

Opening Ways Enterprises

April 17, 2017

Secretary of State Wayne Williams
Colorado Department of State
1700 Broadway, Suite 200
Denver, CO 80290

Dear Secretary Williams:

RE: Comments: Review CCR 1505-11 Notary Rules

I do have a concern with the fundamental structure of this rule. It is based upon the assumption that electronic notarizations are good for the safety, health and welfare of Colorado citizens. I am asserting that it is not good for our welfare.

Electronic signatures are not tangible and solid. The software engineers do have the capability of altering and forging anything that is all electronic. This is due to the inherent nature of software. It is all malleable electrons that may be altered. Therefore the signers have no solid hard paper as an affirmative original document.

Also handwriting is just that, penned by someones hand. Having observed thousands of signatures people do have unique characteristics to their mark. This is simply not the case with electronic signatures. How in the heck will we ever know if the signor clicked the button, if I the notary clicked the button or a computer programmer inserted the line of the code for the 'click'? (Or even alter the terms of the contract.) As a notary I can witness a physical pen movement, however I have no idea what software is doing inside the computer.



It is a concern to me that MENA (Model Electronic Notarization Act) has a goal of moving to "remote" electronic notarizations. Although I am glad to see personal appearance is still required in CCR 1505-11, it seems obvious to me your office is moving in MENA's direction.

Also this process does not reduce steps, but rather increases them. It is easier for me to present a stack of papers and pass the papers around the table than to log into websites, wait for upload time and glitches, while one person at a time is trying to read a glaring computer screen. It also costs more for all this computer equipment than paper and ink. (Just as hard on the environment.)

Therefore Secretary Williams I respectfully request you to take the conservative view and retract Colorado from electronic notarizations.

Sincerely,

A handwritten signature in blue ink that reads "Michael Hocevar". The signature is written in a cursive style with a long horizontal flourish at the end.

Michael Hocevar