

House Engrossed

total loss vehicle; electronic signatures

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2303

AN ACT

AMENDING SECTION 28-370, ARIZONA REVISED STATUTES; RELATING TO VEHICLE
TITLES AND REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-370, Arizona Revised Statutes, is amended to
3 read:

4 28-370. Oaths and acknowledgments; power of attorney;
5 definitions

6 A. The director and officers, agents and employees of the
7 department **WHO** the director designates may administer oaths and
8 acknowledge signatures, without **REQUIRING THE PAYMENT OF** a fee, in any
9 matter connected with the administration of a law the enforcement of which
10 is vested in the director.

11 B. Notwithstanding title 14, chapter 5, article 5:

12 1. The director or an officer, agent or employee of the department
13 **WHO IS** designated by the director may witness a power of attorney to be
14 used solely in the performance of vehicle title and registration
15 activities.

16 2. For the purposes of executing a power of attorney in the
17 performance of vehicle title and registration activities, the power of
18 attorney is not required to be:

19 (a) Notarized if it is witnessed by the director or an officer,
20 agent or employee of the department **WHO IS** designated by the director.

21 (b) Notarized if it is involving a total loss vehicle settlement
22 and an insurance company that is licensed pursuant to title 20 **OR AN**
23 **INSURANCE COMPANY'S AUTHORIZED AGENT** submits it electronically to the
24 department in a manner approved by the director. **THE POWER OF ATTORNEY**
25 **MAY BE SIGNED ELECTRONICALLY AND PRINTED ON HARD COPY BY USING A**
26 **COMMERCIAL PRODUCT THAT VALIDATES A PERSON'S IDENTITY BY USING THE**
27 **NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'S IDENTITY ASSURANCE LEVEL**
28 **2 OR HIGHER AUTHORIZATION WITHOUT BIOMETRICS.**

29 (c) Witnessed if it is notarized.

30 C. For the purposes of this section: **;**

31 1. "Agent" includes a motor vehicle dealer or a third party
32 authorized pursuant to this title.

33 2. **"SIGN ELECTRONICALLY" MEANS TO ATTACH TO OR LOGICALLY ASSOCIATE**
34 **WITH AN ELECTRONIC RECORD AN ELECTRONIC SOUND, SYMBOL OR PROCESS THAT IS**
35 **USED BY A PERSON TO EXECUTE OR ADOPT THE ELECTRONIC RECORD WITH THE INTENT**
36 **TO SIGN THE ELECTRONIC RECORD WITHOUT THE REQUIREMENT OF A PHYSICAL TOUCH.**