Titling, to enhance scalability and interoperability of these processes between states.
- The use of electronic authentication methodologies (such as, without limitation, two factor authentication) to ensure the integrity of the process and avoid fraudulent or unauthorized vehicle transactions.
- Technology-neutral standards that advance, enable, or support document integrity, data security, and the adoption and interoperability of private and government systems.

ESRA opposes laws or rules that impose higher barriers to e-Title transactions compared to paper title transactions.