



NOTARY NOTES

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Pearson VUE Offers Online Notary Exam Through OnVUE

Effective August 15, online testing became available for notary commission applicants via Pearson VUE's OnVUE program.

First-time applicants and applicants who have let their notary commissions lapse are required to take a proctored examination, in addition to the three hours of basic or advanced education required of all applicants.

The Pennsylvania Department of State's notary testing provider, Pearson VUE, now administers notary examinations online. Instead of going to a Pearson VUE testing center, an applicant can take the notary exam from a private location, subject to testing requirements. (See "Is the online exam right for you?")

This is NOT an "open-book" exam. It is very different from in-person exams, with specific rules and procedures you must follow to ensure testing integrity and accuracy. You must have a computer with a camera and a microphone, in a private room, so your exam proctor can see you and speak to you during the process.

This is a one-time opportunity to pass the notary exam online. If you do not pass an online exam, you will still be able to reschedule and take the exam in person, at a Pearson VUE testing site. But you will not be able to take another online exam.

We encourage you to read about the online testing process: home.pearsonvue.com/Test-takers/OnVUE-online-proctoring.aspx.

For a video explaining the test: home.pearsonvue.com/onvue/online-testing-video.

This chart is designed to help you decide if you are ready for online testing: home.pearsonvue.com/Test-Takers/Online-Testing-Decision-Tree.

Look for more information on our social media channels and on our web site, www.notary.org/rulona/onlineexam.

Is the online exam right for you?

If you answer "NO" to any of the following questions, PAN recommends that you take the notary examination at a Pearson VUE testing center:

- 1 Do you have reliable wired internet service?
- 2 Do you have the newest version of your internet browser installed?
- 3 Do you have access to a space where you are alone and will not be interrupted for the duration of the exam?
- 4 Do you have a desktop or laptop computer with a physical keyboard, a camera, and a microphone?
- 5 Does the computer have only one monitor?
- 6 Are you capable of closing or temporarily disabling software running in the background on your computer (for example, ad blockers, pop-up blockers, and utility programs)?
- 7 Are you able to use a personal computer instead of a work computer for the exam?
- 8 Are you comfortable being monitored for the duration of the exam by a Pearson VUE proctor?
- 9 Can you read 11-point text comfortably on your computer monitor?
- 10 Can you complete the exam without moving away from your computer?

How to Avoid Taking the Notary Exam

Pennsylvania's notary law requires ALL first-time and renewing applicants for a notary commission to have three hours of education.

But only first-time applicants and renewing applicants who have a lapse in their commission are required to take the notary examination through the state's exam provider, Pearson VUE.

A lapse in your commission occurs when you do not renew your commission when it expires, or you are not reappointed and sworn into office before your commission expires.

For example, you may have decided to take a break from being a notary; at the end of your commission, you don't apply for reappointment. Then, your situation changes and you want

to renew your commission. You must take the exam because there was a lapse between your commissions.

Let's say you have taken your required education and applied for reappointment but you don't get to the recorder of deeds office to record your commission, bond and signature and take the oath of office in the allotted 45-day time. A lapse in your commission—even just one day—means you have to take the exam.



Members need to keep PAN up-to-date with their mail and email addresses so PAN's reappointment reminders will reach you. If your mail or email address changes, please call Customer Service at 800-944-8790 or send an email to pan@notary.org.

Disciplinary Actions

The following disciplinary actions were taken by the Pennsylvania Department of State in the second quarter of 2022 (April, May and June):

Cumberland County

A notary in Cumberland County permanently and voluntarily surrendered his notary commission because it was determined he lacked the competence or reliability to act as a notary public by failing to ensure that two individuals appearing before him were who they purported to be when notarizing their purported signatures, and he failed to deliver his notary journal to the Cumberland County Recorder of Deeds when his notary commission expired.

Dauphin County

A Dauphin County notary agreed to the suspension of her notary commission for 18 months, immediately stayed in favor of probation, because she failed to require the individual executing the signature on a record to personally appear before her. The notary was levied a probation assessment of \$900; an administrative penalty of \$1,000; and must complete six hours of remedial education.

Philadelphia County

A notary in Philadelphia County agreed to the suspension of her notary commission for three months, immediately stayed in favor of probation because



she failed to keep and maintain custody and control of an accurate chronological journal of all official acts, failing to record a specific notarization in September 2017 and failing to maintain a notary journal from September 1995 to October 2017. She also failed to record all required information and skipped lines in her notary journal. The notary was levied an administrative penalty of \$1,000, probation assessment fees in the amount of \$150, and must successfully complete six hours of notary practice and procedure course(s).

Fraudsters Impersonate Department of Revenue

The Pennsylvania Department of Revenue has warned business owners that scam artists are sending fraudulent letters directing them to turn over their accounting records.

In its bi-monthly Tax Update e-newsletter, the Department wrote:

The goal of this scam is to make the recipient of the letter believe they are being investigated by the Department of Revenue for an “alleged violation of delinquent sales tax liability.” The letter also threatens taxpayers by saying penalties will be imposed on their accounts. Further, the letter includes contact information for a “Resolution Officer” and urges the business owner to provide accounting records prepared by a licensed professional, such as an attorney or CPA.

Although the letters show the Department's name and logo, there are other “suspicious and inaccurate details” that reveal the counterfeiting:

- The fake letter does not include a return address
- The recipient is addressed generically, as “Dear Business Owner”
- The Department units listed in the fake letter do not exist

If a business owner receives a letter, they should contact the Department through its [Online Customer Service Center](#).

Tax Update Number 220, June/July 2022 is available online [here](#).

Help Your Employer Learn the Notary Law

Our Customer Service Department frequently receives calls from member notaries whose employers—current or former—do not understand the law when it comes to the notary's **official stamp and journal**.

Although an employer may have paid for your notary education, commission, bond, and equipment, **YOU** are the notary, not your employer. You are responsible for the custody and control of your stamp and journal at all times.

To help our members help their employers to understand the law, PAN has a new form, PAN-336 – Notary Equipment for Employers in the Member Portal on our web site: www.notary.org/member-portal/pan-forms. Click the “PAN Forms” link under Member Resources on the right side of the page and scroll down to find the PAN-336.

While you are on the PAN Forms and Resources page, take a look at the other forms and links available to you as a PAN member.



Does Your Notary Commission Expire in the Next Six Months?

Don't Delay! Get Started on Your Reappointment Today.

Start the process now to ensure your reappointment is on time. Renew online at www.notary.org. Just click on the link “Renew Your Notary” on our home page for details.

LET'S TALK ... Out of State Vehicles

All new residents are required to make application for Pennsylvania title and registration of their vehicle(s) within 20 days of establishing residency in Pennsylvania.

As an issuing agent, you will avoid problems with titling and registering out-of-state vehicles if you check the following items and explain the requirements to your customer.

You can also refer your customer to the Pennsylvania Department of Transportation (PennDOT) web page for new residents at www.dmv.pa.gov

Proof of Identification

Your customer must have one of the forms of identification listed on the Fact Sheet “Acceptable Proof of Identification Documents for Completing Motor Vehicle Forms.”

New residents should apply for and receive their Pennsylvania identification credentials before trying to title and register any vehicle(s) in the state.

Lien

Check the out-of-state title to see whether there is a lien on it. If there is no lien, or the lien has been satisfied, the out-of-state title can be submitted to PennDOT to obtain a Pennsylvania title. You may issue a temporary Pennsylvania registration plate only in those instances where the out-of-state title accompanies a completed Form MV-1.

If there is a lien on the title, your customer must contact the lienholder. A lienholder may refuse to release the title in their possession unless the lien has

been satisfied. The owner may need to take out a new loan through a Pennsylvania lender and pay off the balance owed to the lienholder before the lienholder will release the title.

The lienholder may agree to send the title directly to PennDOT. In this case, when PennDOT receives the title, a notification letter is sent to the vehicle owner. The letter contains contact information you will need to help your customer.

If the out-of-state lienholder refuses to release the title to your customer or to PennDOT, you cannot issue a temporary registration plate. Your customer is responsible for working with the out-of-state lienholder to obtain the title.

Proof of Insurance

Your customer must have proof of insurance from an insurance provider licensed to do business in Pennsylvania. Refer to the “Proof of Insurance” Fact Sheet.

CARB Certification

Vehicles manufactured in 2008 or later with a gross vehicle weight rating (GVWR) of 8,500 pounds or less, and with less than 7,500 miles on the odometer, must meet the certification requirements of the California Air Resources Board (CARB). CARB certification information can be found on PennDOT's Web site at www.dmv.pa.gov.

VIN and GVWR Verification

The Vehicle Identification Number (VIN) on all vehicles previously titled in another state must be verified to make sure that the VIN listed on the out-of-state title

matches the number on the vehicle's VIN plate. You must attach a VIN plate tracing in the space provided on the back of the white copy of the MV-1.

If you cannot make a legible tracing of the plate, and you are a notary public employed by a motor vehicle dealer or issuing agent, you may inspect and visually verify the VIN. You must list your name, DIN and signature in Section A on Form MV-1.

A photograph of the vehicle's VIN plate is acceptable if the photo is signed and dated by a certified inspection mechanic who visually verified the VIN.

If the vehicle is a truck, the Gross Vehicle Weight Rating (GVWR) must be verified by an authorized Pennsylvania notary public or Pennsylvania certified inspection mechanic.

Sales Tax

If your customer has owned the vehicle less than six months, the customer must provide proof of sales tax paid out of state, or pay Pennsylvania sales tax. Sales tax is calculated and listed in Section H on Form MV-1. If your customer has owned the vehicle for six months or more, the customer is not required to show proof of sales tax paid. Enter Exemption Reason Code #12 in the appropriate box in Section H.

Fees

Make sure you include the title fee, lien fee (if recording a lien on the title), registration fee (refer to Form MV-70S), and plate transfer fee (if transferring a PA plate to the customer's vehicle) in Section H.

DRIVER & VEHICLE SERVICES UPDATE



The Pennsylvania Department of Transportation (PennDOT) released two Driver and Vehicle Services Update Bulletins, and additional reminders for agent service providers.

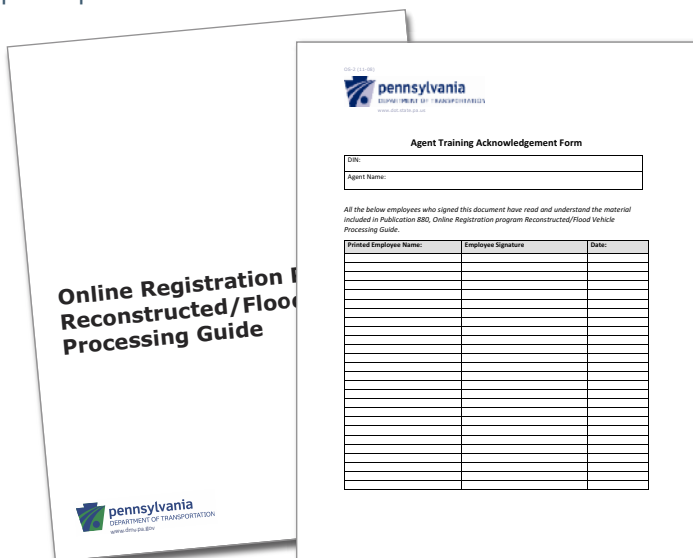
OLRP Agents Must Acknowledge Receiving Training

DVS Update Bulletin No. 22-07, dated August 2022, announced the release of Publication 880 - Online Registration Program Reconstructed/Flood Vehicle Processing Guide, Edition Date 8-22.

The Guide is new training that all agents in the Online Registration Program (OLRP) are required to read and understand. Agents are required to send an email to PennDOT with a form acknowledging that they and their employees have complied with the training requirement. Failure to read and understand this training and confirm via email will result in the suspension of reconstructed transaction access through the OLRP agent service until the agent service provider and employees have completed the required training.

The Bulletin is on PennDOT's web site [available here](#).

The acknowledgement form and the Guide are available in the Member Portal on PAN's web site: www.notary.org/member-portal/pan-forms.



Fuel Types Added to MVDLS and CARATS

DVS Update Bulletin No. 22-06, dated July 2022, announced the addition of fuel types and the Advanced Vehicle Type (AVT) field to PennDOT's online systems. For vehicles manufactured after 1975, the fuel type and AVT field will be automatically filled in based on the Vehicle Identification Number (VIN). On vehicles manufactured prior to 1975, the fuel type will have to be entered or changed manually.

The Bulletin is on PennDOT's web site [available here](#).

Change to Verification of Identity Policy

Special Release Memos went out from Bureau of Motor Vehicles Director Stephen J. Madrak on Jul. 29 and Aug. 10, reminding all business partners of a change in PennDOT's verification of identity policy.

The current policy requires agents to attach a legible photocopy of the front and back of the accepted identification credential(s) to any title and/or registration application.

The new verification process requires agents to use a new system tool to electronically verify the customer's driver's license or photo ID against the PennDOT record. This electronic verification assists in mitigating fraud associated with titling and registration of vehicles, as well as mitigating the potential for insurance fraud.

All business partners must start using the verification of identity system and process, offered through one of the approved integrators, by no later than November 30, 2022.

Until an agent has implemented the verification of identity system and process, the agent is required to follow the current process for documenting identity.

Find more information on [PAN's Blog](#).

Retired Status Registration Checklist

Customers who qualify for retired status registration pay a \$10 per year processing fee instead of the full vehicle registration renewal fee. They can apply for retired status when applying for, transferring, or renewing their registration, provided they meet certain criteria. Use this checklist to make sure an applicant qualifies for retired status registration:

- Applicant's vehicle is a passenger vehicle or truck with a registered gross weight of not more than 9,000 pounds (only one vehicle per qualified applicant).
- Applicant's name is on the vehicle's registration (vehicle may be owned with another person).
- Applicant is the principal operator of the vehicle (unless physically or mentally incapable of operating the vehicle).
- Applicant is retired from their principal occupation and receiving Social Security, SSI payments, retirement benefits or other pensions and annuities.
- Applicant includes other income received from sources such as interest, dividends, capital gains, business income, rental income, wages, public assistance, unemployment compensation, cash gifts, life insurance, and death benefits.
- Applicant's total income from all sources does not exceed \$19,200.
- Applicant is submitting Form MV-371 in conjunction with Form MV-1, MV-4ST, MV-105, MV-120, or MV-140.

Form MV-371 and the Retired Status Fact Sheet are available on the Pennsylvania Department of Transportation's (PennDOT's) web site at: www.dmv.pa.gov.

PennDOT Has Answers to Frequently Asked Questions

The Pennsylvania Department of Transportation (PennDOT) maintains lists of frequently asked questions (FAQs) in a broad range of categories.

There are 60 categories on the FAQs page, from "Address Requirements" and "Apportioned Registration" to "Vertical Registration Plate – Motorcycle" and "Veterans Designation." Whether you have a specific question or need an

overview of a particular topic, the FAQs page is a good place to start.

FAQs

Visit the FAQs page at www.dmv.pa.gov/pages/FAQs.aspx.

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About PAN

Founded in 1955, PAN is America's first notary association, dedicated to helping notaries serve the public with confidence. Our commitment is to you and to your success as an appointed official of the Commonwealth. Let us know how we can serve you better. If you have a question or comment, call PAN at 800-944-8790 or send an email to PAN at PAN@notary.org.



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