Washington State Department of Transportation

Memorandum

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TO: Ahmer Nizam, Environmental Services Office
Julie Heilman, Hydraulics Office
J. Kevin Workman, Real Estate Services Office
Mark Gaines, Bridge and Structures Office
Erik Jonson, Technical Services Office
Mike Fleming, Design Office

FROM: Mark Gaines, Development Division Director (Acting) MGD

SUBJECT: Development Division Use of Electronic Signatures

With the passage of the Uniform Electronic Transaction Act and a forthcoming executive order, it is necessary to provide a permanent policy outlining acceptable means for applying electronic signatures (formerly called digital or electronic signatures) as part of Development Division's ordinary business practices.

This policy applies only to documentation under the Development Division's purview. There are other documents that we sign or approve (i.e. receipts for reimbursement, position descriptions, travel vouchers, etc.) that are under the purview of other WSDOT Divisions (Human Resources, Accounting). These documents should be processed electronically under the guidance provided by those Divisions.

Policy

Electronic signatures are considered acceptable forms of signatures on all documents. Electronic signature is defined as a symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

For this policy, electronic signature types are classified as shown in Table 1 and Table 2. Table 1 shows types of electronic signatures that are non-validated and Table 2 shows types of electronic signatures that are validated.

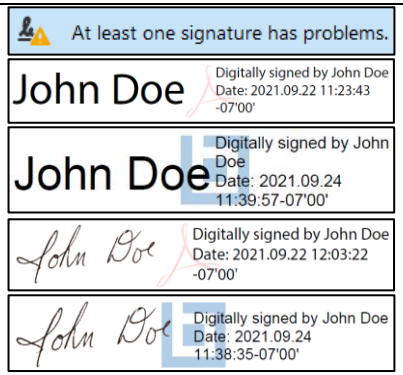
Non-Validated Signature Types				
Name	Application Method	Example	Security	Notes
Typed	Applied in any electronic document where an individual may type their name.	/s/ John Doe John Doe Senior Analyst	No security. Document can be edited unless it is locked by some other means. Use this signature type on low-risk documents where business relationships are strong and no concerns of fraud.	Commonly used for mass distribution of letters where the sender is clearly understood.
Handwritten	A scan/photo of an individual's handwritten signature inserted into an electronic document.		No security. Document can be edited unless it is locked by some other means. Use this signature type on low-risk documents where business relationships are strong and no concerns of fraud.	Commonly used for mass distribution of letters where the sender is clearly understood.
Self-Certified	Applied using PDF programs like Adobe Reader, Adobe Pro, or Bluebeam.		Original text cannot be edited. Comments, notes, or additional signatures can be added, but a version trail is kept by the software showing how the document appeared when the signature (or subsequent signatures) was applied. Use this signature type on average-risk internal or external documents.	A blue banner will appear near the top of the screen with a yellow triangle on the left (see example in this row). This means the certificate is not authenticated. This is okay if you trust the signer applied the signature.

Table 1: Non-Authenticated Signature Types

Validated Signature Types				
Name	Application Method	Example	Security	Notes
Certified	Applied using PDF programs like Adobe Reader, Adobe Pro, or Bluebeam.		Original text cannot be edited. Comments, notes, or additional signatures can be added, but a version trail is kept by the software showing how the document appeared when the signature (or subsequent signatures) was applied. Use this signature type on average-risk internal or external documents.	A blue banner will appear near the top of the screen with a green checkmark on the left (see example in this row). This means the certificate is authenticated. This means the certificate of the signer resides directly on your computer or the signer has **PAID** to have their certificate authenticated by a third party.
Third-Party Authenticated	Applied using cloud services like Adobe Sign or DocuSign.		After the last signature is applied to the document, the document is locked and cannot be edited nor comments added. Use this signature type on high-risk or high-value documents.	The signature can take on many forms as allowed by the software. For example, it can be a typed signature or an image of a handwritten signature and the date can be with the signature or placed near it. In all cases, the signature validity will be noted at the top of the document. There is a **COST** for this service.

Table 2: Authenticated Signature Types

The risk level of a document is determined by Region, Program, or Department leadership. It is expected that the risk level will reflect the risk levels used prior to the implementation of electronic signatures.

For low-risk documents, use any type of non-validated signature. Examples of these documents are manuals, letters, memos, or formal correspondence.

For an average risk document that requires approval or concurrence (internal or external), use a non-validated signature type that is self-certified. Examples of these documents are:

- Basis of Design
- Right of way certification
- Consultant agreements and amendments
- NEPA documents
- Interagency agreements

Some average risk documents require a professional stamp. These documents may also use a non-validated signature type that is self-certified. Examples of these documents are:

- Design Analysis
- Maximum Extent Feasible
- Hydraulic reports
- Traffic analysis
- Structural calculations and reports
- Structural special provisions

For documents considered high-risk or high-value, use third-party authentication via a cloud service like Adobe Sign, DocuSign, or a remote notarization program. These services have a cost, so limit their use to documents that must have solid confirmation of the signer's identity. The level of validation (e.g. email only, password, two-factor authentication, etc.) can be set by the manager of the process. Examples of these documents are:

- Real estate leases, contracts deeds, and other recorded documents
- Notarized documents

For plan sets, the WSDOT has worked with the Board of Registration for Professional Engineers and Land Surveyors to determine how WSDOT plans requiring professional stamps can be delivered electronically in compliance with WAC 196-23. This direction is captured in Project Delivery Memo #21-02 and will be incorporated into the 2022 version of the Plans Preparation Manual.

Please contact your headquarters program support for questions or clarification of this policy.

MG:jm