

70A-3-103 Definitions.

(1) In this chapter:

- (a) "Acceptor" means a drawee who has accepted a draft.
- (b) "Drawee" means a person ordered in a draft to make payment.
- (c) "Drawer" means a person who signs or is identified in a draft as a person ordering payment.
- (d) "Good faith" means honesty in fact in the conduct or transaction concerned.
- (e) "Maker" means a person who signs or is identified in a note as a person undertaking to pay.
- (f) "Order" means a written instruction to pay money signed by the person giving the instruction.
The instruction may be addressed to any person, including the person giving the instruction, or to one or more persons jointly or in the alternative, but not in succession. An authorization to pay is not an order unless the person authorized to pay is also instructed to pay.
- (g) "Ordinary care" in the case of a person engaged in business means observance of reasonable commercial standards, prevailing in the area in which the person is located, with respect to the business in which the person is engaged. In the case of a bank that takes an instrument for processing for collection or payment by automated means, reasonable commercial standards do not require the bank to examine the instrument if the failure to examine does not violate the bank's prescribed procedures and the bank's procedures do not vary unreasonably from general banking usage not disapproved by this chapter or Title 70A, Chapter 4, Uniform Commercial Code - Bank Deposits and Collections.
- (h) "Party" means a party to an instrument.
- (i) "Promise" means a written undertaking to pay money signed by the person undertaking to pay. An acknowledgment of an obligation by the obligor is not a promise unless the obligor also undertakes to pay the obligation.
- (j) "Prove" with respect to a fact means to meet the burden of establishing the fact as defined in Subsection 70A-1a-201(2)(h).
- (k) "Remitter" means a person who purchases an instrument from its issuer if the instrument is payable to an identified person other than the purchaser.

(2) Other definitions applying to this chapter and the sections in which they appear are:

- (a) "Acceptance," Section 70A-3-409.
- (b) "Accommodated party," Section 70A-3-419.
- (c) "Accommodation party," Section 70A-3-419.
- (d) "Alteration," Section 70A-3-407.
- (e) "Anomalous indorsement," Section 70A-3-205.
- (f) "Blank indorsement," Section 70A-3-205.
- (g) "Cashier's check," Section 70A-3-104.
- (h) "Certificate of deposit," Section 70A-3-104.
- (i) "Certified check," Section 70A-3-409.
- (j) "Check," Section 70A-3-104.
- (k) "Consideration," Section 70A-3-303.
- (l) "Demand draft," Section 70A-3-104.
- (m) "Draft," Section 70A-3-104.
- (n) "Holder in due course," Section 70A-3-302.
- (o) "Incomplete instrument," Section 70A-3-115.
- (p) "Indorsement," Section 70A-3-204.
- (q) "Indorser," Section 70A-3-204.
- (r) "Instrument," Section 70A-3-104.
- (s) "Issue," Section 70A-3-105.
- (t) "Issuer," Section 70A-3-105.

- (u) "Negotiable instrument," Section 70A-3-104.
 - (v) "Negotiation," Section 70A-3-201.
 - (w) "Note," Section 70A-3-104.
 - (x) "Payable at a definite time," Section 70A-3-108.
 - (y) "Payable on demand," Section 70A-3-108.
 - (z) "Payable to bearer," Section 70A-3-109.
 - (aa) "Payable to order," Section 70A-3-109.
 - (bb) "Payment," Section 70A-3-602.
 - (cc) "Person entitled to enforce," Section 70A-3-301.
 - (dd) "Presentment," Section 70A-3-501.
 - (ee) "Reacquisition," Section 70A-3-207.
 - (ff) "Special indorsement," Section 70A-3-205.
 - (gg) "Teller's check," Section 70A-3-104.
 - (hh) "Transfer of instrument," Section 70A-3-203.
 - (ii) "Traveler's check," Section 70A-3-104.
 - (jj) "Value," Section 70A-3-303.
- (3) The following definitions in other chapters apply to this chapter:
- (a) "Bank," Section 70A-4-105.
 - (b) "Banking day," Section 70A-4-104.
 - (c) "Clearinghouse," Section 70A-4-104.
 - (d) "Collecting bank," Section 70A-4-105.
 - (e) "Depositary bank," Section 70A-4-105.
 - (f) "Documentary draft," Section 70A-4-104.
 - (g) "Intermediary bank," Section 70A-4-105.
 - (h) "Item," Section 70A-4-104.
 - (i) "Payor bank," Section 70A-4-105.
 - (j) "Suspends payments," Section 70A-4-104.
- (4) In addition, Chapter 1a, Uniform Commercial Code - General Provisions, contains general definitions and principles of construction and interpretation applicable throughout this chapter.

Amended by Chapter 272, 2007 General Session