

First Time NOTARY

Presented by the **Pennsylvania Association of Notaries**

June 2026

PAN Membership

The Pennsylvania Association of Notaries (PAN) makes being a notary easier. PAN guides you step-by-step through the notary application process, including a line-by-line review of your application before it goes to Harrisburg.

Throughout your four-year commission, you have PAN's support for all your notary and motor vehicle questions by phone, online chat, email, or Facebook.

PAN also provides state-approved notary and motor vehicle training.

Your membership includes a monthly subscription to *Notary Notes*, filled with helpful reference material and educational articles. Your membership also includes digital access to PAN's *Practical Guide for Notaries Public in Pennsylvania*, the most comprehensive reference written specifically for Pennsylvania notaries.

PAN's *Become a Notary Package* includes the First Time Notary Seminar and all the essentials you need to get started, including:

- Step-by-step help in obtaining your commission
- The state application fee
- A $25,000 bond, as required by notary public law
- A self-inking notary stamp
- A notarial journal
- A four-year PAN membership
- PAN's Stamp Guard or Locking Notary Tote

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PENNSYLVANIA ASSOCIATION OF NOTARIES

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SECTION

What is a Notary?

First Time
NOTARY

What Is a Notary Public?

A notary public is an official appointed by the Commonwealth of Pennsylvania to serve as an impartial witness when important documents are signed.
The notary's main duties are to:

- Verify the identity of the person signing the document
- Ensure the person understands what they are signing
- Confirm that the person is signing willingly

⚠ **When to Refuse a Notarization**
If you are serving a customer and the person does not seem to understand what is going on around them, you must refuse to complete the notarization.

Notaries are a deterrent to fraud and build trust in all sorts of documents such as deeds, contracts, and powers of attorney.

What a Notary Cannot Do

Being a notary does not give you the authority to:

- Prepare or help someone draft legal documents
- Give legal advice or explain someone's legal rights
- Act as an immigration consultant or claim to be an expert in immigration matters
- Represent anyone in an immigration, citizenship, or related proceeding
- Accept payment for performing any of the above activities

Only licensed attorneys are authorized to provide these services.

NOTES & INSIGHTS: _____

Misleading Terms and Advertising Restrictions

A notary public may not advertise using the words “Notario,” “Notario Publico,” “Notario Publica,” or any non-English term that could mislead people into believing the notary has legal powers like an attorney.

In certain countries, the word “notario” refers to a highly trained lawyer. Using that term in Pennsylvania can misrepresent your authority and is strictly prohibited unless you are also a licensed attorney.

All notaries are also prohibited from using false, misleading, or deceptive advertising about their notarial services or authority.

Advertising Disclaimer Requirement

If you advertise your notary services—verbally, online, in print, or on signs—and you are not an attorney, Pennsylvania law requires you to include the following statement clearly and in every language used in your advertisement or communication:

> “I am not an attorney licensed to practice law in this Commonwealth. I am not allowed to draft legal records, give advice on legal matters, including immigration, or charge a fee for those activities.”

If your ad or sign is too small to include the full statement, you must display the statement prominently at your place of business or provide it to the customer before notarizing.

Communication Requirement

You must be able to communicate with your customer at the time of the notarization. This communication may take place directly in a language that both you and the customer understand. If you and the customer do not share a common language, you may use an interpreter. The interpreter must be present during the notarization and must be able to communicate directly with both you and the customer.

Conflicts of Interest

A notary public must always remain impartial when performing notarial acts. This rule exists to protect the public and ensure that your judgment is not influenced by personal gain or bias.

A conflict exists if:

- You or your spouse could personally benefit—financially or otherwise—from the document being notarized
- You are signing the document yourself (a notary must never notarize their own signature)

A conflict does not exist if:

- You own stock in a publicly traded company involved in the transaction
- You are an employee, officer, or director of a company involved in the transaction, if you do not personally gain beyond your regular salary
- You are paid a fee no matter what happens with the transaction

Example:
You are employed to notarize loan documents and your department receives a bonus for meeting group performance goals, whether the loans are approved or not. The bonus is not dependent (or contingent) on how many loans you notarize.

When a Notary May Refuse to Notarize

A notary may refuse to notarize a document if they are not satisfied that:

1. The person signing the document is mentally competent and understands what they are signing.
2. The person is signing willingly, not under pressure, threat, or coercion.
3. The signature on the document matches the signature on the person's identification.
4. The person's appearance reasonably matches the photo on their identification.

If any of these concerns arise, the notary should decline to perform the notarization.
A notary may also refuse to act for other valid reasons, such as when:

- The notary believes the record is fraudulent or contains false information
- The request is outside the notary's authorized duties

When a Notary May Not Refuse to Notarize

A notary may not refuse to provide notarial services based on a person's:

- Race or color
- National origin
- Religion
- Sexual orientation
- Sex or gender
- Pregnancy
- Gender identity or expression
- Disability
- Marital status

In short, a notary's decision to refuse service must always be based on legal grounds, not on personal prejudice or discriminatory factors.

Sanctions and Penalties

Serving as a notary public is a position of public trust. Because of that, the Pennsylvania Department of State has the authority to discipline a notary whose actions show a lack of honesty, integrity, competence, or reliability.

Under Pennsylvania regulations, the Department may deny an application, refuse to renew a commission, issue a reprimand, suspend or revoke a commission, or place conditions on a commission if a notary commits certain acts or omissions. Section 167.121 includes a detailed list of conduct that may result in discipline.

The Department may also impose an administrative penalty of up to $1,000 for each violation. This penalty may apply to a commissioned notary or to anyone who performs a notarial act without being properly appointed and commissioned.

The Department's disciplinary authority does not prevent other legal action. A person who suffers harm may still pursue civil or criminal remedies. The Department may also bring civil enforcement actions or request prosecution of criminal offenses when appropriate.

Pennsylvania law makes it unlawful to:

- Perform a notarial act without a valid commission
- Falsely represent yourself as a notary public
- Use an official stamp belonging to another notary public

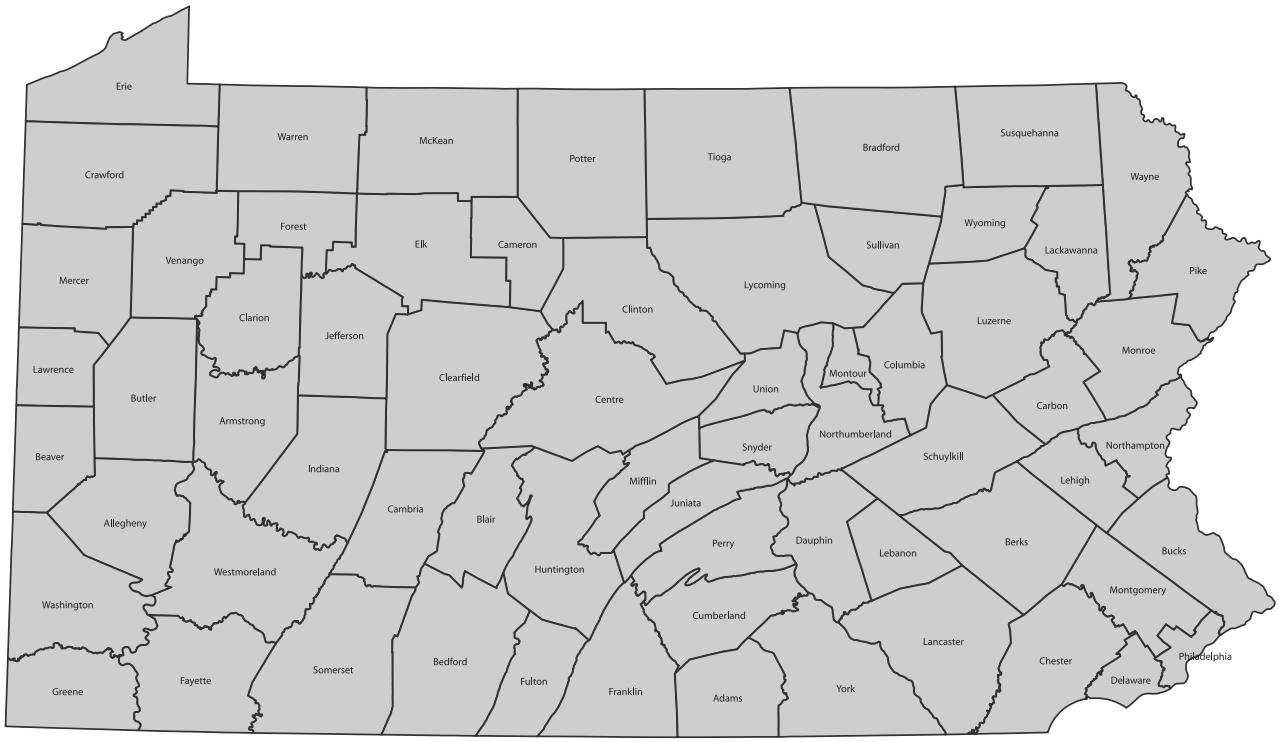
A person who violates Pennsylvania notary law or Department regulations commits a summary offense and, upon conviction, may be fined up to $1,000.

Where a Notary Can Perform Notarial Acts

Once you are commissioned as a Pennsylvania notary public, you may perform notarial acts anywhere within the Commonwealth. Your authority is not limited to the county where you live, work, or were commissioned. Your commission is valid statewide.

Notarial Acts Outside of Pennsylvania

A Pennsylvania notary's authority ends at the Pennsylvania state line. A notary may hold commissions in other states, but each commission only authorizes notarial acts within that state's borders. A Pennsylvania commission does not allow you to notarize documents in another state or country.



2 SECTION

Appointment Process

First Time NOTARY

Qualifications for Appointment and Commission

Before receiving a notary commission, every applicant must meet specific eligibility requirements established by Pennsylvania law and the Department of State. These qualifications ensure that each notary public is competent, responsible, and capable of performing notarial acts with honesty and integrity.

- Must be at least 18 years old
- Must be a citizen or permanent legal resident of the United States
- Must be a resident of Pennsylvania, or maintain a place of employment or practice within the Commonwealth
  - A non-resident applicant must have an established office in Pennsylvania on an ongoing basis and must be able to receive mail at that address
- Must be able to read and write English
- Must not be disqualified from holding a notary commission under §323(a) of the Revised Uniform Law on Notarial Acts (RULONA) (relating to sanctions)
- Must complete a basic education course of at least three hours, approved by the Department of State, within six months prior to applying
- Must pass the state notary examination within six months after receiving authorization to take the test
- Must comply with any additional regulations or requirements established by the Department of State to ensure the competence, integrity, and proper performance of notarial duties

Who Is Not Eligible to Become a Notary Public

Certain individuals are prohibited by law from holding the office of notary public in Pennsylvania. These restrictions prevent potential conflicts of interest between federal, state, and notarial duties.

The following people are not eligible to serve as a Pennsylvania Notary Public:

- Members of the United States Congress, and any individual—whether an officer, subordinate officer, or agent—holding a position of profit or trust under the legislative, executive, or judicial branches of the U.S. government, to which a salary, fees, or other benefits are attached
- Members of the Pennsylvania General Assembly

Applying to Become a Pennsylvania Notary Public

Before being commissioned, every notary applicant must complete and submit an official application to the Pennsylvania Department of State. The application requires accurate personal information, payment of the application fee, and proof that all eligibility requirements have been met. The following sections explain how to correctly complete your application.

Completing the Application Form

Applications must be typed or printed neatly on the official form provided by the Department of State. All information provided is subject to verification. Any false statements, omissions, or inaccuracies may result in rejection of the application or loss of a commission.

Check Boxes at the Top of the Application

Select “New Appointment” to indicate that you are applying as a first-time notary in Pennsylvania.

If you were previously commissioned as a Pennsylvania notary, select “Reappointment” and provide your notary commission expiration date, the full name that appeared on your previous commission, your notary commission ID number, and any other name you used on your previous commission.

Name on the Application

The name you use on your notary application is the same name that will appear on your notary commission. Your name may be listed in one of several acceptable formats: your full first, full middle, and last name; your full first and last name only; your full first name, middle initial and last name; or your first initial, full middle name, and last name. Nicknames or names made up of only initials are not permitted. Your name also may not include professional titles or prefixes, such as Dr., Rev., Esq., or similar designations. However, generational suffixes like Jr., Sr., II, or III may be used if they are part of your legal name.

If requested by the Department of State, you may be required to provide proof of your legal name using an acceptable, current form of government-issued identification, such as a passport, driver’s license, or nondriver ID card.

Personal Information on the Application

You must provide your date of birth, Social Security number, and an email address on your application. The email address should be one that you check daily, as all communications from the Pennsylvania Department of State and the testing company are sent only by email.

Address and Contact Information

A P.O. Box alone is not acceptable; you must also provide a street address. Every applicant is required to list a home address, even if a separate business address is provided.

If you live outside Pennsylvania, you must list a Pennsylvania business address.

If you live in Pennsylvania, you may list only your Pennsylvania home address and write “N/A” or “None” in the employer or business address section.

Public Information

Business and Home Address Listed
Your name, employer or business name, business address, business telephone number, and commissioning history become part of the public record once you are commissioned.

Home Address Only Listed
Your name, home address, home telephone number, and commissioning history become part of the public record once you are commissioned.

Applicant Questions and Declarations

In this section of the application, you must answer every question honestly. If you mark "Yes" for any question, you are required to provide full details and attach appropriate supporting documentation. Unanswered questions or missing documentation may delay or result in the rejection of your application.

Education Requirement

All new and renewing applicants must confirm that they have completed a three-hour notary public education course that has been preapproved by the Pennsylvania Department of State. The course must have been completed within six months prior to submitting the application. You must attach a copy of your course completion certificate to your application and retain the original for your records. Lack of proof of education will result in automatic rejection of the application.

Criminal History Disclosure

You must disclose whether you have ever been convicted of, or accepted Accelerated Rehabilitative Disposition (ARD) for, any felony or misdemeanor prior to the date of your application.

A "conviction" includes any of the following: a court or jury finding of guilt, a plea of guilty or nolo contendere (no contest), a finding of not guilty due to insanity, and a finding of guilty but mentally ill.

If you answer "Yes," you must attach: the name of the court, the charge and outcome (conviction, plea, or ARD), the sentence and probation details, and a signed and dated personal explanation describing the circumstances.

Prior Notary Disciplinary Action

You must indicate whether you have ever resigned or had a notary commission suspended, revoked, or otherwise disciplined by the Commonwealth of Pennsylvania or any other state or jurisdiction. If you answer "Yes," attach all relevant details and documentation, along with a signed and dated personal explanation describing the situation.

Other Professional Licenses

If you hold or have held any other professional or occupational license, you must disclose whether any of those licenses were ever suspended, revoked, or otherwise disciplined. If so, attach all relevant details and documentation, along with a signed and dated personal explanation describing the situation.

Judgments Related to Notarial Acts

You must report if you have ever had a judgment entered against you or have admitted liability in a legal proceeding related to your actions as a notary public. If you answer "Yes," attach the supporting documentation along with a signed and dated personal explanation describing the situation.

Signature Requirements

Your signature must appear on the application.

Application Fee and Mailing Instructions

Each application must include a $42.00 non-refundable fee, paid by check or money order made payable to the Commonwealth of Pennsylvania.

PAN members

Send your completed notary application to PAN for review. We will check your application line by line to ensure there are no errors or missing information. The application fee is included in your Become a Notary Package, so no additional payment is required.

1. Submit online through the Member Portal (www.notary.org/login).
2. Submit by email (notaryapp@notary.org).
3. Submit by fax (800-707-7075).
4. Submit by mail.

Pennsylvania Association of Notaries
One Gateway Center, Suite 401
420 Fort Duquesne Boulevard
Pittsburgh, PA 15222-1498

Non-members

Non-member applications and fees should be mailed to:

Commonwealth of Pennsylvania
Department of State
Office of Notaries, Commissions and Legislation
401 North Street, Room 201
Harrisburg, PA 17120

Non-member applications may also be submitted through the Pennsylvania Department of State's website.

If a check is returned for insufficient funds, the Department may revoke your commission.

Commonwealth of Pennsylvania – Department of State
Office of Notaries, Commissions and Legislation
401 North St., Rm 201 Harrisburg, PA 17120
Tel: (717) 787-5280
dos.pa.gov/notaries
ra-notaries@pa.gov

NOTARY PUBLIC APPLICATION
(revised 4/1/2026)

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This form may be submitted online at www.notaries.pa.gov

PRINT OR TYPE CLEARLY. FILL OUT APPLICATION COMPLETELY. Do **not** leave any blanks. Use "none" or "N/A" if applicable. **An incomplete application will delay your appointment.**
FEE: $42 – make check or money order payable to: COMMONWEALTH OF PENNSYLVANIA.

For Official Use Only

CHECK ONE: ☐ **New Appointment**
☐ **Reappointment** (have applied to be a notary in Pennsylvania before)

If you have ever been a notary in Pennsylvania before or used a different name:	
Notary commission expiration date	Full name on previous commission
Notary commission ID number	Other name used on previous commission or other/former name(s) you have used

PART I: Applicant Information (NOTE: Employer/Business contact information will be public record)			
First Name	Middle Name or Initial (if used)	Last Name	Suffix (if applicable)
Date of Birth (mm/dd/yyyy)	Social Security Number (xxx-xx-xxxx)	Email Address	
Name of Employer/Business where Notary Commission will be used (Do not leave blank. If not applicable, please indicate.)			
Employer/Business Street Address (P.O. Box alone is insufficient)	City	State	Zip Code
Employer/Business Telephone (include area code)		County	
Home Street Address (P.O. Box alone is insufficient)	City	State	Zip Code
Home Telephone (include area code)		County	

Part II: Education; Criminal, Disciplinary and Legal History **(Check or mark appropriate boxes)**	**YES (√)**	**NO (√)**
I am a notary applicant for initial appointment or reappointment and I have completed a three-hour notary public education course, pre-approved by the Department, within the six-month period immediately preceding this application. **I have attached a copy of my course completion certificate and retained my original.** Lack of proof of education will result in application rejection.		
Have you ever been convicted or accepted Accelerated Rehabilitative Disposition in resolution of a felony or misdemeanor preceding the date of this application? Conviction includes a finding of guilt by a court or jury, a plea of guilty or nolo contendere or a finding of not guilty due to insanity or of guilty but mentally ill. If yes, attach full details (name of court, plea/conviction/ARD, sentence and length of probation) and appropriate supporting documents with a signed and dated personal explanation.		
Have you ever resigned a notary commission or had a notary commission suspended, revoked or otherwise disciplined by the Commonwealth of Pennsylvania or any other state/jurisdiction preceding the date of this application? If yes, attach full details and appropriate supporting documents with a signed and dated personal explanation.		
Have you ever had any other professional or occupational license suspended, revoked or otherwise disciplined? If yes, attach full details and appropriate supporting documents with a signed and dated personal explanation.		
Have you ever had a judgment levied against you or admitted liability in a legal proceeding for your actions as a notary public? If yes, attach full details and appropriate supporting documents with a signed and dated personal explanation.		

Note that disclosing your social security number on this application is mandatory for the Department of State to comply with the requirements of the federal Social Security Act pertaining to child support enforcement, as implemented in the Commonwealth of Pennsylvania at 23 Pa. C.S. § 4304.1(a). To enforce domestic child support orders, the Commonwealth's licensing boards must provide to the Department of Human Services (DHS) information prescribed by DHS about the licensee, including the social security number.

DECLARATION: I am at least 18 years of age; a citizen or permanent legal resident of the United States; a resident of or have a place of employment in Pennsylvania; and able to read and write English. I meet all the qualifications for appointment and commission as prescribed by law and have the honesty, integrity, competence and reliability to act as a notary public. I shall furnish additional evidence of these statements, if requested, which shall be satisfactory to the Department of State. To the best of my knowledge and belief, this application contains no misrepresentations or falsifications, omission or concealments of material fact and the information given by me is true and complete. I understand that any false statement made is subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) and may result in the suspension, revocation, or denial of my notary commission.

Applicant Signature **Applicant Printed Name** (must match name in Part I) **Date**

Application Deadline
The Pennsylvania Department of State must receive your notary application within six months of the date you completed the required three-hour notary education course. Applications submitted after this timeframe will require you to retake the education course.

Eligibility to Take the Exam
You may take the notary public examination only after your application has been submitted to and approved by the Department of State.

Once your application is approved, you will receive an email from Pearson Professional Assessments (Pearson), the Department's contracted testing company, authorizing you to schedule your exam.

Who Must Take the Exam
All first-time applicants and others who do not currently hold a Pennsylvania notary commission are required to pass the state notary examination before receiving a commission.

Exam Administration
The notary examination is administered by Pearson, either in person at an approved testing center or online. The online exam may only be attempted once. Any additional attempts must be completed in person at a Pearson testing center.

Exam Format and Timing
The computer-based exam consists of 30 multiple-choice questions. Test takers are given one hour to complete the exam.

Exam Window and Fee
Once your application has been approved by the Department of State, you have six months to take and pass the examination. If necessary, you may retake the exam during that period, but only once every 24 hours. An exam fee is charged each time you take the exam, including retakes.

Passing Score
A scaled score of 75 or higher is required to pass the Pennsylvania notary examination.

Score Validity
A passing exam score is valid for one year from the date of the test.

Completing the Commissioning Process

Once you pass the notary exam, the Pennsylvania Department of State will notify you of your appointment and commission dates by email. This email includes two important documents:

1. A Notice to Appointee letter.
2. A blank bond form.

The letter explains that you must complete the commissioning process within 45 days of the first day of your commission.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
OFFICE OF NOTARIES, COMMISSIONS
AND LEGISLATION
ROOM 210 NORTH OFFICE BUILDING
HARRISBURG, PA 17120
(717) 787-5280

MARY A. SMITH
123 MAIN ST
ST MARYS, PA 158XX

May 19, 20XX

NOTICE TO APPOINTEE

You have been appointed a NOTARY PUBLIC for the Commonwealth of Pennsylvania for a term of four years from **MAY 19, 20XX** to **MAY 19, 20XX**.

Your commission has been made available to the Recorder of Deeds Office in the county where your business office is located. **A notary is required to obtain a notary bond and you must take steps to obtain one without delay.** A surety bond is a contract wherein the surety has made a promissory commitment with the notary for the notary's faithful performance of notarial duties and the surety is primarily liable for the notary's conduct. If the bonding company has to make a payment on a claim against the bond, the notary must pay the bonding company back. The bond helps to protect the public for claims up to $25,000.

You must obtain a notary bond using the enclosed bond form. The bond must be executed by an insurance company authorized to do business in this Commonwealth; cover acts performed during the term of the notary public commission; and be in the form prescribed by the Department.

You must then return your executed bond in person, to the Recorder of Deeds of **ELK** County to take your oath of office and have the bond, oath and commission recorded. Your signature must also be registered with either the Prothonotary's office or the Recorder of Deeds office.

These steps must be completed on or before **JULY 3, 20XX** or your commission will be null and void. If this date falls on a Saturday, Sunday or any legal holiday, it is extended to the next business day.

If you have any questions regarding this appointment, you may contact this office at this telephone number: (717) 787-5280.

Francisco A. Santos Jr.,
Acting Director-Bureau of Notaries, Commissions & Legislation.

Enclosure: Notary Bond Form

NOTICE: Effective with Notary Public Commissions recorded on or after January 1, 1997, a $10.00 Writ Tax will be collected by the Recorder of Deeds Office. The Writ Tax will be in addition to the usual County Recording Fee charged by the Recorder of Deeds. Please contact your COUNTY RECORDER OF DEEDS OFFICE should you have any questions regarding the county recording fee.

Please visit the Department of State website at https://www.notaries.pa.gov to view the Revised Uniform Law on Notarial Acts, as well as other reference materials for Pennsylvania notaries public.

***See reverse for instructions**

Steps to Complete the Commissioning Process

1. **Obtain a Surety Bond**
   Every notary public must have a $25,000 surety bond.

   The bond protects the public from financial loss if a notary commits an error. The bond must cover the entire four-year term of your commission and be issued by a bonding company authorized to do business in Pennsylvania.

   If you purchased the Become a Notary Package, the cost of your bond is included. The bond will be mailed to you after you have been appointed by the Department of State. If you are not a PAN member, you must purchase a bond from another bonding company.

2. **Take the Oath of Office and Record Your Documents**
   You must appear in person at the Recorder of Deeds' office in the county where your office is located to take the oath of office—a formal promise to perform your notarial duties faithfully. After taking the oath, you must record the following documents:

   - Your surety bond
   - Your oath of office
   - Your notary commission

   After your bond, oath, and commission are recorded, your commission certificate will be delivered to you by the Recorder of Deeds.

3. **Register Your Official Signature**
   You must register your official signature in the county where your office is located. Depending on the county, this may be done in either the Prothonotary's Office or the Recorder of Deeds' office.

Whether you are a PAN member or not, you must pay any fees that your county charges for these services.

What Happens If You Miss the 45-Day Deadline
If you do not complete the commissioning process within 45 days, your notary commission becomes null and void. This means you must start the entire process over again, including submitting a new application, paying all required fees, and retaking the 3-hour course (and notary exam if necessary.)

Did You Know?
Not every Pennsylvania county has a Recorder of Deeds office.

- Allegheny County's equivalent office is the Division of Real Estate
- Philadelphia County's equivalent office is the Department of Records

If your notary office is in either of these counties, you'll record your bond, oath, and commission and register your official signature with those officials instead.

Understanding Your Notary Bond and Optional Insurance

The Notary Bond

A surety bond is not protection for you; it protects the public. If you make an error or fail to follow the notary laws and someone suffers a financial loss, the bonding company (the surety) may be required to pay that loss to the injured party.

However, it's important to understand that a bond is not insurance. If the bonding company pays a claim on your behalf, you must repay the company for the amount they paid.

Errors & Omissions (E&O) Insurance

While the bond protects the public, Notary Errors & Omissions (E&O) Insurance protects you.

E&O insurance is optional but strongly recommended. It covers you financially if you make a mistake during a notarization that causes your customer to lose money.

Here's how it works:

- E&O insurance pays claims against the notary first before your bond is ever affected
- The insurance company pays for covered losses and legal expenses up to your policy limit
- Unlike the bond, you do not have to repay the insurance company for a valid claim
- E&O insurance must be purchased separately from your surety bond

In short:

- Your bond protects the public
- Your E&O insurance protects you

Having both provides the best protection for you and for the people you serve.
PAN members can buy Errors and Omissions Insurance through PAN. If you are not a member, you can buy this insurance from any other insurance company.

3 SECTION

Keeping Your Commission Information Up to Date

First Time NOTARY

Keeping Your Commission Information Up to Date

As a commissioned notary public, you are responsible for keeping your contact and commission information current with the Pennsylvania Department of State. You must notify the Department within 30 days of any changes to your personal or professional information.

- Your name
- Your office address or phone number
- Your home address or phone number
- Your email address
- Your electronic notarization technology provider (if you perform electronic notarizations)
- Your remote notarization technology provider (if you perform remote online notarizations)
- Your resignation from the office of notary public

You must also notify the Department if you permanently move out of Pennsylvania and no longer work in the Commonwealth.

How to Notify the Department
You can send your update in any of the following ways:

- In writing - print the form from the Department's website www.notaries.pa.gov and mail it to the address on the form
- By email - ST-NOTARIES@pa.gov
- Electronically through the Department's website - www.notaries.pa.gov
  - Click on "Update Notary Info"

Your notice must include the effective date of the change.

If Your Name Changes
If your name changes—due to marriage, divorce, or a court order—you must:

1. Complete the official name change form provided by the Department of State.
2. Include proof of your name change, such as a marriage certificate, court order, or divorce decree.

You may continue notarizing using your old name until your current commission expires. When you renew your commission, you must apply using your new legal name.

You may start using your new name right away. However, before you perform any notarial acts using that name, you must first register your new signature with either the Prothonotary's office or the Recorder of Deeds' office in the county where your office is located. You also need to obtain a new official notary stamp showing your new name.

If Your Address Changes
If you move within Pennsylvania, you must update your home and office addresses with the Department within 30 days.

If you no longer have any Pennsylvania home or business address, the state will treat that as an automatic resignation from your notary commission.

Registration of Official Signature After Moving to a Different County
If you move your notary office to a different county, you must register your official signature again within 30 days in your new county. This is done at the Recorder of Deeds' office or the Prothonotary's office, depending on the county. You would also be required to obtain a new official stamp with the new county's name.

Reporting Certain Legal or Disciplinary Issues
You must notify the Department within 30 days of the following events occurring, or when you file your next reappointment application, whichever comes first.

- You are convicted of a felony, or a crime involving fraud, dishonesty, or deceit. This also includes accepting Accelerated Rehabilitative Disposition (ARD) for one of these offenses
- Another state or jurisdiction takes disciplinary action against your notary commission.
- In a criminal, civil, or administrative case, you are found liable or you admit liability for conduct involving fraud, dishonesty, or deceit
- The Pennsylvania Bar Association, a court in Pennsylvania, or the bar or courts of another state or jurisdiction determine that you engaged in the unauthorized practice of law
- A payment is made to a claimant under your notary bond

4

SECTION

Electronic and Remote Online Notarization

First Time NOTARY

Electronic Notarization (E-Notarization)

An electronic notarization is when you notarize a digital document instead of a paper one. The customer must still appear in person before you—only the format of the record is electronic.

Remote Online Notarization (RON)

Remote online notarization allows you, as a notary located within Pennsylvania, to notarize a digital document when you and the customer are in different locations. Instead of meeting in person, both of you connect through an approved online platform that provides live audio-visual communication technology.

How to verify identity
When performing a remote notarization, you must confirm the customer's identity using one of the following:

1. Personal knowledge of the customer,
2. A credible witness who appears before you (either in person or remotely), or
3. Two forms of identity proofing.

Identity proofing may be accomplished through various methods, such as:

- Credential analysis - verifies the authenticity of the signer's identification document
- Dynamic knowledge-based authentication - confirms identity by requiring the signer to correctly answer personal questions

Technology requirements for remote online notarization
The technology must allow both you and the customer to see and hear each other in real time. It must also provide reasonable accommodations for customers with vision, hearing, or speech disabilities.

Recording requirements for remote online notarization
The entire session must be audio and video recorded, capturing the full interaction between you and the customer. The recording must be kept for at least 10 years either by you or by your technology provider.

If the customer is outside the United States
You may notarize for someone located outside the United States only if the document is related to U.S. property, a U.S. court or government matter, or a transaction that has a connection to the United States. In addition, the notarial act must not violate the laws of the country where the customer is physically located.

Certificate wording
Every remote notarization certificate must clearly show that it was completed using communication technology. This statement meets the requirement: "This notarial act involved the use of communication technology."

Becoming an Electronic or Remote Notary in Pennsylvania

To perform electronic or remote notarizations, you must already be a duly commissioned Pennsylvania notary public with a current, unrestricted commission. The following steps outline the process you must complete through the Pennsylvania Department of State.

Step 1 – Complete and Submit the Application
A commissioned notary public begins the process by completing the Electronic Notary Public Application available through the Department of State's website at www.notaries.pa.gov. This form is used for both electronic notarization and remote notarization authorization. Once completed, the application is submitted electronically to the Department of State for review.

Step 2 – Department Review and Authorization
The Department reviews the application. When approved, the notary receives an email notification from the Department authorizing them to act as an electronic or remote notary until the end of their current four-year commission. At this stage, communications from the Department may refer to the authorization as "electronic notarization," even if the notary also intends to perform remote notarizations.

Step 3 – Select an Approved Technology Provider
After receiving approval, the notary must return to www.notaries.pa.gov to select one or more approved electronic/remote notarization technology providers from the Department's official list. These approved vendors supply the secure technology needed to perform electronic or remote notarizations.

Step 4 – Department Notification to Provider
Once a provider is selected, the Department notifies that technology provider that the notary is authorized to obtain an electronic or remote notarization system.

Step 5 – Obtain and Pay for Technology
The notary then works directly with the chosen provider to purchase and set up the approved electronic or remote notarization technology. The notary and provider handle all payment and setup arrangements directly.

Step 6 – Confirmation and Activation
After the provider issues the technology, the provider notifies the Department electronically through www.notaries.pa.gov.

Once this step is complete, the notary will appear as “e-notary capable” in the Department’s public database. This term means the notary has been authorized to use electronic notarization, remote notarization, or both.

The notary may now perform electronic or remote notarizations using the approved technology until the end of their current commission, or until the technology authorization expires—whichever comes first.

Renewal
At the start of each new four-year commission, the notary must repeat Steps 1 through 6 to continue performing electronic or remote notarizations.

SECTION 5

Personal Appearance and Identification

First Time NOTARY

Personal Appearance

What It Means
When someone signs a document or makes a statement for a notarial act, they must personally appear before the notary. That means both the customer and the notary are in the same place at the same time—able to see, hear, and talk to each other directly.

What Doesn't Count as Personal Appearance
A phone call, video chat, or email is not enough. You cannot notarize a signature that you only saw or heard through a computer or phone—unless you're performing a remote online notarization using an approved audio-video platform.

When Personal Appearance Isn't Required
Personal appearance is not required:

- When the notary is administering a verbal oath or affirmation in a criminal, civil, or administrative proceeding in Pennsylvania
- When the notary is making a certified copy of an original document

Identification of the Individual
Before performing any notarial act, a notary must confirm the identity of the person signing or making a statement. This is one of the most important steps in preventing fraud. You must have personal knowledge of the individual or satisfactory evidence that proves who they are.

Personal Knowledge
You have personal knowledge of a person's identity if you already know them well enough through prior dealings to be reasonably certain they are who they claim to be.

- Example: You've worked with this person regularly or known them personally for years

If you are not completely sure, you must verify their identity another way—never rely on memory or assumption alone.

Satisfactory Evidence
If you do not personally know the individual, you must rely on satisfactory evidence—proof of identity based on acceptable identification or a credible witness.

The following forms of ID are acceptable if they are current (not expired):

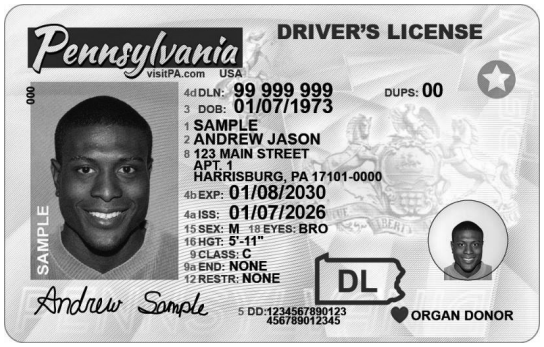
- A U.S. passport or passport card (including electronic equivalent)
- A foreign passport (including electronic equivalent) only if it uses letters and a language you can read, write, and understand
- A driver's license or non-driver ID card issued by any U.S. state (including electronic equivalent)
- A driver's license or non-driver ID card issued by a foreign government, if it is in a language you can read, write, and understand (including electronic equivalent)

Another form of government-issued identification may be used if it is current, includes the person's photo or signature, and is acceptable to the notary.

> You may always ask for more information or another form of ID if you need extra assurance about the customer's identity.

Other forms of acceptable government-issued identification may include:

- U.S. military identification card
- Inmate ID card issued by the Pennsylvania Department of Corrections for an inmate currently in custody
- U.S. Department of Homeland Security ID card
- Social Security card
- Pennsylvania state university or state-related university ID card
- Pennsylvania medical marijuana ID card
- Consular identification document issued by a consulate from the customer's country, if written in a language you can read, write, and understand



Tips for Confirming a Customer's Identity

- Never accept an ID that appears altered or suspicious
- Check for common security features
- Compare the photo on the ID (if any) to the the customer's appearance
- If you are not fully confident of the person's identity, do not proceed with the notarization

Comparing Signatures

When performing an acknowledgment, verification on oath or affirmation, or witnessing or attesting a signature, you must make sure that the signature on the document truly belongs to the person who appeared before you.

If the identification presented includes a signature, carefully compare the signature on the ID with the signature on the document. The two should be reasonably consistent in appearance.

Using a Credible Witness

If the customer does not have acceptable identification, a credible witness can verify their identity.

The credible witness must meet all the following conditions:

- Appear before you at the same time as the customer
- Be personally known to you, the notary
- Personally know the customer through previous dealings
- Have no direct or pecuniary (financial) interest in the document being notarized

The credible witness must make a verification on oath or affirmation stating that:

- The customer is the person named in the record
- They personally know the customer well enough to be reasonably certain of their identity
- They have no direct or financial interest in the document

SECTION 6

Notary Equipment

First Time NOTARY

Pennsylvania law requires every notary public to maintain both an official stamp and a notary journal. These two tools are essential to the integrity of every notarization. The official stamp authenticates your work, while the notary journal serves as the permanent record of your acts.

PAN's Become a Notary Package includes your official stamp and journal.

Although many notaries also use an embossing seal to add a raised impression, its use is optional. The law permits the embosser but does not require it.

Official Stamp

Every Pennsylvania notary public must use an official stamp to authenticate their notarial acts. Each time you notarize, you must affix a clear and legible impression of your stamp on the document. The stamp ensures that anyone viewing the record can tell who performed the notarization and that it was done under lawful authority.

Design Requirements
Your official stamp must meet specific design standards:

- It must be rectangular, no larger than 1 inch high and 3½ inches wide and have a plain border
- The impression must be placed near your signature and must reproduce clearly when the document is photocopied or scanned

The following information must appear on the stamp in this order:

1. "Commonwealth of Pennsylvania – Notary Seal".
2. Your name as it appears on your commission, followed by "Notary Public".
3. The county where you maintain your office.
4. Your commission expiration date.
5. Your seven-digit commission ID number issued by the Department of State.

Note: The words on your stamp may not be abbreviated, except for name suffixes like Jr., Sr., or III.

Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Elk County
My commission expires May 19, 20XX
Commission number 1548672

Stamping Device

The stamping device is the physical tool that applies the official stamp to the record. It can be a traditional self-inking stamp for a paper document or an electronic device used for electronic or remote online notarizations.

Regardless of format, the device remains the exclusive property of the notary public. You alone are responsible for keeping it secure. It may not be shared, lent, or left in a place where others can access it.

Your physical stamping device should be secured where no one else can access it. If it is electronic, protect it with a strong password or other security method.

You are allowed to have more than one stamping device for the same commission. For example, you might keep one at your office and another at home for convenience—but each stamp must be secured when not in use.

Loss or Theft

If your stamping device is ever lost, stolen, destroyed, misplaced, or compromised, you must notify the Department of State within 15 days of discovery. This must be done in writing.

Your notice must include:

1. A statement confirming that you no longer possess the device or that it was accessed without authorization.
2. The date you discovered the loss or theft.

Disabling or Surrendering a Stamp

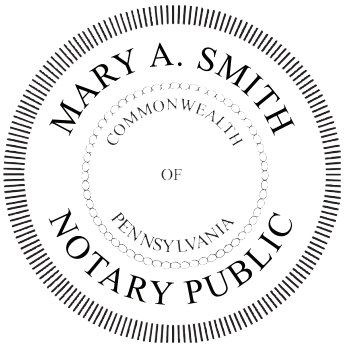
When your commission expires, or if you resign, you must ensure your stamping device is permanently disabled or destroyed so it cannot be used for fraudulent purposes.

If your commission is suspended or revoked, you must surrender the device to the Department of State within 15 days of receiving notice.

In the event of a notary's death or incompetency, the notary's personal representative or guardian is required to make the stamp unusable to prevent fraud or misuse.

Non-Inking Embosser (Optional)
Some notaries choose to use an embossing seal, also called a crimping embosser, which creates a raised impression when pressed in paper. While it may look more traditional, the embosser is not required under Pennsylvania law.

If you decide to use an embosser, remember that it cannot replace your official stamp.



Pennsylvania Notary Journal Requirements
The notary journal serves as the official record of your work. Every notarial act you perform must be documented in your journal at the time it occurs. The journal protects both the notary and the public by establishing a clear record of when, where, and for whom a notarization took place.

Think of the journal as your professional logbook—a detailed history of your official acts. It's your best defense if questions about your actions arise years later. Each notarial act must be recorded as a separate entry, and all entries must be kept in chronological order to ensure an accurate and complete record of your notarial activity.

Format and Type
You may maintain your journal in paper or electronic form—or both—but each format must meet the state's standards for security and reliability.

Paper Journal (Tangible)
If you keep your notary journal in paper form, it must meet certain physical requirements to protect the integrity of your records. The journal's cover and pages must be permanently bound together to prevent the cover or pages from being added, removed, or replaced. Acceptable binding methods include sewing or stitching, glue, staples, grommets, or any other permanent binding that keeps the pages secure. Binding with tape, paperclips, or binder clips is not allowed, as the journal could be easily tampered with.

Each page in your journal must have preprinted page numbers that run in order from beginning to end. In addition, every individual notarial act recorded in the journal must also be numbered consecutively, either across the entire journal or within each page. These entry numbers must also be preprinted to help ensure that no entries are added or removed later.

Electronic Journal
An electronic journal must be tamper-evident, meaning no entries can be added, removed, or altered without detection.

Each entry must be numbered consecutively from beginning to end, and the journal must be backed up and recoverable in the event of hardware or software failure.

The journal must be accessible in a readable format, such as PDF, upon request.

If the journal includes signatures, each signature must be securely linked to the entry it belongs to. It must also be digitally linked to the data in a way that shows if any part of the entry has been changed afterward. In other words, if someone tries to edit, delete, or alter the information later, those changes must be detectable.

Identifying Information in the Journal
Each journal must begin with basic information identifying the notary (in any order):

- Your name as it appears on your commission
- Your commission number and expiration date
- Your office address
- Your signature

The journal must include the meaning of any uncommon abbreviations or symbols used when recording a notarial act. It must also include a statement indicating that, if you die or become incompetent, your journal must be delivered within 30 days to the recorder of deeds in the county where you last maintained an office.

If your name, address, or expiration date changes before you stop using the journal, simply add the new information and the date of the change after the old information.

Journal Entries

Each notarization you perform requires its own separate entry in the journal. Entries must be made contemporaneously—at the same time you perform the notarial act—not later in the day.

Each entry must include:

1. The date and time of the notarization.
2. The type of notarial act (such as acknowledgment or verification on oath or affirmation).
3. A brief description of the document (such as the title or type of document).
4. The notary fee charged (or "n/c," "0," or "—" if no fee).
5. The clerical and administrative fees charged must be listed separately (or "n/c," "0," or "—" if no fees).
6. The full name and address of the person for whom the act was performed.
7. Whether you identified the person using personal knowledge or satisfactory evidence.
    - If the person's identity is based on satisfactory evidence, a brief description of the identification method (acceptable ID or credible witness), including a description of the identification credential and issue and expiration dates or the credible witness' name.

Each entry in your journal must be completed fully, with no blank spaces. If there is empty space left between entries in your notary journal, you must draw a line through it so no information can be added later. This helps protect your journal from tampering.

Optional and Prohibited Information
You may choose to include the signer's signature or other details that help you recall the transaction later.

Never record personally identifiable information about your customer:

- Any part of the customer's Social Security number
- Full driver's license or government-issued nondriver card numbers (partial numbers are allowed)
- Birth dates, birthplaces, or mother's maiden names
- Biometric, financial, medical, or employment information

Protecting your customer's privacy is just as important as recording the notarization correctly.

Custody and Control

Your notary journal is your exclusive property. No one else, including your employer, can use or keep it. Store it safely where only you can access it.

Electronic journals must be protected by passwords or other security measures.

If your journal is lost, stolen, destroyed, or compromised, notify the Department of State within 15 days, providing:

1. A statement describing the loss or unauthorized access.
2. The date of discovery.

Inspection and Certified Copies
Anyone may request to inspect your journal or a specific entry, but may do so only in your presence.

If someone requests a certified copy of a particular entry or date range, you must provide it within 15 days.

End of Commission

When your commission expires (without renewal), is revoked, or you resign you must deliver your journal within 30 days to the recorder of deeds in the county where you last maintained an office.

Sample Journal Entries

	Date/Time of Notary Act				Type of Act*	Document Description (Include type or title)	Notary Fee	Clerical and/or Administrative Fees	Customer Name and Address	Identification Method	Identification Details (ID type and issue/expiration dates or name of Credible Witness)	Remarks (Do not record complete Social Security or driver's license numbers or other personal information)
	Month	Day	Year	Time, AM/PM								
21	08	01	xx	3 PM	1	will	$5	$0	Samuel Smith 123 Cardinal Boulevard Anytown, PA 15XXX	☒ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness	----------	----------
22	08	03	xx	4 PM	2	PA title Section D	$5	$10.00	Jane Jones 1500 American Way Anytown, PA 15XXX	☐ Personal Knowledge ☒ Acceptable ID ☐ Credible Witness	PA DL issued 3/2/20xx expires 11/14/20xx	----------
23	08	04	xx	3 PM	2	Verification on oath or affirmation by a credible witness	$0	$0	William Watson 987 Green Street Anytown, PA 15XXX	☒ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness	----------	----------
24	08	04	xx	3:05 pm	1	Right of way	$5	$25.00	Vincent Vance 567 Gregory Avenue Anytown, PA 15XXX	☐ Personal Knowledge ☐ Acceptable ID ☒ Credible Witness	William Watson credible witness	----------
25										☐ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness		
26										☐ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness		
27										☐ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness		
28										☐ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness		
29										☐ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness		
30										☐ Personal Knowledge ☐ Acceptable ID ☐ Credible Witness		

* **1** - Acknowledgment, **2** - Verification on Oath or Affirmation, **3** - Signature Witnessing, **4** - Copy or Deposition Certification, **5** - Oath or Affirmation, **6** - Protest

7

SECTION

Charging as a Notary

First Time
NOTARY

What You're Allowed to Charge

The Pennsylvania Department of State sets the maximum fees that a notary public is permitted to charge for notarial acts. You may never charge more than the authorized amount, as doing so can result in disciplinary action. In addition to the notarial fee, you may also charge reasonable clerical or administrative fees for related services, such as copying or traveling, if those charges are clearly itemized and disclosed to the customer.

You are not required to charge for your services.

Maximum Fees for Notarial Acts

Notarial Act	Maximum Fee
Taking acknowledgment – first individual named in certificate	$5.00
Taking acknowledgment – each additional name in same certificate	$2.00
Administering an oath or affirmation (per individual)	$5.00
Taking a verification on oath or affirmation (per individual making declaration)	$5.00
Witnessing or attesting a signature (per signature)	$5.00
Certifying or attesting a copy or deposition (per certified copy)	$5.00
Noting a protest of a negotiable instrument (per page)	$3.00

Electronic and Remote Notarizations
If you perform an electronic notarization or remote online notarization, you may charge an additional notarial fee up to $20 per act.

Posting and Explaining Your Fees

You must either:

- Display your fee schedule in a visible place at your business location, or
- Tell customers about your fees if they ask

Who Owns the Fees

All notarial fees belong to you, the notary public. Unless you have a written agreement that says otherwise, your employer cannot take any portion of your notarial fees.

Receipts and Recordkeeping

You must give your customer an itemized receipt for all charges. The receipt must separately list:

- The statutory notary fee
- Any clerical or administrative fees (such as copying or traveling) that relate directly to the notarization

The clerical or administrative fees must be:

- Reasonable and customary for your area
- Listed separately in both your journal entry and on the receipt

Example:
If you charge $5.00 for an acknowledgment and $3.00 for copying, the receipt and your journal must each list those amounts separately.

Fees You May Not Charge

You may not charge any fee for:

- Notarizing Emergency Absentee Ballot affidavits or assistance-to-vote affidavits
- Any document where another law forbids a fee, such as veterans' affairs documents under 51 Pa.C.S. § 9101

8

SECTION

Notarial Acts

First Time NOTARY

Reviewing the Document

Before performing a notarization, you should review the document for blank spaces and the certificate of notarial act (notary wording).

Blank Spaces
You do not need to read every word of the document, but you should scan it carefully to make sure it is complete. If the document is designed to include information that is missing, you may not proceed with the notarization until the blanks are properly filled in.

If you find blank spaces, point them out to your customer. The customer may add information, draw a line through the blanks, or write “N/A” and initial the correction. Once the document is complete, you may proceed with the notarization.

If the document includes blanks requesting information from you, the notary, those spaces must be filled in as well. This may include your name, title, commission expiration date, or other official details required to complete the notarization.

If the document contains extra signature lines and the notarization only applies to certain signatures, you may still perform the notarization.

Certificate of Notarial Act (Notary Wording)

What Is a Certificate of Notarial Act?
A certificate of notarial act (notary wording) is the section of a document that shows a notary public performed a notarial act. It is your written proof that you completed the notarization correctly, verified the signer’s identity, and followed Pennsylvania law.

Every notarial act—whether it’s an acknowledgment, a verification on oath or affirmation, or witnessing or attesting a signature—must include a certificate of notarial act. Without it, the notarization is incomplete.

Venue and Notary Statement

A certificate of notarial act is made up of two parts: the venue and the notary statement.

1. The Venue

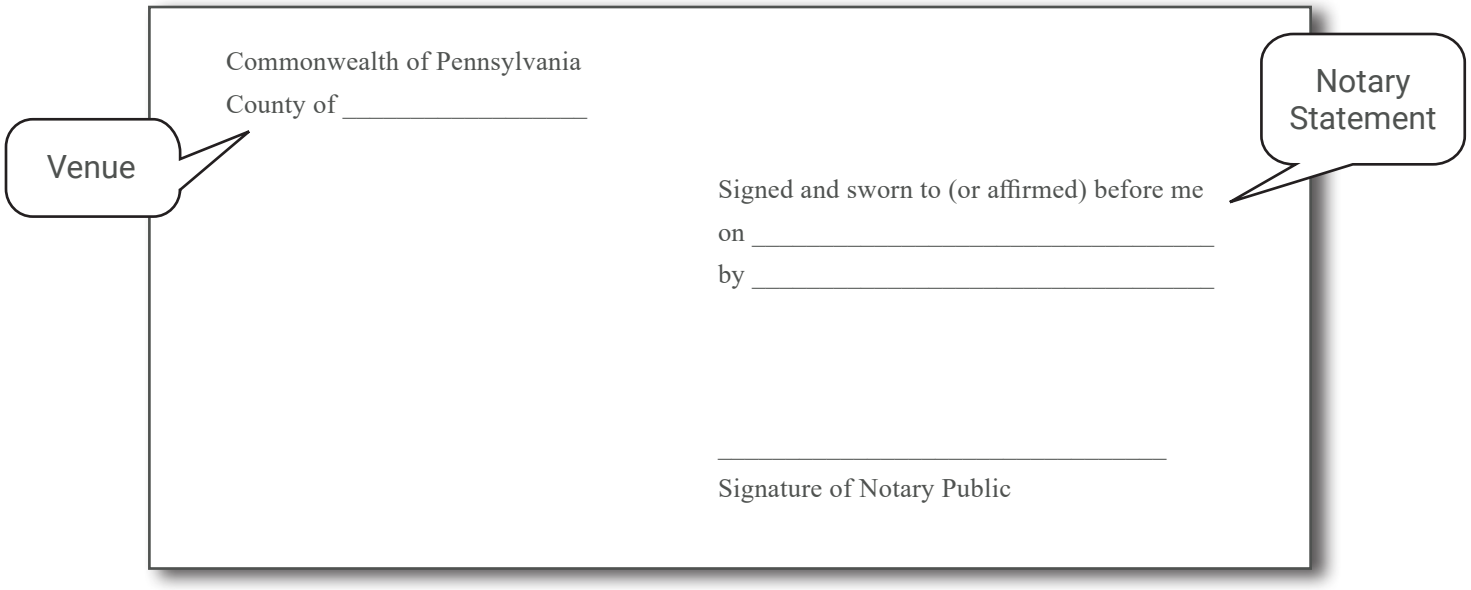
The venue shows where the notarization is taking place—both the state and county. Every notarial act must include a venue. If the venue on the document is wrong, you are responsible for correcting it. If the venue is missing, you must add one with your customer's permission.

Either wording is acceptable. They have the same meaning:

- Commonwealth of Pennsylvania
- State of Pennsylvania

2. The Notary Statement

The notary statement is the wording that explains which notarial act you performed. It tells anyone reading the document whether you took an acknowledgment, took a verification on oath or affirmation, or witnessed a signature.



When to Complete the Certificate of Notarial Act
The certificate of notarial act must be completed at the same time you perform the notarial act—not before and not later. This means you fill in the certificate of notarial act, sign, and stamp (or apply your electronic signature and seal) as a part of the notarization.

Your Signature
You must sign your name exactly as it appears on your notary commission. If you are performing an electronic notarization, your electronic signature must clearly show that it belongs to you as the commissioned notary.

Note: If there is no notary wording (certificate of notarial act) on a document, PAN recommends not notarizing the document. The notary wording identifies the type of notarial act being performed. Without it, the notary cannot properly complete the notarization or determine what act is being requested.

Attaching the Notarial Certificate

How you attach the notarial certificate depends on whether the document is paper or electronic.

For paper documents (tangible records):
The notarial certificate must be part of or securely attached to the document.

- "Securely attached" means it is physically fastened to the document—such as by stapling, grommeting, or binding
- It does not mean using tape, paperclips, or binder clips, which can easily come loose

For electronic documents:
The notarial certificate must be affixed to or logically associated with the electronic record. This means the certificate is digitally connected in a way that clearly shows which document it belongs to and prevents tampering or separation.

English Language Requirement

Every certificate of notarial act must be written and completed in English. If the notary can read, write, and understand another language, the certificate may also be completed in that language. The foreign-language certificate must appear immediately next to the English version. If there is ever a difference or conflict between the two versions, the English-language certificate takes precedence.

If a document is in a language the notary does not understand, the notary may perform a notarial act on a translation of that document, only if the person who prepared the translation makes a verification on oath or affirmation stating that the translation is accurate and complete. The translated document and the notarized verification on oath or affirmation must be attached to the original document.

Authorized Notarial Acts

The notary law authorizes you to perform specific notarial acts. Each act serves a different purpose.

As a commissioned notary public in Pennsylvania, you are authorized to perform the following notarial acts:

1. Acknowledgments,
2. Verifications on Oath or Affirmation,
3. Witnessing or Attesting Signatures,
4. Certified Copies,
5. Oaths and Affirmations,
6. Protests of Negotiable Instruments.

Learning Tip

You will learn about these notarial acts in a specific order. Each section builds on the last, helping you develop the skills and understanding you'll need to perform the other acts correctly and confidently.

Scenario Setup

For the scenarios in the Notary Acts section, the notary is employed by the Jefferson County School District and resides in Elk County. Each notarization occurs on the specific dates described within the individual scenarios.

To keep these examples timeless, PAN uses "20XX" to represent the year.

Oaths and Affirmations

As a notary public, you may be asked to administer an oath or an affirmation. These are solemn promises made by a person to tell the truth or to perform certain duties faithfully.

- An oath includes a reference to a higher power
- An affirmation does not include any religious reference

Both have the same legal effect—it's simply a matter of personal preference for the person making the promise.

How They Are Administered
An oath or affirmation can be spoken (oral) or written. If it is written, the signer must personally appear before you when signing. This means you and the signer must be face-to-face, either in person or (if authorized) through approved remote technology.

Oath or Affirmation for Testimony
When a person is promising to tell the truth—such as for a deposition, or testimony, you must ensure that they voluntarily swear or affirm that their statements are true and correct.

You may say something like:

"Do you solemnly swear (or affirm) that the statements you are about to give are true and correct?"

Oath of Office
When someone is being sworn into a job or public office, you must ensure they voluntarily swear or affirm to perform their duties faithfully.

You may say something like:

"Do you solemnly swear (or affirm) that you will faithfully perform the duties of your office to the best of your ability?"

When Personal Appearance Is Not Required

Usually, the person taking an oath or affirmation must personally appear before you. However, there is one exception:

If you are administering an oral oath or affirmation in a criminal, civil, or administrative proceeding within Pennsylvania, personal appearance is not required. In these specific situations you and the individual must be able to communicate by telephone, computer, or video call, if both of you can hear and speak to each other clearly.

Oath scenario

The notary has been asked to swear in a newly elected school board member, Frank X. Smith. Frank appears before the notary at the school board meeting on January 8, 20XX at 6:45 p.m. Frank presents a current Pennsylvania Driver's License. It shows that Frank lives at 999 Memory Ln., Anytown, PA 15XXX. The driver's license was issued on May 1, 20XX and expires on May 2, 20XX. The notary is not charging any fees.

Example of Oath

"Do you, Frank X. Smith, solemnly swear (or affirm) that you will faithfully discharge the duties of the office of member of the Board of Education of the Jefferson County School District, in accordance with the Constitution of the United States, and the Constitution and laws of the Commonwealth of Pennsylvania, to the best of your ability. (So help you God)."

Example of an Affirmative Response

"I do" or "I affirm."

Steps for Oaths and Affirmations

1. **Demand personal appearance.**
   The customer must personally appear before you unless you are administering an oral oath or affirmation in a criminal, civil, or administrative proceeding within Pennsylvania.
2. **Identify your customer.**
   Confirm the customer's identity using personal knowledge or satisfactory evidence.
3. **Administer the oath or affirmation.**
   Ask the customer to make a solemn promise to tell the truth or faithfully perform a duty.
4. **Listen for the customer's response.**
   The customer must clearly respond, such as by saying "I do" or "I affirm."
5. **Record the act in your journal.**
   Make a complete journal entry that includes all required information about the notarial act. The entry must be made at the time of the notarial act, not later in the day.

Make the journal entry for this scenario:

* 1 – Acknowledgment, 2 – Verification on Oath or Affirmation, 3 – Signature Witnessing, 4 – Copy or Deposition Certification, 5 – Oath or Affirmation, 6 – Protest

	Date/Time of Notary Act				Type of Act*	Document Description (Include type or title)	Notary Fee	Clerical and/or Administrative Fees	Customer Name a
	Month	Day	Year	Time, AM/PM					
21									
22									
23									

Customer Name and Address	Identification Method	Identification Details (ID type and issue/expiration dates or name of Credible Witness)	Remarks (Do not record complete Social Security or driver's license numbers or other personal information)	
	❑ Personal Knowledge ❑ Acceptable ID ❑ Credible Witness			21
	❑ Personal Knowledge ❑ Acceptable ID ❑ Credible Witness			22
	❑ Personal Knowledge ❑ Acceptable ID ❑ Credible Witness			23

Verifications on Oath or Affirmation

A verification on oath or affirmation is a notarial act where the customer signs a written statement and swears (or affirms) that the information in it is true.

The person making the statement must sign the record while in the notary's presence. It cannot be signed before or after the notary act.

What makes this act unique:

- The notary administers an oath or affirmation, requiring the individual to swear (or affirm) that the information in the document is true and correct and
- Witnesses the customer sign the document

What the Notary Must Do
As the notary, you must always:

1. **Require personal appearance.**
   The customer must appear before you in person.
2. **Identify the customer.**
   Verify the customer's identity using personal knowledge or satisfactory evidence.
3. **Review the document.**
   Make sure there are no blank spaces and determine the act based on the notary statement.

This notary statement indicates you are notarizing a verification on oath or affirmation:

Signed and sworn to (or affirmed) before me on _____ (date)
by _____ (name of individual).

Meaning in Plain Language:
By signing this statement, the notary is confirming that on a specific date, the person personally appeared before the notary, signed the document, and swore (or affirmed) that the information in the document was true.

Once you confirm from the notary wording that you are notarizing a verification on oath or affirmation:

4. **Administer an Oath or Affirmation.**
   Ask the customer to swear (oath) or affirm (affirmation) that the contents of the document are true. The customer must give an affirmative response such as "I do" or "Yes."
   Example:
   - Oath: "Do you swear that the statements in this document are true?"
   - Affirmation: "Do you affirm that the statements in this document are true?"
5. **Witness the Customer Sign the Document.**
   The customer must sign the document in your presence. Watching the signature occur ensures that the person signing is the same person who took the oath or affirmation.
6. **Compare the Signature.**
   If the presented identification includes a signature, compare it to the signature on the document. The two signatures should reasonably match. If they do not, stop and re-verify the customer's identity before proceeding.
7. **Complete the Certificate of Notarial Act (Notary Wording).**
   Fill in the notarial certificate completely and accurately. Be sure the name of the signer, the date, and your venue (state and county) are correct.
8. **Apply Your Official Stamp and Signature.**
   Sign your name exactly as it appears on your commission and apply your official stamp clearly and legibly near your signature. Make sure the stamp does not cover text or signatures on the document.
9. **Record the Act in Your Journal.**
   The entry must be made contemporaneously—at the same time you perform the notarial act—not later in the day.

Verification on Oath or Affirmation Scenario

Jane Swartz has just moved from New York to Pennsylvania and needs to enroll her son in the school district. The date is February 8, 20XX at 12:30 p.m. Jane appears before the notary at work and presents a Pennsylvania temporary ID card. It shows she lives at 82 Main Street, Anytown, PA 15XXX. The temporary ID shows an issue date of February 5, 20XX and expires February 20, 20XX.
The notary is charging the maximum notary fee allowed of $5 and is not charging any other clerical or administrative fees.

Example of Verbal Oath or Affirmation

"Do you swear or affirm that the information contained in this document is true?

Jefferson County School System Affidavit of Residency

Full name of parent / guardian: Jane Swartz

Home phone: 814-555-1212 Work phone: 555-555-5555 Cell phone: 315-111-1234

Current full time address: 82 Main Street City: Anytown, PA

Children:	Date of Birth:	School Attending:
Brad Swartz	9/26/20XX	Anytown Elementary

Primary Owner or Renter of Home: Edward Jones

A. Affidavit of Resident

Before the undersigned officer, and being first duly sworn, I depose and state as follows:

1. That I am the parent / court appointed guardian of each child listed above.
2. That each child listed above resides with me full time at the address listed above.
3. That I understand that I must immediately notify Jefferson County Schools if I change residence or if any child listed above should change residence.
4. That I understand that representatives of Jefferson County Schools may visit my home to verify residency, and I hereby voluntarily consent to such visits.
5. That I understand that a student enrolled in Jefferson County Schools under falsified information is illegally enrolled and will be immediately withdrawn from school.

_____ _____
Signature of the Parent / Guardian Date

Commonwealth of Pennsylvania
County of _____

Signed and sworn to (or affirmed) before me
on _____
by _____.

_____
Signature of Notary Public

Protests of Negotiable Instruments

A protest is a formal notarial act used when a negotiable instrument—such as a check, or money order—has been dishonored, meaning it was presented for payment and was denied.

Notaries are authorized to issue protests under the Uniform Commercial Code (UCC), although the notarial act is rarely used outside of financial institutions. Protests are not issued for any other purpose.

> Protests are rarely used today, since banks and financial institutions usually handle dishonored instruments through their own internal systems.

Requirements for a Valid Protest
When a protest is requested, the notary must make sure the following steps are completed:

1. **Identify the Negotiable Instrument.**
   Clearly describe the instrument that was dishonored. Include details such as the check number, amount, date, and the names of the parties involved.
2. **Certify Presentment.**
   State that the instrument was presented for payment or acceptance, or if it was not presented, explain why not.
3. **Certify Dishonor.**
   Record that the instrument was dishonored—meaning payment or acceptance was refused.
4. **(Optional) Notice of Dishonor.**
   The protest may also state that notice of dishonor was sent to one or more of the parties involved.
5. **Identify the Requester.**
   Include the name of the person who asked for the protest, usually the holder of the dishonored instrument.

A notary must not perform a protest in the following situations:

1. Using Protest Procedures for the Wrong Type of Document.
   You may not apply protest procedures to documents that are not negotiable instruments—for example, letters, contracts, or personal correspondence. These are not covered by protest laws.
2. Fraudulent or "Sovereign Citizen" Paperwork.
   Never notarize or participate in paperwork that misuses the protest process or the Uniform Commercial Code (UCC).

Examples include:

- "Conditional acceptance" documents demanding someone prove a claim
- Documents stamped "Accepted for value"
- False "Notice of Protest" forms used to create fake debts or credits
- Any filing meant to harass others or make false financial claims

These types of documents are not legitimate and may involve fraud or criminal activity.

A notary who knowingly takes part in such actions could face disciplinary action, civil penalties, or even criminal charges.

Witnessing or Attesting a Signature

Witnessing or attesting a signature is a notarial act where the notary personally observes the customer sign a document. Unlike a verification on oath or affirmation, this act doesn't involve an oath or affirmation—it simply confirms that the signature was made in front of the notary.

The document cannot be signed before or after the notarial act—it must be signed in the notary's presence at the time of the notarization.

What makes this act unique:

- The notary is simply witnessing the customer sign the document

What the Notary Must Do
As the notary, you must always:

1. **Require personal appearance.**
   The customer must appear before you in person.
2. **Identify the customer.**
   Verify the customer's identity using personal knowledge or satisfactory evidence.
3. **Review the document.**
   Make sure there are no blank spaces and determine the act based on the notary statement.

This notary statement indicates you are witnessing or attesting a signature.

Signed (or attested) before me on _____ (date)
by _____ (name of individual).

Meaning in Plain Language:
By signing this statement, the notary is confirming that on a specific date, the customer personally appeared before the notary and signed the document while the notary witnessed the signing.

Once you have confirmed you are witnessing or attesting a signature:

4. **Witness Your Customer Sign the Document.**
   The customer must personally appear before you and sign the document while you watch. This ensures that the person signing is the same person you identified.
5. **Compare the Signature.**
   If the customer's identification includes a signature, compare it to the signature on the document. The two should reasonably match. If they do not, stop and re-verify the customer's identity before proceeding.
6. **Complete the Certificate of Notarial Act (Notary Wording).**
   Fill in all required information in the notarial certificate, including the date, name of the customer, and venue (state and county).
7. **Apply Your Official Stamp and Signature.**
   Sign your name exactly as it appears on your notary commission and place your official stamp clearly and legibly near your signature. Make sure your stamp does not cover any text or signatures on the document.
8. **Record the Act in Your Journal.**
   The entry must be made contemporaneously - at the same time you perform the notarial act - not later in the day.

Witnessing or Attesting a Signature Scenario

A long-time neighbor and friend, Daniel Davis, has come to the notary's home on March 3, 20XX at 7:15 p.m. Daniel wants to have his signature notarized on a permission slip for his daughter to go on a field trip to Gettysburg, PA in the beginning of May. The notary knows Daniel lives at 987 Western Avenue, Anytown, PA 15XXX.

St. Mary's Middle School

600 Maurus Street
St. Marys, PA 15857

FIELD TRIP PERMISSION SLIP

Today's Date March 3, 20xx

I, as a parent or guardian, give permission for Donna Davis
(Student's first and last name)

To attend Gettysburg Field Trip on
(Event and Place)

May 1, 20xx (Date) from 5:00am (Time) until 11:00pm (Time) for

History Lesson.
(Reason for field trip)

I agree to the mode of Transportation: Bus Company
(Bus company, Walking)

Place of Departure: St. Mary's Middle School
(Where)

Place and Time of Return: Main Lobby (Where) about 11:00pm (When)

Teacher(s) in charge: Mr. Jon Miller & Mrs. Holly Hanover

Students will be accompanied by an appropriate number of adults: teachers, aides, parents, or school volunteers.

****

I on my behalf, individually and as a parent/guardian of my child and on behalf of my child, our heirs, executors and administrators, hereby release and forever discharge the Elk County Catholic School System, a Corporation Sole, or as applicable the Board of Trustees/Directors of St. Mary's School its Principal, teachers, instructors, volunteers, priest/chaplain, employees and agents and each such persons and such entity's agents, representatives, successors or assigns from any and all claims and causes of action, including but not limited to claims for personal injury which I, individually and as parent or guardian of my child, may have arising out of or in any way related to the aforementioned field trip, activity or event.

I also state that I am not aware of any health reasons, which would prohibit or limit my child's participation in this field trip, activity or event.

_____
Signature of parent/guardian

Commonwealth of Pennsylvania
County of _____

Signed (or attested) before me on _____
by _____.

_____
Notary Public

Certified Copies

A certified copy is when a notary confirms that a copy of a document or record is a true and complete reproduction of the original.

When you certify a copy, you are not guaranteeing that the original document is genuine or valid—only that the copy is an exact duplicate of what was shown to you.

The person requesting the certified copy does not have to appear in person. You may perform this act independently if you have both the original record and a copy to compare it to.

Records That Cannot Be Copied or Certified
Under Pennsylvania law, a notary may not issue certified copies of:

- Vital records such as birth or death certificates
- U.S. naturalization certificates
- Government records labeled “Do not copy” or “Illegal to copy”
- Any record prohibited by law from being copied or certified

If someone needs a certified copy of these documents, they must contact the official issuing agency (for example, the Pennsylvania Department of Health, Division of Vital Records is the state office responsible for keeping official birth and death records.)

Examples of Records a Notary Can Certify
You may certify copies of:

- Public records
- Passports
- Driver’s licenses
- School transcripts or diplomas
- Contracts or leases
- Bills of sale
- Medical records, consents, or waivers
- Powers of attorney

Certified Copy

Notary Statement Example:
I certify that this is a true and correct copy of a _____
in the possession of _____.

Meaning in Plain Language:
By signing this statement, the notary confirms they compared the copy to the original and determined it is a complete and accurate copy of that original.

Deposition Transcript Certification

Notary Statement Example:
I certify that this is a true and correct copy of the transcript of the deposition of _____.

Meaning in Plain Language:
By signing this statement, the notary confirms they compared the copy to the transcript of the original deposition and found it to be a complete and accurate copy of the original.

Certified Copy scenario

Frank Moss will be traveling internationally on vacation and was told having a certified copy of his U.S. Passport would make it easier to obtain a replacement if the original was ever lost or stolen. He also works for the Jefferson County School District. He left his passport and a note in the notary's interoffice mail slot. Frank calls the notary at 4 PM on May 10, 20XX and asks for certified copy of his passport. The notary charges the maximum notary fee of $5.

Steps for Certified Copy

1. **Receive the Original Document.**
   The customer must provide the original document for comparison. A notary may never certify a copy of a copy.
2. **Inspect the Original Document.**
   Examine the document carefully to confirm it appears genuine and has not been altered, damaged, or tampered with.
3. **Make or Obtain the Copy.**
   You may make the copy yourself or use a copy made by the customer. Either way, you are responsible for verifying its accuracy.
4. **Compare the Copy to the Original.**
   Carefully compare the copy to the original document to make sure it is a complete and exact transcription or reproduction.
5. **Add or Attach the Certificate of Notarial Act.**
   Complete or attach the notary certificate wording that certifies the copy is accurate and complete.
6. **Apply Your Signature and Official Stamp.**
   Sign and stamp the certificate as required by Pennsylvania law to finalize the notarial act.
7. **Record the Act in Your Journal.**
   Make a complete entry in your notary journal, including details of the document, the type of act performed, and any applicable fees.



State of Pennsylvania
County of Jefferson

I certify that this is a true and correct copy of the passport of Frank Moss, number 431276122, in my possession.

Dated 5/10/20XX

Mary A. Smith

Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Elk County
My commission expires May 19, 20XX
Commission number 1548672

Member, Pennsylvania Association of Notaries

Acknowledgments

An acknowledgment is a notarial act where a customer declares that they signed a document willingly. The notary's job is to verify the customer's identity, ensure the signature is genuine, and confirm the customer signed willingly and understood what they were signing.

What makes this act unique:

- The document may be signed in front of the notary or before the customer appears before the notary. The customer may not sign the document afterwards.

Tip:
If your customer already signed the document before coming to you, they must personally tell you that the signature is their own. The document they bring you must be the original—not a photocopy.

As the notary, you must always:

1. **Require personal appearance.**
   The customer must appear before you in person.
2. **Identify the customer.**
   Verify the customer's identity using personal knowledge or satisfactory evidence.
3. **Review the document.**
   Make sure there are no blank spaces and determine the act based on the notary statement.

This notary statement indicates you are taking the customer's acknowledgment:
This record was acknowledged before me on _____ (date)
by _____ (name of individual).

Meaning in Plain Language:
By signing this statement, the notary is confirming that on a specific date, the customer personally appeared before the notary and acknowledged (stated) that they willingly signed the document.

Once you confirm you are taking the customer's acknowledgment:

4. **Confirm the customer's understanding and willingness.**
   Make sure the customer understands what they are signing and that they are signing willingly—not under pressure.

☑ Recommended Questions

"Do you understand what you are signing?"
"Are you signing this document willingly?"

5. **Witness or authenticate the signature.**
   - If the customer has not yet signed, watch them sign the document
   - If the document is already signed, have the customer acknowledge that the signature on the document is their own
6. **Compare signatures.**
   If the customer's identification includes a signature, compare it to the signature on the document. The two should reasonably match. If they do not, stop and re-verify the customer's identity before proceeding.
7. **Complete the certificate of notarial act (notary wording).**
   Fill in all required information in the notarial certificate, including the date, name of the customer, and venue (state and county).
8. **Apply your official stamp and signature.**
   Sign your name exactly as it appears on your notary commission and place your official stamp clearly and legibly near your signature. Make sure your stamp does not cover any text or signatures on the document.
9. **Record the notarization in your journal.**
   The entry must be made contemporaneously - at the same time you perform the notarial act - not later in the day.

Acknowledgment scenario

Jane Swartz shows up at the Jefferson County School District on October 3, 20XX at 3:30 p.m. She wants the notary to notarize a revocation of power of attorney. She presents her Pennsylvania driver's license. It was issued February 20, 20XX and expires on March 4, 20XX. It shows her home address 82 Main Street, Anytown, PA 15XXX. You charge the maximum notary fee and a $10 clerical fee because the document is not work related.

REVOCATION OF POWER OF ATTORNEY
(NEW YORK)

Reference is hereby made to that certain power of attorney granted by Jane Swartz, the Principal, to Caroline Carter, the Attorney-in-Fact, and dated the 1st day of May, 20XX.

This document constitutes notice that the Principal hereby revokes, rescinds and terminates the said power of attorney and all authority, rights and power thereunder.

Jane Swartz _____ 8/1/20XX
Principal Date

State of New York)
County of _____)

This record was acknowledged before me on _____
by _____.

_____
Notary Public

Sample Journal Entries

	Date/Time of Notary Act				Type of Act*	Document Description (Include type or title)	Notary Fee	Clerical and/or Administrative Fees	Customer Nam
	Month	Day	Year	Time, AM/PM					
21	01	08	xx	6:45 pm	5	New school board member	$0	$0	Frank X. 999 Mem Anytown,
22	02	08	xx	12:30 pm	2	school enrollment form	$5	$0	Jane S 82 Ma Anytown,
23	03	03	xx	7:15 pm	3	Permission slip to Gettysburg, PA	$0	$0	Daniel 987 Wes Anytown,
24	05	10	xx	4:00 pm	4	Customer's passport	$5	$0	Frank
25	10	03	xx	3:30 pm	1	Revocation of Power of Attorney	$5	$10.00	Jane S 82 Ma Anytown,

Customer Name and Address	Identification Method	Identification Details (ID type and issue/expiration dates or name of Credible Witness)	Remarks (Do not record complete Social Security or driver's license numbers or other personal information)
Frank X. Smith 999 Memory Ln Anytown, PA 15XXX	❑ Personal Knowledge ☒ Acceptable ID ❑ Credible Witness	PA DL issued 5/1/20xx expires 5/2/20xx	———
Jane Swartz 82 Main St Anytown, PA 15XXX	❑ Personal Knowledge ☒ Acceptable ID ❑ Credible Witness	PA Temporary ID issued 2/5/20xx expires 2/20/20xx	———
Daniel Davis 987 Western Ave Anytown, PA 15XXX	☒ Personal Knowledge ❑ Acceptable ID ❑ Credible Witness	———	———
Frank Moss	~~❑ Personal Knowledge~~ ~~❑ Acceptable ID~~ ~~❑ Credible Witness~~	———	Customer requested the certified copy over the phone
Jane Swartz 82 Main St Anytown, PA 15XXX	❑ Personal Knowledge ☒ Acceptable ID ❑ Credible Witness	PA DL issued 2/20/20XX expires 3/4/20xx	———

Supplemental
SECTION

Glossary of Notary Terms

First Time
NOTARY

Acknowledgment
A notarial act in which a person appears before the notary and declares that they voluntarily signed a document for its intended purpose. The notary's role is to identify the signer, confirm that the person understands what they signed, and ensure the signature on the document truly belongs to that person.

Affirmation
A solemn promise of truthfulness made by a person who does not wish to take an oath that refers to a higher power. It has the same legal effect as an oath, but it is a non-religious declaration.

Appointment
The official designation by the Secretary of the Commonwealth authorizing an individual to serve as a notary public in Pennsylvania.

This appointment is the first formal step in becoming a notary. It means the Secretary of the Commonwealth has reviewed and approved the applicant's qualifications.

Bond
A bond is a type of financial guarantee required by Pennsylvania law to protect the public from mistakes or misconduct by a notary public.

Every notary public must obtain a surety bond in the amount of $25,000 before being commissioned. This bond is issued by a bonding or insurance company authorized to do business in Pennsylvania.

The bond does not protect the notary—it protects the public. If a person suffers financial loss due to a notary's negligence, error, or misconduct, they may file a claim against the bond. The notary is then responsible for reimbursing the surety company for any payment made on their behalf.

Certificate of Notarial Act (Notary Wording)
The part of a document that proves a notarial act took place. It is the notary's official written statement confirming that the act was performed correctly, the signer was properly identified, and all legal requirements were met. It includes a venue and a notary statement.

Certified Copy
A certified copy is a copy of an original document that a notary public has verified as a complete, and accurate reproduction of the original document.

Commission Certificate
The official document issued by the Secretary of the Commonwealth confirming a notary public's authorization to perform notarial acts in Pennsylvania. The commission certificate is delivered to a notary public by the County Recorder of Deeds.

Commission
A notary is commissioned after being appointed and completing all legal requirements. This includes obtaining a $25,000 surety bond, recording the bond, oath of office, and commission, and registering the official signature with the county.

Once commissioned, the notary has the legal authority to perform notarial acts within the Commonwealth of Pennsylvania.

Conflict of Interest
A conflict of interest occurs when a notary public has a personal or financial interest in the document or transaction being notarized that could affect their impartiality.

Under Pennsylvania law, a notary may not notarize a document in which they or their spouse has a direct or financial interest. This includes any document that the notary has signed.

Contemporaneously
Contemporaneously means at the same time.

In simple terms, everything related to the notarization—demanding personal appearance, verifying identity, witnessing the signature, completing the certificate, and recording the act in the journal—should happen as one continuous process.

Electronic Document
A record created, sent, received, or stored in electronic form that can be read and has a lasting format. It exists digitally rather than on paper.

Electronic Signature
A digital symbol, sound, or process that a person uses to sign a record electronically with the intent to adopt or approve the information in that record.

Embossing Seal
A device that creates a raised impression when pressed in paper. It is not required under Pennsylvania law. If you decide to use an embossing seal, remember that it cannot replace your official stamp.

Errors and Omissions (E&O) Insurance
A voluntary insurance policy that protects a notary public from financial loss if they make a mistake or oversight while performing a notarial act.

Unlike the required $25,000 surety bond, which protects the public, E&O insurance protects the notary. If the policy pays, the notary is not required to repay the insurance company.

Journal
The official record book a notary public uses to document every notarial act they perform. It serves as a permanent record of the details of each notarization and helps protect both the notary and the public.

Pennsylvania law requires every notary to keep a chronological journal, either in tangible (paper) or electronic form. Each act must be recorded separately. The entry must be made contemporaneously with the notarial act.

Negotiable Instrument
A written document, like a check, that promises or orders the payment of money and can be transferred from one person to another. When properly endorsed, ownership of the instrument passes to the new holder, who then has the right to receive payment.

Notary Statement
The part of the certificate of notarial act that determines what notarial act a notary needs to perform.

Oath
A solemn promise of truthfulness made by a person who swears to a higher power or supreme being that their statements are true or that they will faithfully perform certain duties.

Office Address
Either the notary's home address or their work address, as long as it is a physical street address located within the Commonwealth of Pennsylvania. Post office boxes alone are not sufficient.

The office address determines the county where the notary's bond, oath of office, commission, and signature are recorded.

It's important to note that the office address becomes public information once the commission is issued. The Department of State publishes each notary's name, office address, phone number, and commission details on its online notary database.

Official Stamp
The inked stamp that every Pennsylvania notary public is required by law to use when performing notarial acts. The stamp impression must be clear, legible, and capable of being photocopied.

Pecuniary Interest
Having a financial stake in, or the potential for monetary gain from, a document being notarized. For Pennsylvania notaries, having a pecuniary interest creates a conflict of interest and means the notary cannot perform the notarization.

Prothonotary
The chief clerk of the civil division of the Court of Common Pleas in each Pennsylvania county. This elected official is responsible for maintaining and recording all civil court documents and filings. For notaries public, the Prothonotary's office is important when a notary registers their signature during the commissioning process and after a name change.

Pennsylvania Department of State – Office of Notaries, Commissions and Legislation
The Office of Notaries, Commissions and Legislation is a division of the Pennsylvania Department of State responsible for overseeing the Commonwealth's notaries public.

This office handles:

- Appointments and reappointments of notaries public
- Review and approval of notary applications and education
- Investigations and disciplinary actions involving notaries who violate notary laws or regulations
- Maintenance of official records related to notary commissions

Reappointment
The process by which a current Pennsylvania notary public applies to renew their commission before it expires.

Record
Any information that is written or stored in a tangible or electronic form that can be read and has a lasting form. It may be a paper document or an electronic file.

Recorder of Deeds
The county official responsible for recording, maintaining, and preserving public records related to real estate transactions, official oaths, and other legal documents.

For Pennsylvania notaries public, the Recorder of Deeds plays a key role in the commissioning process. After receiving their appointment, a notary must record their bond, oath of office, and commission in the office of the Recorder of Deeds in the county where their office address is located. In some counties notaries also register their official signature with the Recorder of Deeds.

Signature
A person's name or mark written or affixed to a document to show that they approve of its contents or intend to be bound by it. A signature can be made by hand or electronically.

A notary must sign their name exactly as it appears on their notary commission.

Surety
A person or company that guarantees the performance or obligations of someone else. In the notary context, a surety—usually an insurance company—issues the notary's $25,000 bond. The surety promises to pay the state or harmed parties if the notary causes financial loss through negligence or misconduct. The notary is then responsible for repaying the surety for any amounts paid out.

Swear
To make a solemn promise that something is true or that you will perform a duty faithfully, usually by calling upon a higher power (such as saying "I swear to God").

Venue
The part of the certificate of notarial act that shows the state and county in which the notary performed the notarial act. Every notarial act must include a venue.

Verification on Oath or Affirmation
A notarial act in which a customer signs a written statement and then swears or affirms that the information in the statement is true. The term includes an affidavit.

Supplemental SECTION

Revised Uniform Law on Notarial Acts (RULONA)

First Time **NOTARY**

NOTARIES PUBLIC (57 PA.C.S.)
CHAPTER 3
REVISED UNIFORM LAW ON NOTARIAL ACTS

Section

301. Short title of chapter.
302. Definitions.
303. Applicability.
304. Authority to perform notarial act.
305. Requirements for certain notarial acts.
306. Personal appearance required.
306.1. Notarial act performed for remotely located individual.
307. Identification of individual.
308. Authority to refuse to perform notarial act.
309. Signature if individual unable to sign (Reserved).
310. Notarial act in this Commonwealth.
311. Notarial act in another state.
312. Notarial act under authority of federally recognized Indian tribe.
313. Notarial act under Federal authority.
314. Foreign notarial act.
315. Certificate of notarial act.
316. Short form certificates.
317. Official stamp.
318. Stamping device.
319. Journal.
320. Notification regarding performance of notarial act on electronic record; selection of technology.
321. Appointment and commission as notary public; qualifications; no immunity or benefit.
322. Examination, basic education and continuing education.
323. Sanctions.
324. Database of notaries public.
325. Prohibited acts.
326. Validity of notarial acts.
327. Regulations.
328. Notary public commission in effect.
329. Savings clause.
329.1. Fees of notaries public.
330. Uniformity of application and construction.
331. Relation to Electronic Signatures in Global and National Commerce Act.

§ 301. Short title of chapter.

This chapter shall be known and may be cited as the Revised Uniform Law on Notarial Acts.

§ 302. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Acknowledgment." A declaration by an individual before a notarial officer that:

(1) the individual has signed a record for the purpose stated in the record; and

(2) if the record is signed in a representative capacity, the individual signed the record with proper authority and signed it as the act of the individual or entity identified in the record.

"Bureau." The Bureau of Commissions, Elections and Legislation.

"Conviction." Whether or not judgment of sentence has been imposed, any of the following:

(1) An entry of a plea of guilty or nolo contendere.

(2) A guilty verdict, whether after trial by judge or by jury.

(3) A finding of not guilty due to insanity or of guilty but mentally ill.

"Department." The Department of State of the Commonwealth.

"Electronic." Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

"Electronic signature." An electronic symbol, sound or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign

the record.

"In a representative capacity." Acting as:

(1) an authorized officer, agent, partner, trustee or other representative for a person other than an individual;

(2) a public officer, personal representative, guardian or other representative, in the capacity stated in a record;

(3) an agent or attorney-in-fact for a principal; or

(4) an authorized representative of another in any other capacity.

"Notarial act." An act, whether performed with respect to a tangible or electronic record, that a notarial officer may perform under the laws of this Commonwealth. The term includes:

(1) taking an acknowledgment;

(2) administering an oath or affirmation;

(3) taking a verification on oath or affirmation;

(4) witnessing or attesting a signature;

(5) certifying or attesting a copy or deposition; and

(6) noting a protest of a negotiable instrument.

"Notarial officer." A notary public or other individual authorized to perform a notarial act.

"Notary public." An individual commissioned to perform a notarial act by the department.

"Official stamp." A physical image affixed to or embossed on a tangible record or an electronic image attached to or logically associated with an electronic record. The term includes a notary seal.

"Person." Any of the following:

(1) Any individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture or public corporation.

(2) A government or governmental subdivision, agency or instrumentality.

(3) Any other legal or commercial entity.

"Record." Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

"Recorder of deeds." A county recorder of deeds or an official with similar duties and responsibilities. The term includes the commissioner of records of a county of the first class and the manager of the department of real estate of a county of the second class.

"Secretary." The Secretary of the Commonwealth.

"Sign." With present intent to authenticate or adopt a record:

(1) to execute or adopt a tangible symbol; or

(2) to attach to or logically associate with the record an electronic symbol, sound or process.

"Signature." A tangible symbol or an electronic signature which evidences the signing of a record.

"Stamping device." Any of the following:

(1) A physical device capable of affixing to or embossing on a tangible record an official stamp.

(2) An electronic device or process capable of attaching to or logically associating with an electronic record an official stamp.

"State." A state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

"Verification on oath or affirmation." A declaration, made by an individual on oath or affirmation before a notarial officer, that a statement in a record is true. The term includes an affidavit.

§ 303. Applicability.

This chapter applies to a notarial act performed on or after the effective date of this chapter.

§ 304. Authority to perform notarial act.

(a) Permitted.--A notarial officer may perform a notarial act authorized by this chapter or by statutory provision other than this chapter.

(b) Prohibited.--

(1) A notarial officer may not perform a notarial act with respect to a record in which the notarial officer or the notarial officer's spouse has a direct or pecuniary interest.

(2) For the purpose of this subsection, none of the following shall constitute a direct or pecuniary interest:

(i) being a shareholder in a publicly traded company that is a party to the notarized transaction;

(ii) being an officer, director or employee of a company that is a party to the notarized transaction, unless the director, officer or employee personally benefits from the transaction other than as provided under subparagraph (iii); or

(iii) receiving a fee that is not contingent upon the completion of the notarized transaction.

(3) A notarial act performed in violation of this subsection is voidable.

(c) Certification of tangible copies.--A notarial officer may certify that a tangible copy of an electronic record is a true and correct copy of the electronic record.

§ 305. Requirements for certain notarial acts.

(a) Acknowledgments.--A notarial officer who takes an acknowledgment of a record shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following:

(1) The individual appearing before the notarial officer and making the acknowledgment has the identity claimed.

(2) The signature on the record is the signature of the individual.

(b) Verifications.--A notarial officer who takes a verification of a statement on oath or affirmation shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following:

(1) The individual appearing before the notarial officer and making the verification has the identity claimed.

(2) The signature on the statement verified is the signature of the individual.

(c) Signatures.--A notarial officer who witnesses or attests to a signature shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following:

(1) The individual appearing before the notarial officer and signing the record has the identity claimed.

(2) The signature on the record is the signature of the individual.

(d) Copies.--A notarial officer who certifies or attests a copy of a record or an item which was copied shall determine that the copy is a complete and accurate transcription or reproduction of the record or item.

(e) Negotiable instruments.--A notarial officer who makes or notes a protest of a negotiable instrument shall determine the matters set forth in 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor).

§ 306. Personal appearance required.

If a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature shall appear personally before the notarial officer.

§ 306.1. Notarial act performed for remotely located individual.

(a) General rule.--A remotely located individual may comply with section 306 (relating to personal appearance required) by appearing before a notary public by means of communication technology.

(b) Use of communication technology.--A notary public located in this Commonwealth may perform a notarial act facilitated by communication technology for a remotely located individual if all of the following apply:

(1) The notary public:

(i) has personal knowledge under section 307(a) (relating to identification of individual) of the identity of the individual;

(ii) has satisfactory evidence of the identity of the remotely located individual by oath or affirmation from a credible witness appearing before the notary public under section 307(b)(2) or under this section; or

(iii) is able to reasonably identify the individual by at least two different types of identity proofing processes or services.

(2) The notary public is able to reasonably identify a record before the notary public as the same record:

(i) in which the remotely located individual made the statement; or

(ii) on which the remotely located individual executed the signature.

(3) The notary public, or a person acting on behalf of the notary public, creates an audio-visual recording of the performance of the notarial act, including all interactions between the notary public and the remotely located

individual.

(4) If the remotely located individual is located outside the United States, all of the following apply:

(i) The record:

(a) is to be filed with or relates to a matter before a court, governmental entity, public official or other entity under the jurisdiction of the United States; or

(b) involves:

(I) property located in the territorial jurisdiction of the United States; or

(II) a transaction substantially connected with the United States.

(ii) The act of making the statement or signing the record is not prohibited by the foreign state where the remotely located individual is located.

(c) Notarial certificate.--If a notarial act is subject to this section, the certificate of notarial act required by section 315 (relating to certificate of notarial act) and the short form certificate under section 316 (relating to short form certificates) must indicate that the notarial act was performed by means of communication technology.

(d) Sufficiency.--A short form certificate under section 316 for a notarial act subject to this section is sufficient if either of the following apply:

(1) The short form certificate is in the form provided by section 316 and contains a statement substantially as follows:

"This notarial act involved the use of communication technology."

(2) The certificate complies with the regulations promulgated under subsection (g)(1).

(e) Audio-visual recording.--The following apply:

(1) This subsection applies to:

(i) a notary public;

(ii) a guardian, a conservator or an agent of a notary public; or

(iii) a personal representative of a deceased notary public.

(2) A person under paragraph (1) shall retain the audio-visual recording created under subsection (b)(3) or cause the recording to be retained by a repository designated by or on behalf of the notary public. The person shall retain the recording:

(i) for at least 10 years after the recording is created; or

(ii) as otherwise required by the regulations promulgated under subsection (g)(4).

(f) Notification.--The following apply:

(1) Before a notary public performs the notary public's initial notarial act under this section, the notary public must notify the department that the notary public will be performing notarial acts facilitated by communication technology and identify the technology.

(2) If the department has established standards for approval of communication technology or identity proofing under subsection (g) and section 327 (relating to regulations), the communication technology and identity proofing must conform to the standards.

(g) Regulations.--In addition to matters listed in section 327, the department shall promulgate regulations regarding performance of a notarial act performed under this section. The regulations shall do all of the following:

(1) Prescribe the means of performing a notarial act involving communication technology to communicate with a remotely located individual.

(2) Establish standards for communication technology and identity proofing. This paragraph includes the use of credential analysis, dynamic knowledge-based authentication, biometrics and other means of identification.

(3) Establish requirements or procedures to approve providers of communication technology and the process of identity proofing.

(4) Establish standards and periods for the retention of an audio-visual recording created under subsection (b)(3) of the performance of a notarial act.

(h) Promotion of uniformity.--Before promulgating, amending or repealing regulations about the performance of a notarial act with respect to a remotely located individual, the department shall consider, if consistent with this chapter, all of the following:

(1) The most recent standards regarding the performance of a notarial act with respect to remotely located individuals promulgated by a national standard-setting organization. This paragraph includes the National Association of Secretaries of State.

(2) Standards, practices and customs of other jurisdictions that enact a statutory provision substantially similar to

this section.

(3) The views of governmental officials and entities and other interested persons.

(i) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Communication technology." An electronic device or process that:

(1) allows a notary public located in this Commonwealth and a remotely located individual to communicate with each other simultaneously by sight and sound; and

(2) makes reasonable accommodations for an individual with a vision, hearing or speech impairment in accordance with law.

"Foreign state." A jurisdiction other than the United States, a state or a federally recognized Indian tribe.

"Identity proofing." A process or service by which a third person provides a notary public with a means to verify the identity of a remotely located individual by a review of personal information from public or private data sources.

"Outside the United States." A location outside the geographic boundaries of:

(1) the United States;

(2) Puerto Rico;

(3) the Virgin Islands; and

(4) any territory, insular possession or other location subject to the jurisdiction of the United States.

"Remotely located individual." An individual who is not in the physical presence of the notary public performing a notarial act under subsection (b).

§ 307. Identification of individual.

(a) Personal knowledge.--A notarial officer has personal knowledge of the identity of an individual appearing before the notarial officer if the individual is personally known to the notarial officer through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(b) Satisfactory evidence.--A notarial officer has satisfactory evidence of the identity of an individual appearing before the notarial officer if the notarial officer can identify the individual as set forth in any of the following paragraphs:

(1) By means set forth in any of the following subparagraphs:

(i) A passport, driver's license or government-issued nondriver identification card, which is current and unexpired.

(ii) Another form of government identification issued to an individual, which:

(A) is current;

(B) contains the signature or a photograph of the individual; and

(C) is satisfactory to the notarial officer.

(2) By a verification on oath or affirmation of a credible witness personally appearing before the notarial officer and personally known to the notarial officer.

(c) Discretion.--A notarial officer may require an individual to provide additional information or identification credentials necessary to assure the notarial officer of the identity of the individual.

§ 308. Authority to refuse to perform notarial act.

(a) Specific refusal.--A notarial officer may refuse to perform a notarial act if the notarial officer is not satisfied that:

(1) the individual executing the record is competent or has the capacity to execute the record;

(2) the individual's signature is knowingly and voluntarily made;

(3) the individual's signature on the record or statement substantially conforms to the signature on a form of identification used to determine the identity of the individual; or

(4) the physical appearance of the individual signing the record or statement substantially conforms to the photograph on a form of identification used to determine the identity of

the individual.

(b) General refusal.--A notarial officer may refuse to perform a notarial act unless refusal is prohibited by law other than this chapter.

§ 309. Signature if individual unable to sign (Reserved).

§ 310. Notarial act in this Commonwealth.

(a) Eligible individuals.--A notarial act may be performed in this Commonwealth by any of the following:

(1) A judge of a court of record.

(2) A clerk, prothonotary or deputy prothonotary or deputy clerk of a court having a seal.

(3) Any of the following:

(i) A recorder of deeds.

(ii) A deputy recorder of deeds.

(iii) A clerk of a recorder of deeds to the extent authorized by:

(A) section 1 of the act of May 17, 1949 (P.L.1397, No.414), entitled "An act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations";

(B) section 1312 of the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code; or

(C) section 1313 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code.

(4) A notary public.

(5) A member of the minor judiciary. As used in this paragraph, the term "minor judiciary" has the meaning given in 42 Pa.C.S. § 102 (relating to definitions).

(6) An individual authorized by law to perform a specific notarial act.

(b) Prima facie evidence.--The signature and title of an individual performing a notarial act in this Commonwealth are prima facie evidence that:

(1) the signature is genuine; and

(2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1), (2), (3), (4) or (5) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 311. Notarial act in another state.

(a) Effect.--A notarial act performed in another state has the same effect under the law of this Commonwealth as if performed by a notarial officer of this Commonwealth if the act performed in that state is performed by any of the following:

(1) A notary public of that state.

(2) A judge, clerk or deputy clerk of a court of that state.

(3) An individual authorized by the law of that state to perform the notarial act.

(b) Prima facie evidence.--The signature and title of an individual performing a notarial act in another state are prima facie evidence that:

(1) the signature is genuine; and

(2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1) or (2) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 312. Notarial act under authority of federally recognized Indian tribe.

(a) Effect.--A notarial act performed under the authority and in the jurisdiction of a federally recognized Indian tribe has the same effect as if performed by a notarial officer of this Commonwealth if the act performed in the jurisdiction of the tribe is performed by any of

the following:

(1) A notary public of the tribe.

(2) A judge, clerk or deputy clerk of a court of the tribe.

(3) An individual authorized by the law of the tribe to perform the notarial act.

(b) Prima facie evidence.--The signature and title of an individual performing a notarial act under the authority of and in the jurisdiction of a federally recognized Indian tribe are prima facie evidence that:

(1) the signature is genuine; and

(2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1) or (2) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 313. Notarial act under Federal authority.

(a) Effect.--A notarial act performed under Federal law has the same effect under the law of this Commonwealth as if performed by a notarial officer of this Commonwealth if the act performed under Federal law is performed by any of the following:

(1) A judge, clerk or deputy clerk of a court.

(2) An individual in military service or performing duties under the authority of military service who is authorized to perform notarial acts under Federal law.

(3) An individual designated a notarizing officer by the United States Department of State for performing notarial acts overseas.

(4) An individual authorized by Federal law to perform the notarial act.

(b) Prima facie evidence.--The signature and title of an individual acting under Federal authority and performing a notarial act are prima facie evidence that:

(1) the signature is genuine; and

(2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1), (2) or (3) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 314. Foreign notarial act.

(a) (Reserved).

(b) Effect.--

(1) This subsection applies to a notarial act:

(i) performed under authority and in the jurisdiction of a foreign state or constituent unit of the foreign state; or

(ii) performed under the authority of a multinational or international governmental organization.

(2) A notarial act under paragraph (1) has the same effect under the law of this Commonwealth as if performed by a notarial officer of this Commonwealth.

(c) Conclusive establishment.--If the title of office and indication of authority to perform notarial acts in a foreign state appears in a digest of foreign law or in a list customarily used as a source for that information, the authority of an officer with that title to perform notarial acts is conclusively established.

(d) Prima facie evidence.--The signature and official stamp of an individual holding an office described in subsection (c) are prima facie evidence that:

(1) the signature is genuine; and

(2) the individual holds the designated title.

(e) Hague Convention.--

(1) This subsection applies to an apostille which is:

(i) in the form prescribed by the Hague Convention of October 5, 1961; and

(ii) issued by a foreign state party to the Hague Convention.

(2) An apostille under paragraph (1) conclusively establishes that:

(i) the signature of the notarial officer is genuine; and

(ii) the notarial officer holds the indicated office.

(f) Consular authentications.--

(1) This subsection applies to a consular authentication:

(i) issued by an individual designated by the United States Department of State as a notarizing officer for performing notarial acts overseas; and

(ii) attached to the record with respect to which the notarial act is performed.

(2) A consular authentication under paragraph (1) conclusively establishes that:

(i) the signature of the notarial officer is genuine; and

(ii) the notarial officer holds the indicated office.

(g) Definition.--As used in this section, the term "foreign state" means a government other than the United States, a state or a federally recognized Indian tribe.

§ 315. Certificate of notarial act.

(a) Requirements.--

(1) A notarial act shall be evidenced by a certificate.

(2) Regardless of whether the notarial officer is a notary public, the certificate must:

(i) be executed contemporaneously with the performance of the notarial act;

(ii) be signed and dated by the notarial officer;

(iii) identify the county and State in which the notarial act is performed; and

(iv) contain the title of office of the notarial officer.

(3) If the notarial officer is a notary public, all of the following subparagraphs apply:

(i) The notary public must:

(A) sign the notary public's name exactly and only as it appears on the commission; or

(B) execute the notary public's electronic signature in a manner which attributes the signature to the notary public identified in the commission.

(ii) The certificate must indicate the date of expiration of the notarial officer's commission.

(b) Official stamp.--

(1) If a notarial act regarding a tangible record is performed by a notary public, an official stamp shall be affixed to the certificate near the notary public's signature in a form capable of photographic reproduction.

(2) If a notarial act is performed regarding a tangible record by a notarial officer other than a notary public and the certificate contains the information specified in subsection (a)(2)(ii), (iii) and (iv), an official stamp may be affixed to the certificate.

(3) If a notarial act regarding an electronic record is performed by a notary public and the certificate contains the information specified in subsection (a)(2)(ii), (iii) and (iv) and (3), an official stamp may be attached to or logically associated with the certificate.

(4) If a notarial act regarding an electronic record is performed by a notarial officer other than a notary public and the certificate contains the information specified in subsection (a)(2)(ii), (iii) and (iv), an official stamp may be attached to or logically associated with the certificate.

(c) Sufficiency.--A certificate of a notarial act is sufficient if it meets the requirements of subsections (a) and (b) and:

(1) is in a short form set forth in section 316 (relating to short form certificates);

(2) is in a form otherwise permitted by a statutory provision;

(3) is in a form permitted by the law applicable in the jurisdiction in which the notarial act was performed; or

(4) sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in:

(i) sections 305 (relating to requirements for certain notarial acts), 306 (relating to personal appearance required) and 307 (relating to identification of individual); or

(ii) a statutory provision other than this chapter.

(d) Effect.--By executing a certificate of a notarial act, a notarial officer certifies that the notarial officer has complied with the requirements and made the determinations specified in sections 304 (relating to authority to perform notarial act), 305 and 306.

(e) Prohibition.--A notarial officer may not affix the notarial officer's signature to or logically associate it with a certificate until the notarial act has been performed.

(f) Process.--

(1) If a notarial act is performed regarding a tangible record, a certificate shall be part of or securely attached to the record.

(2) If a notarial act is performed regarding an electronic record, the certificate shall be affixed to or logically associated with the electronic record.

(3) If the department has established standards under section 327 (relating to regulations) for attaching, affixing or logically associating the certificate, the process must conform to the standards.

§ 316. Short form certificates.

The following short form certificates of notarial acts are sufficient for the purposes indicated if completed with the information required by section 315(a) and (b) (relating to certificate of notarial act):

(1) For an acknowledgment in an individual capacity:

State of.....

County of.....

This record was acknowledged before me on

(date).....

by (name(s) of individual(s)).....

Signature of notarial officer.....

Stamp

.....

Title of office.....

My commission expires:.....

(2) For an acknowledgment in a representative capacity:

State of.....

County of.....

This record was acknowledged before me on

(date).....

by (name(s) of individual(s).....)

as (type of authority, such as officer or trustee).....

.....

who represent that (he, she or they) are authorized to act

on behalf of (name of party on behalf of whom record was

executed) .....

.....

Signature of notarial officer.....

Stamp

.....

Title of office.....

My commission expires:.....

(2.1) For an acknowledgment by an attorney at law pursuant to 42 Pa.C.S. § 327 (relating to oaths and acknowledgments):

State of.....

County of.....

This record was acknowledged before me on

(date).....

by (name of attorney).....

Supreme Court identification number.....

as a member of the bar of the Pennsylvania Supreme Court certified that he/she was personally present when (name(s) of individual(s)) executed the record and that (name(s) of individual(s)) executed the record for the purposes contained therein.

Signature of notarial officer.....

Stamp

.....

Title of office.....

My commission expires:.....

(3) For a verification on oath or affirmation:

State of.....

County of.....
Signed and sworn to (or affirmed) before me on
(date).....
by (name(s) of individual(s) making statement).....
Signature of notarial officer.....
Stamp
.....
Title of office.....
My commission expires:.....

(4) For witnessing or attesting a signature:
State of.....
County of.....
Signed (or attested) before me on
(date).....
by (name(s) of individual(s)).....
.....
Signature of notarial officer.....
Stamp
.....
Title of office.....
My commission expires:.....

(5) For certifying a copy of a record:
State of.....
County of.....
I certify that this is a true and correct copy of a
in the possession of
Dated.....
Signature of notarial officer.....
Stamp
.....
Title of office .....
My commission expires:.....

(6) For certifying the transcript of a deposition:
State of.....
County of.....
I certify that this is a true and correct copy of the ranscript of the deposition of
Dated.....
Signature of notarial officer.....
Stamp
.....
Title of office:.....
My commission expires:.....

§ 317. Official stamp.

The following shall apply to the official stamp of a notary public:

(1) A notary public shall provide and keep an official seal, which shall be used to authenticate all the acts, instruments and attestations of the notary public. The seal must be a rubber stamp and must show clearly in the following order:

(i) The words "Commonwealth of Pennsylvania."

(ii) The words "Notary Seal."

(iii) The name as it appears on the commission of the notary public and the words "Notary Public."

(iv) The name of the county in which the notary public maintains an office.

(v) The date the notary public's commission expires.

(vi) Any other information required by the department.

(2) The seal must have a maximum height of one inch and width of three and one-half inches, with a plain border.

(3) The seal must be capable of being copied together with the record to which it is affixed or attached or with which it is logically associated.

§ 318. Stamping device.

(a) Security.--

(1) A notary public is responsible for the security of the stamping device of the notary public. A notary public may not allow another individual to use the device to perform a notarial act.

(2) On resignation of a notary public commission or on the expiration of the date set forth in the stamping device, the notary public shall disable the stamping device by destroying, defacing, damaging, erasing or securing it against use in a manner which renders it unusable.

(2.1) An individual whose notary public commission has been suspended or revoked shall surrender possession of the stamping device to the department.

(3) On the death or adjudication of incompetency of a notary public, the personal representative or guardian of the notary public or any person knowingly in possession of the stamping device shall render it unusable by destroying, defacing, damaging, erasing or securing it against use in a manner which renders it unusable.

(b) Loss or theft.--If a stamping device is lost or stolen, the notary public or the personal representative or guardian of the notary public shall notify the department promptly upon discovering that the device is lost or stolen.

§ 319. Journal.

(a) Maintenance.--A notary public shall maintain a journal in which the notary public records in chronological order all notarial acts that the notary public performs.

(b) Format.--A journal may be created on a tangible medium or in an electronic format. A notary public may maintain a separate journal for tangible records and for electronic records. If the journal is maintained on a tangible medium, it shall be a bound register with numbered pages. If the journal is maintained in an electronic format, it shall be in a tamper-evident electronic format complying with the regulations of the department.

(c) Entries.--An entry in a journal shall be made contemporaneously with performance of the notarial act and contain all of the following information:

(1) The date and time of the notarial act.

(2) A description of the record, if any, and type of notarial act.

(3) The full name and address of each individual for whom the notarial act is performed.

(4) If identity of the individual is based on personal knowledge, a statement to that effect.

(5) If identity of the individual is based on satisfactory evidence, a brief description of the method of identification and any identification credential presented, including the date of issuance and expiration of an identification credential.

(6) The fee charged by the notary public.

(d) Loss or theft.--If a journal is lost or stolen, the notary public shall promptly notify the department on discovering that the journal is lost or stolen.

(e) Termination of office.--A notary public shall deliver the journal of the notary public to the office of the recorder of deeds in the county where the notary public last maintained an office within 30 days of:

(1) expiration of the commission of the notary public, unless the notary public applies for a commission within that time period;

(2) resignation of the commission of the notary public; or

(3) revocation of the commission of the notary public.

(f) Repository.--(Reserved).

(g) Death or incompetency.--On the death or adjudication of incompetency of a current or former notary public, the personal representative or guardian of the notary public or a person knowingly in possession of the journal of the notary public shall deliver it within 30 days to the office of the recorder of deeds in the county where the notary public last maintained an office.

(g.1) Certified copies.--A notary public shall give a certified copy of the journal to a person that applies for it.

(h) Protection.--

(1) A journal and each public record of the notary public are exempt from execution.

(2) A journal is the exclusive property of the notary public.

(3) A journal may not be:

(i) used by any person other than the notary public; or

(ii) surrendered to an employer of the notary public upon termination of employment.

§ 320. Notification regarding performance of notarial act on electronic record; selection of technology.

(a) Selection.--A notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic records. A person may not require a notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected.

(b) Notice and approval.--

(1) Before a notary public performs the initial notarial act with respect to an electronic record, a notary public shall notify the department that the notary public will be performing notarial acts with respect to electronic records and identify each technology the notary public intends to use.

(2) If the department has established standards for approval of technology under section 327 (relating to regulations), the technology must conform to the standards. If the technology conforms to the standards, the department shall approve the use of the technology.

(c) Certification of tangible copies.--A recorder of deeds may accept for recording a tangible copy of an electronic record containing a notarial certificate as satisfying any requirement that the record be an original, if the notarial officer executing the notarial certificate certifies that the tangible copy is an accurate copy of the electronic record.

§ 321. Appointment and commission as notary public; qualifications; no immunity or benefit.

(a) Eligibility.--An applicant for appointment and commission as a notary public must meet all of the following:

(1) Be at least 18 years of age.

(2) Be a citizen or permanent legal resident of the United States.

(3) Be a resident of or have a place of employment or practice in this Commonwealth.

(4) Be able to read and write English.

(5) Not be disqualified to receive a commission under section 323 (relating to sanctions).

(6) Have passed the examination required under section 322(a) (relating to examination, basic education and continuing education).

(7) Comply with other requirements established by the department by regulation as necessary to insure the competence, integrity and qualifications of a notary public and to insure the proper performance of notarial acts.

(b) Application.--An individual qualified under subsection (a) may apply to the department for appointment and commission as a notary public. The application must comply with all of the following:

(1) Be made to the department on a form prescribed by the department.

(2) Be accompanied by a nonrefundable fee of $42, payable to the Commonwealth of Pennsylvania. This amount shall include the application fee for notary public commission and fee for filing of the bond with the department.

(3) (Deleted by amendment).

(c) Oath or affirmation.--Upon appointment and before issuance of a commission as a notary public, an applicant must execute an oath or affirmation of office.

(d) Bond.--

(1) Upon appointment and before issuance of a commission as a notary public, the applicant must obtain a surety bond in:

(i) the amount of $10,000; or

(ii) the amount set by regulation of the department.

(2) (Reserved).

(3) The bond must:

(i) be executed by an insurance company authorized to do business in this Commonwealth;

(ii) cover acts performed during the term of the notary public commission; and

(iii) be in the form prescribed by the department.

(4) If a notary public violates law with respect to notaries public in this Commonwealth, the surety or issuing

entity is liable under the bond.

(5) The surety or issuing entity must give 30 days' notice to the department before canceling the bond.

(6) The surety or issuing entity shall notify the department not later than 30 days after making a payment to a claimant under the bond.

(7) A notary public may perform notarial acts in this Commonwealth only during the period in which a valid bond is on file with the department.

(d.1) Official signature.--

(1) The official signature of each notary public shall be registered in the "Notary Register" provided for that purpose in the prothonotary's office or the office of the recorder of deeds of the county where the notary public maintains an office within:

(i) 45 days after appointment or reappointment; and

(ii) 30 days after moving to a different county.

(2) In a county of the second class, the official signature of each notary public shall be registered in the office of the clerk of courts within the time periods specified in paragraph (1).

(3) On the same day that an official signature of a notary public is registered under paragraph (1), the office of the recorder of deeds may electronically transfer a copy of the official signature of the notary public to the prothonotary's office of the county where the notary public maintains an office. In lieu of an electronic transfer, a hard copy of the official signature shall be provided to the prothonotary's office.

(d.2) Recording and filing.--

(1) Within 45 days after appointment and prior to entering into the duties of a notary public, the bond, oath of office and commission must be recorded in the office of the recorder of deeds of the county in which the notary public maintains an office.

(2) Upon reappointment, the bond, oath of office and commission must be recorded in the office of the recorder of deeds of the county in which the notary public maintains an office.

(3) Within 90 days of recording under this subsection, a copy of the bond and oath of office must be filed with the department.

(e) Issuance.--On compliance with this section, the department shall issue to an applicant a commission as a notary public for a term of four years.

(f) Effect.--

(1) A commission to act as a notary public authorizes a notary public to perform notarial acts. If a notary public fails to comply with subsection (d.1) or (d.2), the notary public's commission shall be null and void.

(2) A commission to act as a notary public does not provide a notary public any immunity or benefit conferred by law of this Commonwealth on public officials or employees.

§ 322. Examination, basic education and continuing education.

(a) Examination.--An applicant for a commission as a notary public who does not hold a commission in this Commonwealth must pass an examination administered by the department or an entity approved by the department. The examination must be based on the course of study described in subsection (b).

(b) Basic education.--An applicant under subsection (a) must, within the six-month period immediately preceding application, complete a course of at least three hours of notary public basic education approved by the department. For approval, the following apply:

(1) The course must cover the statutes, regulations, procedures and ethics relevant to notarial acts, with a core curriculum including the duties and responsibilities of the office of notary public and electronic notarization.

(2) The course must either be interactive or classroom instruction.

(c) Continuing education.--An applicant for renewal of appointment and commission as a notary public must, within the six-month period immediately preceding application, complete a course of at least three hours of notary public continuing education approved by the department. For approval, the following apply:

(1) The course must cover topics which ensure maintenance and enhancement of skill, knowledge and competency necessary to perform notarial acts.

(2) The course must either be interactive or classroom instruction.

(d) Preapproval.--All basic and continuing education courses of study must be preapproved by the department.

§ 323. Sanctions.

(a) Authority.--The department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on

a commission as notary public for an act or omission which demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public. Such acts or omissions include:

(1) Failure to comply with this chapter.

(2) A fraudulent, dishonest or deceitful misstatement or omission in the application for a commission as a notary public submitted to the department.

(3) Conviction of or acceptance of Accelerated Rehabilitative Disposition by the applicant or notary public for a felony or an offense involving fraud, dishonesty or deceit.

(4) A finding against or admission of liability by the applicant or notary public in a legal proceeding or disciplinary action based on the fraud, dishonesty or deceit of the applicant or notary public.

(5) Failure by a notary public to discharge a duty required of a notary public, whether by this chapter, by regulation of the department or by Federal or State law.

(6) Use of false or misleading advertising or representation by a notary public representing that the notary public has a duty, right or privilege that the notary public does not have.

(7) Violation by a notary public of a regulation of the department regarding a notary public.

(8) Denial, refusal to renew, revocation, suspension or conditioning of a notary public commission in another state.

(9) Failure of a notary public to maintain a bond under section 321(d) (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(a.1) Administrative penalty.--The department may impose an administrative penalty of up to $1,000 on a notary public for each act or omission which constitutes a violation of this chapter or on any person who performs a notarial act without being properly appointed and commissioned under this chapter.

(b) Administrative Agency Law.--Action by the department under subsection (a) or (a.1) is subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).

(c) Other remedies.--The authority of the department under this section does not prevent a person from seeking and obtaining other criminal or civil remedies provided by law.

(d) Investigations and hearings.--

(1) The department may issue a subpoena, upon application of an attorney responsible for representing the Commonwealth in disciplinary matters before the department, for the purpose of investigating alleged violations of the disciplinary provisions administered by the department.

(2) In an investigation or hearing, the department, as it deems necessary, may subpoena witnesses, administer oaths, examine witnesses, take testimony and compel the production of documents.

(3) The department may apply to Commonwealth Court under 42 Pa.C.S. § 761(a)(2) (relating to original jurisdiction) to enforce a subpoena under this subsection.

(e) Other enforcement authority.--The department may initiate civil proceedings at law or in equity to enforce the requirements of this chapter and to enforce regulations or orders issued under this chapter. In addition, the department may request the prosecution of criminal offenses to the extent provided by this chapter or as otherwise provided by law relating to notaries public, notarial officers or notarial acts, in the manner provided by the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(f) Criminal penalties applicable.--The following apply:

(1) Except as provided in this chapter or otherwise provided by law, it is unlawful for a person to hold himself out as a notary public or as a notarial officer or to perform a notarial act.

(2) Falsely pretending to be a notary public or a notarial officer and performing any action in furtherance of such false pretense shall subject the person to the penalties set forth in 18 Pa.C.S. § 4913 (relating to impersonating a notary public or a holder of a professional or occupational license).

(3) The use of an official stamp by a person who is not a notary public named on the stamp shall constitute a violation of 18 Pa.C.S. § 4913.

(4) Except as provided in paragraph (2) or (3), any person violating this chapter or a regulation of the department commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than $1,000.

§ 324. Database of notaries public.

The department shall maintain an electronic database of notaries public:

(1) through which a person may verify the authority of a notary public to perform notarial acts; and

(2) which indicates whether a notary public has notified the department that the notary public will be performing

notarial acts on electronic records.

§ 325. Prohibited acts.

(a) No authority.--A commission as a notary public does not authorize the notary public to:

(1) assist persons in drafting legal records, give legal advice or otherwise practice law;

(2) act as an immigration consultant or an expert on immigration matters;

(3) represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship or related matters; or

(4) receive compensation for performing any of the activities listed in this subsection.

(b) False advertising.--A notary public may not engage in false or deceptive advertising.

(c) Designation.--

(1) Except as set forth in paragraph (2), a notary public may not use the term "notario" or "notario publico."

(2) Paragraph (1) does not apply to an attorney at law.

(d) Representations.--

(1) Except as set forth in paragraph (2), the following apply:

(i) A notary public may not advertise or represent that the notary public may:

(A) assist persons in drafting legal records;

(B) give legal advice; or

(C) otherwise practice law.

(ii) If a notary public advertises or represents that the notary public offers notarial services, whether orally or in a record, including broadcast media, print media and the Internet, the notary public shall include the following statement, or an alternate statement authorized or required by the department, in the advertisement or representation, prominently and in each language used in the advertisement or representation:

I am not an attorney to practice law in this Commonwealth. I am not allowed to draft legal records, give advice on legal matters, including immigration, or charge a fee for those activities.

(iii) If the form of advertisement or representation is not broadcast media, print media or the Internet and does not permit inclusion of the statement required by this subsection because of size, it shall be displayed prominently or provided at the place of performance of the notarial act before the notarial act is performed.

(2) Paragraph (1) does not apply to an attorney at law.

(e) Original records.--Except as otherwise allowed by law, a notary public may not withhold access to or possession of an original record provided by a person that seeks performance of a notarial act by the notary public.

(f) Crimes Code.--There are provisions in 18 Pa.C.S. (relating to crimes and offenses) which apply to notaries public.

§ 326. Validity of notarial acts.

(a) Failures.--Except as otherwise provided in section 304(b) (relating to authority to perform notarial act), the failure of a notarial officer to perform a duty or meet a requirement specified in this chapter does not invalidate a notarial act performed by the notarial officer.

(b) Invalidation.--The validity of a notarial act under this chapter does not prevent an aggrieved person from seeking to invalidate the record or transaction which is the subject of the notarial act or from seeking other remedies based on Federal law or the law of this Commonwealth other than this chapter.

(c) Lack of authority.--This section does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts.

§ 327. Regulations.

(a) Authority.--Except as provided in section 329.1(a)(relating to fees of notaries public), the department may promulgate regulations to implement this chapter. Regulations regarding the performance of notarial acts with respect to electronic records may not require or accord greater legal status or effect to the implementation or application of a specific technology or technical specification. Regulations may:

(1) Prescribe the manner of performing notarial acts regarding tangible and electronic records.

(2) Include provisions to ensure that any change to or tampering with a record bearing a certificate of a notarial act is self-evident.

(3) Include provisions to ensure integrity in the creation, transmittal, storage or authentication of electronic records or signatures.

(4) Prescribe the process of granting, renewing, conditioning, denying, suspending or revoking a notary public

commission and assuring the trustworthiness of an individual holding a commission as notary public.

(5) Include provisions to prevent fraud or mistake in the performance of notarial acts.

(6) Establish the process for approving and accepting surety bonds under section 321(d) (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(7) Provide for the administration of the examination under section 322(a) (relating to examination, basic education and continuing education) and the course of study under section 322(b).

(7.1) Require applicants for appointment and commission as notaries public to submit criminal history record information as provided in 18 Pa.C.S. Ch. 91 (relating to criminal history record information) as a condition of appointment.

(8) Include any other provision necessary to implement this chapter.

(b) Considerations.--In promulgating regulations about notarial acts with respect to electronic records, the department shall consider, so far as is consistent with this chapter:

(1) the most recent standards regarding electronic records promulgated by national bodies, such as the National Association of Secretaries of State;

(2) standards, practices and customs of other states which substantially enact the Revised Uniform Law on Notarial Acts; and

(3) the views of governmental officials and entities and other interested persons.

§ 328. Notary public commission in effect.

A commission as a notary public in effect on the effective date of this chapter continues until its date of expiration. A notary public who applies to renew a commission as a notary public on or after the effective date of this chapter is subject to this chapter. A notary public, in performing notarial acts after the effective date of this chapter, shall comply with this chapter.

§ 329. Savings clause.

This chapter does not affect the validity or effect of a notarial act performed before the effective date of this chapter.

§ 329.1. Fees of notaries public.

(a) Department.--The fees of notaries public shall be fixed by the department by regulation.

(b) Prohibition.--A notary public may not charge or receive a notary public fee in excess of the fee fixed by the department.

(c) Operation.--

(1) The fees of the notary public shall be separately stated.

(2) A notary public may waive the right to charge a fee.

(3) Unless paragraph (2) applies, a notary public shall:

(i) display fees in a conspicuous location in the place of business of the notary public; or

(ii) provide fees, upon request, to a person utilizing the services of the notary public.

(d) Presumption.--The fee for a notary public:

(1) shall be the property of the notary public; and

(2) unless mutually agreed by the notary public and the employer, shall not belong to or be received by the entity that employs the notary public.

§ 330. Uniformity of application and construction.

In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

§ 331. Relation to Electronic Signatures in Global and National Commerce Act.

To the extent permitted by section 102 of the Electronic Signatures in Global and National Commerce Act (Public Law 106-229, 15 U.S.C. § 7002), this chapter may modify or supersede provisions of that act.

APPENDIX TO TITLE 57
NOTARIES PUBLIC
Supplementary Provisions of Amendatory Statutes
2014, JULY 9, P.L.1035, NO.119

§ 3. Application for appointment.

Notwithstanding section 5(a) of the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, an application for appointment to the office of notary public shall not be required to bear:

(1) the endorsement of the Senator of the district in which the applicant for appointment to the office of notary public resides; or

(2) if the applicant for appointment to the office of notary public does not reside in this Commonwealth, the endorsement of the Senator of the district in which the applicant is employed.

Title 4
Administration

Supplemental
SECTION

First Time
NOTARY

PENNSYLVANIA CODE
TITLE 4. ADMINISTRATION
PART VIII. DEPARTMENT OF STATE
SUBPART C. COMMISSIONS AND NOTARIES PUBLIC

Effective March 28, 2026

CHAPTER 161. FEES

§§ 161.1. Schedule of fees.

(a) As used in this chapter, the term "Office" means the Office of Notaries, Commissions and Legislation or any successor office or bureau of the Department of State.

(b) The following fees are charged for services provided by the office, relating to commissions, notaries public and the public acts and transactions of the Secretary of the Commonwealth and the Department of State:

Description	*Fee (in dollars)*
CERTIFICATES	
For certifying copies of any public papers or records on file with the office, the copy fee (if the office furnished the copy), plus	$15
For certifying matters of public record with the office (including no record), the copy fee (if the office furnished the copy), plus	$15
MISCELLANEOUS	
Application for appointment and commission as a notary public	$42
Application for renewal of appointment and commission as a notary public	$42
Copies (per page)	$1
Master list of notaries public	$50
Other notary public-related lists and data requests	$25
Approval of notary public education course	$1013
Renewal of approval of notary public education course	$525

CHAPTER 163. SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE

§ 163.1. Applicability of general rules.

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to general rules of administrative practice and procedure) [are] is applicable to the activities of and proceedings before the [Commission Bureau] Department of State relating to commissions and notaries public.

CHAPTER 167. NOTARIES PUBLIC
SUBCHAPTER A. GENERAL PROVISIONS

§ 167.1. Scope.

(a) This chapter implements and supplements 57 Pa.C.S. Chapter 3 (relating to the Revised Uniform Law on Notarial Acts) (act) and is to be read together with the applicable provisions of the act.

(b) This chapter governs the qualification, commissioning, notarial acts, conduct and discipline of notaries public in this Commonwealth.

§ 167. 2. Definitions.

(a) The definitions in 57 Pa.C.S. § 302 (relating to definitions) are incorporated by reference and have the same meaning when used in this chapter.

(b) The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Applicant—An individual who seeks appointment or renewal of appointment to the office of notary public.

Appoint or Appointment—The naming of an individual to the office of notary public after determination that the individual has complied with 57 Pa.C.S. § 321(a) and (b) (relating to appointment and commission as notary public; qualifications; no immunity or benefit) and Subchapter B (relating to qualifications for appointment and commission), but prior to the individual complying with 57 Pa.C.S. § 321(c), (d), (d.1) and (d.2). The term includes initial appointment, as well as renewal of appointment and commission.

Appointee—An individual who has been appointed or reappointed to the office of notary public but who has not yet recorded the bond, oath of office and commission in compliance with 57 Pa.C.S. § 321(d.2)(1) or (2).

Certificate of education—A certificate issued by an education provider under § 167.95 (relating to certificate of education) signifying that the person named therein has successfully completed the approved education program provided by the provider.

Department—The Department of State of the Commonwealth.

Direct or pecuniary interest—An interest in the transaction or record that results in actual or potential gain or advantage, financial or otherwise, other than receiving a regular salary, hourly wage or notarial fee. A regular salary or hourly wage includes bonuses, provided the bonus is not related to or contingent upon the completion of the notarized transaction.

Electronic notarization—The performance of notarial acts with respect to electronic records using tamper-evident technologies.

Electronic notarization technology provider—A provider of tamper-evident technology for performing notarial acts with respect to electronic records, which has been approved by the Department in accordance with § 167.84 (relating to standards for approval of electronic notarization technology).

Electronic notary public—A notary public who has notified the Department that the notary is performing notarial acts with respect to electronic records and who has notified the Department of each electronic notarization technology provider the notary intends to use to perform notarial acts electronically.

Examination—A proctored computer-based examination required by 57 Pa.C.S. § 322(a) (relating to examination, basic education and continuing education) and described in § 167.15 (relating to notary public examination), to determine the fitness of an applicant to exercise the functions of the office of notary public and administered by a professional testing organization under contract with the Department at times, places and costs established by the professional testing organization.

Home address—The residence address of an applicant or notary public, which must include street and number.

Non-inking embosser – A device that, when pressed into paper, creates a raised impression. Also referred to as a crimping embosser.

Office—The place of employment or practice in this Commonwealth of an applicant or notary public.

Office address—An applicant or notary public's address of place of employment or practice in this Commonwealth, which must include street and number.

Professional Testing Organization—An organization that is in the business of administering examinations for professional licensees or commissioned professionals.

Remote notarization—The performance of notarial acts facilitated by communication technology for a remotely located individual.

Remote notarization technology provider—A provider of communication technology and identity proofing for performing notarial acts with respect to remotely located individuals, which has been approved by the Department in accordance with § 167.86 (relating to standards for approval of remote notarization technology).

Remote notary public—A notary public who has notified the Department that the notary is performing notarial acts for a remotely located individual using communication technology and who has notified the Department of each remote notarization technology provider the notary intends to use to perform notarial acts remotely.

Renewal of appointment and commission—The process by which an individual who holds an active commission as a notary public in this Commonwealth is reappointed and obtains another 4-year commission to the office of notary public, in compliance with 57 Pa.C.S. § 321(a) – (e).

Spouse—An individual holding a marriage license issued or recognized under 23 Pa.C.S. Chapter 13 (relating to marriage license) who is married to a notary public.

Tamper-evident technology—A device, process or procedure that allows a person inspecting an electronic record to detect whether there have been any alternations to the record.

Tangible—Perceptible by touch when used in conjunction with "record," "medium" or "symbol."

§ 167.3. Fees.

(a) The maximum fees that notaries public may charge for notarial acts may not exceed:

Taking acknowledgment
(per first individual making acknowledgment in certificate).....$ 5
(per each additional name in same certificate).....$ 2

Administering oath or affirmation
(per individual taking oath or affirmation).....$ 5

Taking verification on oath or affirmation
(per individual making declaration).....$ 5

Witnessing or attesting a signature
(per signature).....$ 5

Certifying or attesting a copy or deposition
(per certified copy).....$ 5

Noting a protest of a negotiable instrument
(per page).....$ 3

(b) In addition to the fees authorized in subsection (a), electronic notaries public and remote notaries public may charge a fee in an amount not to exceed $20 per notarial act performed with respect to electronic records or using communication technology.

(c) A notary public shall provide an itemized receipt for all fees charged by the notary.

(d) A notary public may not charge any fee under subsection (a) for notarizing the supporting affidavit required in an Emergency Absentee Ballot or the affidavit of a person needing assistance to vote using an absentee ballot.

(e) A notary public may not charge a fee under subsection (a) when other applicable law dictates that no fee may be charged. For example, see 51 Pa.C.S. § 9101 (relating to acknowledgments and administering oaths without charge).

SUBCHAPTER B. QUALIFICATIONS FOR APPOINTMENT AND COMMISSION

§ 167.11. Eligibility and application requirements for initial appointment and commission.

(a) Eligibility. The requirements for eligibility are set forth in 57 Pa.C.S. §§ 321, 322 and 323(a) (relating to appointment and commission as notary public; qualifications; no immunity or benefit; examination, basic education and continuing education; and sanctions).

(b) Application requirements. An applicant for appointment and commission as a notary public who has never held a notary commission in this Commonwealth must:

(1) Be 18 years of age or older.

(2) Be a citizen or permanent legal resident of the United States.

(3) Be a resident of or have a place of employment or practice in this Commonwealth.

(4) Be able to read and write English.

(5) Not be disqualified to receive a commission under 57 Pa.C.S. § 323(a).

(6) Have completed a basic education course of at least 3 hours approved by the Department within the 6-month period immediately preceding submission of the application, as required by 57 Pa.C.S. § 322(b). The applicant shall submit a certificate of education evidencing successful completion of the basic education course.

(7) Have passed the examination required by 57 Pa.C.S. § 322(a) within the 6-month period immediately following the Department's authorization to take the examination as specified in § 167.15(c)(1) (relating to notary public examination).

(8) Submit the application on a form prescribed by the Department.

(9) Pay the required fee as specified in § 161.1 (relating to schedule of fees).

(c) Applicant not residing in this Commonwealth. If an applicant is not a resident of this Commonwealth, the applicant must have an office in this Commonwealth. The office must be maintained on an ongoing basis and at an established location in this Commonwealth. The applicant must be able to receive mail at the office address.

(d) Signature. The applicant's signature must appear on the application.

§ 167.12. Eligibility and application requirements for renewal of appointment and commission where there has been no lapse in commission.

(a) Eligibility. The requirements for eligibility are set forth in 57 Pa.C.S. §§ 321, 322 and 323(a) (relating to appointment and commission as notary public; qualifications; no immunity or benefit;

examination, basic education and continuing education; and sanctions).

(b) Application requirements. An applicant for appointment and commission as a notary public who holds a notary commission in this Commonwealth at the time the application for renewal is received by the Department must:

(1) Be 18 years of age or older.

(2) Be a citizen or permanent legal resident of the United States.

(3) Be a resident of or have a place of employment or practice in this Commonwealth.

(4) Be able to read and write English.

(5) Not be disqualified to receive a commission under 57 Pa. C.S. § 323(a).

(6) Have completed at least 3 hours of Department-approved continuing education within the 6-month period immediately preceding submission of the application, as required by 57 Pa.C.S. § 322(c). The applicant shall submit a certificate of education evidencing successful completion of the continuing education course.

(7) Submit the application on a form prescribed by the Department.

(8) Pay the required fee as specified in § 161.1 (relating to schedule of fees).

(c) Timing of application. A notary public must submit an application for renewal prior to the expiration of the commission under which the notary public is acting. A notary public may submit an application for renewal up to 90 days prior to the expiration of the commission under which the notary public is acting.

(d) Applicant not residing in this Commonwealth. If an applicant is not a resident of this Commonwealth, the applicant must have an office in this Commonwealth. The office must be maintained on an ongoing basis and at an established location in this Commonwealth. The applicant must be able to receive mail at the office address.

(e) Signature. The applicant's signature must appear on the application.on the application must match the applicant's name as provided on the application .

§ 167.13. Eligibility and application requirements for renewal of appointment and commission where there has been a lapse in commission.

(a) The requirements for eligibility are set forth in sections 321, 322 and 323(a) of the act (relating to appointment and commission as notary public; qualifications; no immunity or benefit; examination, basic education and continuing education and sanctions).

(b)An applicant for appointment and commission as a notary public who previously held a notary commission in this Commonwealth, but the commission has expired at the time the application for renewal is received by the Department, must comply with § 167.11 (relating to eligibility and application requirements for initial appointment and commission).

§ 167.14. Name of notary public on application for appointment and commission.

(a) The name of a notary public on an application for appointment and commission shall consist of any one of the following:

(1) A first personal name (first name), additional name or initial (middle name or initial) and surname (family or last name).

(2) A first name and last name, omitting the middle name or middle initial.

(3) A first initial, middle name and last name.

(b) The name of a notary public may not consist of initials alone or nicknames.

(c) The name of a notary public may include generational suffixes such as Junior, Senior, II, III, IV or any abbreviations thereof. The name of a notary public may not include prefixes or suffixes that denote a professional or occupational title such as "Doctor," "Reverend" or "Esquire" or any abbreviations thereof.

(d) Upon request of the Department, the name of the notary public as used in an application for appointment and commission must be proven by submission of satisfactory evidence including, a passport, driver's license or government-issued nondriver identification card, which is current and unexpired, or other equivalent evidence as determined by the Department.

§ 167.15. Notary public examination.

(a) Applicant who does not hold a commission as a notary public. The requirements for the examination are set forth in section 322(a) of the act (relating to examination, basic education and continuing education).

(1) An applicant for appointment and commission as a notary public who does not hold a commission in this Commonwealth must pass an examination administered by the Department or a professional testing organization

under contract with the Department.

(2) An applicant who does not hold a commission as a notary public includes an applicant who never held a commission as a notary public and an applicant who previously held a commission as a notary public but whose commission has since expired.

(b) Administration of exam. An applicant may not take the examination prior to submission of and approval by the Department of an application for appointment.

(c) Timing of examination.

(1) Upon approval by the Department of an application for appointment, an applicant will be authorized to take the examination for a period of 6 months.

(2) An applicant may retake the examination within the 6-month period, but no more than one time per 24-hour period.

(d) Examination results.

(1) An applicant shall attain a scaled score of 75 or higher to pass the examination.

(2) Examination results are valid for a period of one year from the date of the examination.

§ 167.16. Notary public bond.

(a) The requirements for the notary public bond are set forth in section 321(d) of the act (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(b) An applicant shall obtain a surety bond in the amount of $25,000.

(c) Transitional provision. A notary public who holds a commission on March 28, 2026 may continue to use the notary public's bond until the expiration of that commission.

§ 167.17. Appointment and issuance of commission.

(a) The requirements for the oath of office, bond, official signature, recording and filing are set forth in 57 Pa.C.S. § 321 (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(b) Upon determination that an applicant has complied with the requirements for appointment under 57 Pa.C.S. Chapter 3 (relating to the Revised Uniform Law on Notarial Acts) and this subchapter, the Department will:

(1) Appoint the applicant to the office of notary public.

(2) Provide the commission certificate to the recorder of deeds of the county where the appointee maintains an office.

(c) Within 45 days after appointment and prior to entering into the duties of a notary public, the appointee shall:

(1) Obtain a bond in accordance with 57 Pa.C.S. § 321(d) and as set forth in § 167.16 (relating to notary public bond).

(2) Take the oath of office in accordance with 57 Pa.C.S. § 321(c).

(3) Appear before the recorder of deeds in the proper county and record the bond, oath and commission in the office of the recorder of deeds in accordance with 57 Pa.C.S. § 321(d.2).

(4) Register the appointee's official signature in the proper county office in accordance with 57 Pa.C.S. § 321(d.1).

(d) After recording the bond, oath and commission, the recorder of deeds shall deliver the commission certificate to the notary public.

§ 167.18. Effect of failure to record bond, oath and commission and register official signature within 45 days.

(a) In accordance with section 321(f) of the act (relating to appointment and commission as notary public; qualifications; no immunity or benefit), the commission of a notary public who fails to record the bond, oath and commission or register the notary's official signature within 45 days of appointment shall be null and void.

(b) An appointee whose commission becomes null and void under subsection (a) may apply for appointment and commission as set forth in § 167.13 (relating to eligibility and application requirements for renewal of appointment and commission where there has been a lapse in commission).

SUBCHAPTER C. OFFICIAL STAMP AND STAMPING DEVICE

§ 167.21. Official stamp.

(a) The requirements for the official stamp are set forth in section 317 of the act (relating to official stamp).

(b) The official stamp of a notary public must show clearly in the following order:

(1) The words "Commonwealth of Pennsylvania – Notary Seal."

(2) The name of the notary public as it appears on the commission and the words "Notary Public."

(3) The name of the county in which the notary public maintains an office.

(4) The date the notary public's current commission expires.

(5) The seven-digit commission identification number assigned by the Department.

Example of stamp:

Commonwealth of Pennsylvania – Notary Seal
Jane Q. Doe, Notary Public
Dauphin County
My commission expires May 19, 2025
Commission number 1234567

(c) A word or term on the official stamp may not be abbreviated, except for name suffixes as specified in § 167.41(d) (relating to name of notary public).

(d) Transitional provision. A notary public who holds a commission on March 28, 2026

may continue to use the notary public's official stamp until the expiration of that commission.

§ 167.22. Stamping device.

(a) The requirements for the stamping device are set forth in section 318 of the act (relating to stamping device).

(b) A stamping device does not include a non-inking embosser.

(c) The stamping device is the exclusive property of the notary public. The notary public shall maintain custody and control of the stamping device at all times during the duration of the notary public's commission. The notary public shall keep the physical stamping device in a secure location and accessible only to the notary public. The notary public shall secure an electronic stamping device by a password or other means of personal authentication.

(d) A notary public may keep more than one stamping device for the same commission.

(e) Notification of loss or theft of the A stamping device under 57 Pa.C.S. § 318(b) shall be made in writing or by e-mail to the Department within 15 days after the date the notary public or personal representative or guardian discovers that the stamping device was lost or stolen. For the purpose of this section, the terms "loss" or "lost" include stamping devices that are misplaced, destroyed or otherwise made unavailable. The terms "loss" or "lost" do not include the destruction of the stamping device on resignation, death or incompetency under 57 Pa.C.S. § 318(a)(2) and (3). For the purpose of this section, the terms "theft" and "stolen" include compromised security and unauthorized access to a stamping device. The notification must include all of the following:

(1) A statement that the notary public does not possess the stamping device, stamping device security was compromised or the stamping device was accessed by an unauthorized person.

(2) The date the notary public discovered that the stamping device was lost or stolen.

(f) In accordance with 57 Pa.C.S. § 318(a)(2.1), an individual whose notary public commission has been suspended or revoked shall deliver the stamping device to the Department within 15 days after notice of the suspension or revocation from the Department.

SUBCHAPTER D. JOURNAL

§ 167.31. Identification of notary public in journal.

(a) Each journal of a notary public, whether maintained on a tangible medium or in an electronic format, must contain all of the following information in any order:

(1) The notary public's

(i) Name as it appears on the commission.

(ii) Commission number.

(iii) Commission expiration date.

(iv) Office address.

(v) Signature.

(2) A statement that, in the event of the death or incompetency of the notary public, the journal shall be delivered within 30 days to the office of the recorder of deeds in the county where the notary public last maintained an office.

(3) The meaning of any not commonly abbreviated word or symbol used in recording a notarial act in the journal.

(b) If a notary public's name, commission expiration date or office address changes before the notary public ceases to use the journal, the notary public shall add the new information after the old information and the date which the information changed.

§ 167.32. Journal entries.

(a) Journal entry requirements. The requirements for journal entries are set forth in section 319(c) of the act (relating to journal).

(b) Separate entries. Each notarial act must be indicated as a separate entry in the journal. Any blank lines between journal entries must be stricken.

(c) Blanks spaces within entries. Each entry in a journal shall be completed fully, with no blank spaces or boxes.

(d) Prohibited entries. A journal may not contain any personally identifiable information about any individual appearing before the notary public. As used in this subsection, personally identifiable information includes any of the following:

(1) Information about an individual that can be used to distinguish or trace an individual's identity, such as full ANY PART OF Social Security number, full driver's license number or government-issued nondriver identification card number, date and place of birth, mother's maiden name or biometric records.

(2) Other information that is linked or linkable to an individual, such as medical, educational, financial and employment information.

(e) Optional entries. A journal may contain any of the following:

(1) The signature of the individual for whom the notarial act is performed and any additional information about a specific transaction that might assist the notary public to recall the transaction, including the date of the record.

(2) Terminal numbers of identification credentials, including the last four digits

of a driver's license, or passport.

(f) Fees. When documenting fees in the journal, each fee charged must correspond to the notarial act performed. If a notary public waives the right to charge a fee, the notary shall indicate this fact in the journal entry using notations such as "n/c" (no charge), "0" (zero) or "—" (dash).

§ 167.33. Format of journal maintained on a tangible medium.

In addition to the format requirements set forth in 57 Pa.C.S. § 319(b) (relating to journal), journals maintained in a tangible medium must comply with all of the following:

(1) The cover and pages inside the cover must be bound together by any binding method that is designed to prevent the insertion, removal or substitution of the cover or a page. This includes smyth sewing or stitching, glue, staples, grommets or another permanent binding, but does not include the use of tape, paperclips or binder clips.

(2) Each page must be consecutively numbered from the beginning to the end of the journal. Page numbers must be preprinted.

(3) Each entry must be consecutively numbered, either within each page or from the beginning to the end of the journal. Entry numbers must be preprinted.

§ 167.34. Format of journal maintained in an electronic format.

(a) In addition to format requirements set forth in 57 Pa.C.S. § 319(b) (relating to journal), a journal maintained in an electronic format must be tamper evident. The notary public must ensure all of the following:

(1) A journal maintained in electronic format is designed to prevent the insertion between existing entries, removal of an entry or substitution of an entry.

(2) Each entry must be consecutively numbered from the beginning to the end of the journal.

(3) A journal maintained in electronic format is securely stored and recoverable in the event of a hardware or software malfunction.

(4) The journal is available in a portable document format (PDF) upon request.

(5) If a signature is contained in an electronic journal entry, the signature must be all of the following:

(i) Attached to or logically associated with the electronic notarial journal entry.

(ii) Linked to the data in a manner so that any subsequent alterations to the electronic journal entry are detectable.

(b) A journal maintained in electronic format which is delivered to the office of the recorder of deeds in compliance with 57 Pa.C.S. § 319(e) and (g) must be delivered in PDF or other industry standard readable format prescribed by the receiving recorder of deeds.

§ 167.35. Custody and control of journal; notification of lost or stolen journal.

(a) In addition to requirements set forth in section 319(h) of the act (relating to journal), a notary public shall maintain custody and control of the journal at all times during the duration of the notary public's commission. The journal is the exclusive property of the notary public. The notary public shall keep the journal in a secure location and accessible only to the notary. The notary public shall secure an electronic journal by a password or other means of personal authentication.

(b) Notification of loss or theft of the journal under 57 Pa.C.S. § 319(d) shall be made in writing or by e-mail to the

Department within 15 days after the date the notary public or personal representative or guardian discovers that the journal was lost or stolen. For the purpose of this section, the terms "loss" or "lost" include journals that are misplaced, destroyed or otherwise made unavailable. The terms "loss" or "lost" do not include the delivery of the journal to the office of the recorder of deeds under 57 Pa.C.S. § 319(e) and (g). For the purpose of this section, the terms "theft" and "stolen" include compromised security and unauthorized access to a journal. The notification must include all of the following:

(1) A statement that the notary public does not possess the journal, journal security was compromised or the journal was accessed by an unauthorized person.

(2) The date the notary public discovered that the journal was lost or stolen.

§ 167.36. Inspection and certified copies of journal.

(a) Inspection. A notary public shall permit inspection of the journal to any person requesting to view the journal. The request for inspection may be oral or in writing. The inspection shall occur in the presence of the notary public.

(b) Certified copies. Requests for certified copies of the journal made in accordance with section 319(g.1) of the act (relating to journal) may be oral or in writing and specify the particular entry or time period sought. The notary public shall provide the certified copy within 15 days of receipt of the request.

SUBCHAPTER E. SCOPE OF PRACTICE

§ 167.41. Authority of notary public to perform notarial act.

(a) A notary public may perform the notarial acts authorized by the act in any county in this Commonwealth.

(b) Notaries public may not perform the notarial acts authorized by the act outside the geographical borders of this Commonwealth or in other states or jurisdictions, unless authorized by the other state or jurisdiction to perform the acts.

§ 167.42. Personal appearance.

(a) To appear personally before a notary public under 57 Pa.C.S. § 306 (relating to personal appearance required) means that the individual making the statement or executing the signature and the notary public are all of the following:

(1) Physically present before each other when the notarial act is executed.

(2) Able to observe and interact with each other.

(3) Able to see, hear, communicate with and give identification credentials to each other without the use of electronic devices such as telephones, computers, video cameras or facsimile machines. This does not preclude the use of adaptive technology which enables reasonable accommodations for an individual with a vision, hearing or speech impairment in accordance with law.

(b) Personal appearance:

(1) Does not include appearance by audio, video or computer technology, unless the notary public is performing notarial acts facilitated by communication technology for a remotely located individual under 57 Pa.C.S. § 306.1 (relating to notarial act performed for remotely located individual).

(2) Is not required when a notary public is certifying or attesting a copy or deposition.

(3) Is not required when a notary public is administering an oral oath or affirmation in a criminal, civil or administrative proceeding in this Commonwealth, as long as the notary and the individual taking the oath or affirmation are able to hear and communicate with each other by means of electronic devices such as telephones, computers or video cameras.

§ 167.43. Identification of individual appearing before notary public – satisfactory evidence.

(a) General.

(1) For purposes of 57 Pa.C.S. § 307(b)(1)(i) (relating to identification of individual), a passport, driver's license or government-issued nondriver identification card include any of the following:

(i) A passport or passport card or electronic equivalent issued by the United States Department of State which is current and unexpired.

(ii) A passport or electronic equivalent issued by a foreign government, which is current and unexpired, provided it uses letters, characters and a language that are read, written and understood by the notary public.

(iii) A driver's license or nondriver identification card or electronic equivalent issued by a state of the United States, which is current and unexpired.

(iv) A driver's license or nondriver identification card or electronic equivalent issued by a foreign government, which is current and unexpired, provided it uses letters, characters and a language that are read, written and understood by the notary public.and a language that are read, written and understood by the notary public.

(2) For the purposes of 57 Pa.C.S. § 307(b)(1)(ii), other forms of government identification that are current, contain the signature or photograph of the individual, and are satisfactory to the notarial officer may include any of the following:

(i) An identification card issued by any branch of the United States armed forces.

(ii) An inmate identification card issued by the Department of Corrections for an inmate who is currently in the custody of the Department of Corrections.

(iii) An identification card issued by the United States Department of Homeland Security.

(iv) A Social Security card.

(v) A Pennsylvania State university identification card or State-related university identification card.

(vi) A Pennsylvania medical marijuana identification card.

(vii) A consular identification document issued by a consulate from the individual's country of citizenship, provided it uses letters, characters and a language that are read, written and understood by the notary public.

(b) Credible Witness.

(1) For purposes of 57 Pa.C.S. § 307(b)(2), the credible witness must do all of the following:

(i) Appear before the notary public contemporaneously with the individual appearing before the notary public.

(ii) Be personally known to the notary public.

(iii) Personally know the individual appearing before the notary public.

(iv) Not have a direct or pecuniary interest with respect to the record being notarized.

(2) The credible witness shall make a verification on oath or affirmation that all of the following are true:

(i) The individual appearing before the notary public is the person named in the record.

(ii) The credible witness personally knows the individual appearing before the notary public through dealings sufficient to provide the credible witness with reasonable certainty that the individual has the identity claimed.

(iii) The credible witness has no direct or pecuniary interest with respect to the record being notarized.

(3) The verification on oath or affirmation of a credible witness shall comply with § 167.63 (relating to verifications on oath or affirmation).

§ 167.44. Use of interpreter; language of record.

(a) A notary public shall be able to communicate directly with the individual for whom a notarial act is being performed in a language they both understand or indirectly through an interpreter. The interpreter must be able to communicate directly with the individual for whom the notarial act is being performed and with the notary public at the time of the notarization.

(b) A notary public may perform a notarial act on a record that is a translation of a record that is in a language that the notary public does not understand only if the person performing the translation makes a verification on oath or affirmation stating that the translation is accurate and complete. The translation and notarized verification must be attached to the record for which the notarial act is being performed.

§ 167.45. Notification of change in name or other information; effect of certain address changes.

(a) Requirements. A notary public shall notify the Department within 30 days of any change in the information on file with the Department, including all the following information related to the notary public:

(1) Name.

(2) Office address and phone number.

(3) Home address and phone number.

(4) E-mail address.

(5) Selected electronic notarization technology provider, if applicable, and as required by § 167.81 (relating to notification to Department—notaries public).

(6) Selected remote notarization technology provider, if applicable, and as required by § 167.81.

(7) Resignation from the office of notary public.

(b) Method of notice. The notice shall be made in writing, electronically or by e-mail and must state the effective date of the change.

(c) Name change.

(1) Notice of a change in name under subsection (a)(1) must be on a form prescribed by the Department and accompanied by evidence of the name change, such as a marriage certificate, court order or divorce decree.

(2) When the name of a notary public is changed, the notary public may continue to perform notarial acts in the

name in which the notary was commissioned until the expiration of the notary public's term.

(3) Application for renewal of appointment of the notary public shall be made in the new name.

(d) Effect of certain address changes. A notary public who has neither a home address nor office address in this Commonwealth will be deemed to have resigned from the office of notary public as of the date the residency ceases or employment or practice within this Commonwealth terminates.

SUBCHAPTER F. NOTARIAL ACTS

§ 167.61. Acknowledgments.

In addition to the requirements for acknowledgements in section 305(a) of the act (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) A record must either be signed in the notary public's presence or a record must be signed prior to the acknowledgment. A record may not be signed subsequent to an acknowledgment.

(2) If the record is signed prior to appearance before the notary public, the individual making the acknowledgment shall acknowledge that the signature on the record is his own when appearing before the notary.

(3) If the record is signed prior to appearance before the notary public, the record presented to the notary may not be a photocopy.

§ 167.62. Oaths and affirmations.

(a) An oath or affirmation may be oral or in writing. If in writing, the individual making the oath or affirmation shall personally appear before the notary public when executing the individual's signature.

(b) In administering a testimonial oath or affirmation, the notary public shall require the individual taking the oath or affirmation to voluntarily swear or affirm that the statements the individual is giving are true and correct.

(c) In administering an oath of office, the notary public shall require the individual taking the oath or affirmation to voluntarily swear or affirm that the individual will perform the duties and acts of the office faithfully.

§ 167.63. Verifications on oath or affirmation.

In addition to the requirements for verifications on oaths and affirmations in section 305(b) of the act (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) A record containing a statement that is being verified on oath or affirmation must be signed in the notary public's presence.

(2) A record containing a statement that is being verified may not be signed prior to or subsequent to the verification on oath or affirmation.

(3) In taking a verification on oath or affirmation, the notary public shall administer an oath or affirmation to the individual making the statement by requiring that the individual swear or affirm that the statements contained in the record are true.

§ 167.64. Witnessing or attestation of signatures.

In addition to the requirements for witnessing or attestation of signatures in section 305(c) of the act (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) A record containing a signature that is being witnessed or attested must be signed in the notary public's presence.

(2) A record containing a signature that is being witnessed or attested may not be signed prior to or subsequent to the witnessing or attestation of the signature.

§ 167.65. Certified or attested copies and depositions.

In addition to the requirements for certifying or attesting a copy or deposition are set forth in section 305(d) of the act (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) The notary public shall compare the record to a copy of the record made by the requester or made by the notary public to determine that the copy is a complete and accurate transcription or reproduction of the record.

(2) The notary public shall examine the record for alteration or tampering.

(3) In issuing a certified or attested copy, the notary public does not guarantee the authenticity of the record, its contents or its effects.

(4) Records for which a notary public may not issue a certified copy include all of the following:

(i) Vital records (birth and death certificates).

(ii) United States Naturalization Certificates.

(iii) Any government-issued record that on its face states "do not copy," "illegal to copy" or words of similar

meaning.

(iv) Any record that is prohibited by law to copy or certify.

(5) Records for which a notary public may issue a certified copy include all of the following:

(i) Public records.

(ii) Passports.

(iii) Driver's licenses.

(iv) Transcripts.

(v) Diplomas.

(vi) Contracts.

(vii) Leases.

(viii) Bills of sale.

(ix) Medical records, consents or waivers.

(x) Powers of attorney.

§ 167.66. Protests of negotiable instruments.

(a) As set forth in section 305(e) of the act (relating to requirements for certain notarial acts), a notary public who makes or notes a protest of a negotiable instrument shall determine the matters set forth in 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor).

(b) For purposes of this section, a protest is a certificate of dishonor made by a United States consul or vice consul or a notary public or other person authorized to administer oaths by the law of the place where dishonor occurs.

(c) A protest may be made upon information satisfactory to the notary public and shall fulfill all of the following:

(1) Identify the negotiable instrument.

(2) Certify either that presentment has been made or, if not made, the reason why it was not made.

(3) State that the instrument has been dishonored by nonacceptance or nonpayment.

(d) The protest may also certify that notice of dishonor has been given to some or all parties.

(e) The individual requesting the protest shall be identified in the protest as the holder of the dishonored negotiable instrument.

SUBCHAPTER G. NOTARIAL CERTIFICATES

§ 167.71. Certificate of notarial act.

In addition to the requirements for certificates of notarial acts as set forth in sections 315, 316 and 306.1(c) of the act (relating to certificate of notarial act; short form certificates; and notarial certificate), the following requirements apply:

(1) The certificate of notarial act must be worded and completed using the English language. The certificate may be simultaneously worded and completed in another language that is read, written and understood by the notary public. The foreign language certificate must be immediately adjacent to the English-language certificate and the English-language certificate shall prevail in the event of any conflict between the translations.

(2) "Commonwealth of Pennsylvania" may be used instead of "State of Pennsylvania" on certificates of notarial acts.

(3) For the purposes of section 315(f)(1) of the act, "securely attached" means stapled, grommeted or otherwise bound to the tangible record. The term "securely attached" does not include the use of tape, paperclips or binder clips.

(4) The notary public's signature on a tangible or electronic certificate must match the notary's name on the commission.

SUBCHAPTER H. ELECTRONIC AND REMOTE NOTARIZATION

§ 167.81. Notification to Department - NOTARIES PUBLIC.

In addition to the requirements set forth in 57 Pa.C.S. §§ 306.1 and 320 (relating to notarial act performed for remotely located individual; and notification regarding performance of notarial act on electronic record; selection of technology), all of the following requirements apply:

(1) Prior to acting as an electronic notary public, a notary public shall notify the Department electronically at www.notaries.pa.gov that the notary will be performing notarial acts with respect to electronic records and shall identify each technology the notary intends to use.

(2) Prior to acting as a remote notary public, a notary public shall notify the Department electronically at

www.notaries.pa.gov that the notary will be performing notarial acts for a remotely located individual using communication technology and shall identify each technology the notary intends to use.

(3) The notification required under paragraphs (1) and (2) must occur with the addition or deletion of each electronic or remote notarization technology provider during the course of a notary public's commission and at the beginning of each new commission.

§ 167.82. Use of technology.

An electronic notary public shall use an electronic notarization technology provider approved by the Department. A remote notary public shall use a remote notarization technology provider approved by the Department. The list of approved electronic or remote technology providers can be found at https://www.dos.pa.gov/OtherServices/Notaries.

§ 167.83. Electronic notarization technology provider application.

(a) A person offering a tamper-evident technology that enables notaries public to perform notarial acts with respect to electronic records shall be approved by the Department as an electronic notarization technology provider before authorizing use of the technology to notaries commissioned in this Commonwealth.

(b) A person applying to the Department for approval as an electronic notarization technology provider must submit an application to the Department on a form prescribed by the Department. The application shall include a description of the technology, including all of the following:

(1) Hardware and software specifications and requirements for the provider's electronic notarization technology,

(2) A description of the types of technology used in the provider's electronic notarization technology.

(3) A demonstration of how the technology is used to perform notarial acts with respect to electronic records.

(c) Upon a determination that the technology conforms to § 167.84 (relating to standards for approval of electronic notarization technology), the Department shall approve the person offering the technology as an electronic notarization technology provider.

§ 167.84. Standards for approval of electronic notarization technology.

In addition to the requirements set forth in section 320 of the act (relating to notification regarding performance of notarial act on electronic record; selection of technology), a tamper-evident technology used to perform notarial acts with respect to electronic records must meet all of the following:

(1) Comply with Federal and State law, including 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) and this chapter.

(2) Allow a person inspecting an electronic record to determine whether there has been any tampering with the integrity of a certificate of notarial act logically associated with a record or with the attachment or association of the notarial act with that electronic record.

(3) Include all of the information required by § 167.21 (relating to official stamp) as a part of, or a secure attachment to, the underlying notarized electronic record.

(4) Verify the authorization of the electronic notary public to perform notarial acts with respect to electronic records by verifying the name, commission number and commission expiration date with the Department prior to offering the electronic notarization technology.

(5) Suspend the use of any electronic notarization technology for any electronic notary public whose commission has expired or has been revoked or suspended by the Department.

§ 167.85. Remote notarization technology provider application.

(a) A person offering a communication technology that enables notaries public to perform notarial acts for remotely located individuals shall be approved by the Department as a remote notarization technology provider before authorizing use of the technology to notaries commissioned in this Commonwealth.

(b) A person applying to the Department for approval as a remote notarization technology provider must submit an application to the Department on a form prescribed by the Department. The application shall include a description of the technology, including all of the following:

(1) Hardware and software specifications and requirements for the provider's remote notarization technology.

(2) A description of the types of technology used in the provider's remote notarization technology.

(3) A demonstration of how the technology is used to perform notarial acts with respect to remotely located individuals.

(c) Upon a determination that the technology conforms to § 167.86 (relating to standards for approval of remote notarization technology), the Department shall approve the person offering the technology as a remote notarization technology provider.

§ 167.86. Standards for approval of remote notarization technology.

In addition to the requirements set forth in 57 Pa.C.S. § 306.1 (relating to notarial act performed for remotely located

individual), a communication technology used to perform notarial acts for remotely located individuals must meet all of the following:

(1) Comply with Federal and State law, including 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) and this chapter.

(2) Allow the notary public to communicate with the remotely located individual simultaneously by sight and sound.

(3) Make reasonable accommodations for an individual with a vision, hearing or speech impairment in accordance with law.

(4) Include two types of processes or services by which a third person provides a remote notary public with a means to verify the identity of the remotely located individual by a review of personal information from public or private data sources. Identity proofing methods may include the use of credential analysis, dynamic knowledge-based authentication, biometrics or other means of identification.

(5) Create an audio-visual recording of all interactions between the remote notary public and the remotely located individual during the performance of the notarial act.

(6) Retain the audio-visual recording for a period of 10 years as designated by the remote notary public or enable the remote notary public to download and retain the audio-visual recording.

(7) Allow a person inspecting an electronic record to determine whether there has been any tampering with the integrity of a certificate of notarial act logically associated with a record or with the attachment or association of the notarial act with that electronic record.

(8) Include all of the information required by § 167.21 (relating to official stamp) as a part of, or a secure attachment to, the underlying notarized electronic record.

(9) Verify the authorization of the remote notary public to perform notarial acts facilitated by communication technology by verifying the name, commission number and commission expiration date with the Department prior to offering the remote notarization technology.

(10) Suspend the use of any remote notarization technology for any remote notary public whose commission has expired or has been revoked or suspended by the Department.

§ 167.87. Termination of approval of technology.

The Department may terminate the approval of an electronic notarization technology provider upon becoming aware that the provider no longer meets the standards set forth in § 167.84 (relating to standards for approval of electronic notarization technology). The Department may terminate the approval of a remote notarization technology provider upon becoming aware that the provider no longer meets the standards set forth in § 167.86 (relating to standards for approval of remote notarization technology).

§ 167.88. Notification to department - technology providers..

(a) Changes to technology.

(1) Requirements. Electronic notarization technology providers and remote notarization technology providers shall notify the department within 15 days of any change in information in the provider application, including all of the following information related to any approved electronic notarization technology or remote notarization technology:

(i) technology provider name.

(ii) technology provider office address and phone number.

(iii) technology provider e-mail address.

(iv) technology provider website.

(v) hardware and software specifications and requirements for the technology.

(vi) a change in the types of technology used in the provider's approved electronic notarization technology or remote notarization technology.

(2) Method of notice. The notice shall be made in writing, and delivered by e-mail or by certified or registered u.S. Mail and must state the effective date of the change.

(b) Ceasing operations.

(1) Requirements. Before ceasing to provide the approved electronic notarization technology or remote notarization technology, providers shall notify the department and each electronic notary public or remote notary public currently using or who has previously used the technology during the preceding ten years.

(2) Notification to notaries public. Notification shall be given at least 60 days in advance of ceasing operations and shall include all of the following:

(i) Instructions on how to obtain and export journals created using the platform.

(ii) instructions on how to obtain and export audio-visual recordings created using the platform, in the case of

remote notarization technology.

(3) Notification to the department. Notification to the department shall include all of the following:

(i) a list of all notaries public, by name and commission identification number, who currently use or have previously used the electronic notarization technology or remote notarization technology during the preceding ten years.

(ii) a sample of the notification to notaries public required by Subsection (b)(2).

(4) Method of notice. The notice shall be made in writing, and delivered by e-mail or by certified or registered U.S. Mail and must state the final date that the technology will be available.

SUBCHAPTER I. NOTARY PUBLIC EDUCATION

§ 167.91. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Certificate of approval—A certificate issued by the Department under § 167.92 (relating to certificate of approval) indicating that the education provider named therein offers an education program course of study approved by the Department.

Course of study—Basic or continuing education under 57 Pa.C.S. § 322(b) and (c) (relating to examination, basic education and continuing education), offered by means of live classroom instruction or interactive education.

Interactive education—An education process based on the geographical separation of the learner and instructor, which provides synchronous interaction between the learner and instructor, or which does not provide direct learner and instructor interaction but requires a learner to be actively and reciprocally engaged with the course content. Examples include live online webinars and asynchronous interactive online courses.

Pennsylvania business registration number—The number assigned by the Department's Bureau of Corporations and Charitable Organizations to a business entity or fictitious name registrant that is authorized to conduct business in this Commonwealth.

Provider—An individual or business entity that offers, supplies or provides an approved course of study.

§ 167.92. Certificate of approval.

(a) In accordance with 57 Pa.C.S. § 322(d) (relating to examination, basic education and continuing education), a provider shall obtain a certificate of approval from the Department for each course of study offered.

(b) To apply for a certificate of approval, a provider shall submit all of the following to the Department:

(1) A completed "Notary Public Education Provider Application or Amendment" form.

(2) The fee required by § 161.1(b) (relating to schedule of fees).

(3) A course of study satisfying the requirements of § 167.93 (relating to course of study).

(c) A provider is responsible for all employees, agents, instructors, contractors and

subcontractors providing or involved in providing an approved course of study on behalf of the provider and the acts of the employees, agents, instructors, contractors and subcontractors will be deemed the acts of the provider.

(d) The certificate of approval will expire 3 years from the date of issuance. A provider may apply for renewal of approval of a course of study up to 90 days before the expiration of the certificate of approval.

(e) A certificate of approval is non-transferable to another provider or course of study.study.

§ 167.93. Course of study.

(a) A course of study must meet all of the following requirements:

(1) Include instruction on the required topics as set forth in 57 Pa.C.S. § 322(b)(1) or (c)(1) (relating to examination, basic education and continuing education).

(2) Contain a table of contents, and the pages must be consecutively numbered.

(3) Contain procedures to establish the identity of a person physically attending a classroom course of study or virtually attending a course of study to whom proof of completion shall be issued in accordance with § 167.95 (relating to certificate of education).

(4) Contain procedures to ensure that a person physically attending a classroom course of study or virtually attending a course of study by interactive means is present for the required time.

(5) Include a schedule of the time allotted for all of the following:

(i) Break periods, if any.

(ii) Each major subject area.

(iii) Each student participation activity, if any.

(iv) Completion, correction and discussion of any practice tests used, if any.

(6) If any video is used for instruction, include a brief synopsis of the information presented therein. In addition, the provider shall include the video in the materials presented to the Department for review.

(7) Copies of any handout materials, workbooks, visuals aids, description of student participation exercises and practice tests used during the course of study.

(b) If the course of study provides for an instructor or course evaluation by the students, time to complete the evaluation may not be included as part of the course of study.

(c) A provider shall revise an approved course of study as necessary to ensure that the information provided in an approved course of study reflects developments in the law and current notary practice.

§ 167.94. Notifcation of changes.

Within 30 days of any change in the approved course of study or any information contained in the most recent application approved by the Department, a provider must submit to the Department a "Notary Public Education Provider Application or Amendment" form identifying the changes.

§ 167.95. Certificate of education.

(a) A provider shall issue a certificate of education to a notary public applicant upon successful completion of an approved course of study.

(b) The certificate of education must consist of a certificate signed by a provider or an employee, agent, instructor, contractor or subcontractor of a provider, which contains the following information:

(1) The name of the education provider as it appears on the certificate of approval issued by the Department for the approved course of study.

(2) The name of the approved course of study and whether it is basic education or continuing education.

(3) The name of the notary public applicant who completed the approved course of study.

(4) The date the notary public applicant completed the approved course of study.

(5) The statement that the certificate of education is valid for a period of 6 months from the date of issuance.

§ 167.96. Record of attendees.

A provider shall maintain documentation of the persons who attend each session of an approved course of study for a period of 5 years.

§ 167.97. Representatives of the Department attending approved course of study.

A provider shall permit representatives of the Department to attend any approved course of study, without prior notice and at no charge, for the purpose of observation, monitoring, auditing and investigating the instruction given.

§ 167.98. Termination of certificate of approval.

The Department may terminate a certificate of approval upon any of the following grounds:

(1) Violation of any of the provisions of 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) or this chapter.

(2) Misrepresentation of the laws of the Commonwealth concerning the duties and functions of a notary public.

(3) Deviation from the course of study approved by the Department.

(4) Failure to respond to a request for information from the Department.

(5) Representations by the provider that any other product, goods or services provided by the provider are endorsed or recommended by the Department.

(6) Failure to prepare course attendees to pass the notary public examination that an annual combined scaled score of all attendees of 60% or more is not maintained.

SUBCHAPTER J. STANDARDS OF CONDUCT

§ 167.111. Conflict of interest.

(a) In accordance with 57 Pa.C.S. § 304(b) (relating to authority to perform notarial act), a notary public may not perform a notarial act with respect to a record in which the notary public or the notary public's spouse has a direct or pecuniary interest.

(b) A notary public may not notarize a notary public's own signature.

(c) A notary public may perform a notarial act with respect to a record that the notary public's spouse is signing, only if the notary public and the notary public's spouse have no direct or pecuniary interest in the record.

§ 167.112. Duty of candor.

A notary public or an applicant for appointment and commission as a notary public shall comply with all requests of the Department for information related to an application for appointment, commissioning, required notifications to the Department, investigations and the performance of notarial acts.

§ 167.113. Refusal to perform notarial acts.

For the purposes of 57 Pa.C.S. § 308 (relating to authority to refuse to perform notarial act), a notary public may not refuse to provide notarial services on the basis of a customer's race, color, national origin, religion, sexual orientation, sex, gender, pregnancy, gender identity, gender expression, disability or marital status.

SUBCHAPTER K. PROHIBITED ACTS AND SANCTIONS

§ 167.121. Acts or omissions providing the basis for sanctions.

(a) As set forth in 57 Pa.C.S. § 323(a) (relating to sanctions), the Department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as a notary public for an act or omission that demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public. These acts or omissions include all of the following:

(1) Notarizing the individual's own signature or statement.

(2) Notarizing a spouse's signature or statement, when the notary public or the spouse has a direct or pecuniary interest in the record.

(3) Affixing to or logically associating the notary's official stamp or signature with a record or notarial certificate before the notarial act has been performed.

(4) Post-dating or predating notarial acts.

(5) Altering a record after it has been notarized. This includes altering the notarial certificate for a purpose other than to correct a ministerial error.

(6) Altering, inserting or deleting journal entries other than to correct a clerical error.

(7) Retaining a customer's record or identification credential or retaining a copy of a customer's record or identification credential, unless permitted by law.

(8) Issuing to the order of the Commonwealth, the Department of State, a recorder of deeds or a prothonotary a personal check without sufficient funds on deposit in payment of any application, recording or registration required by the act.

(9) Performing a notarial act within this Commonwealth when the person was not commissioned as a notary public or was otherwise not authorized to perform a notarial act.

(10) Performing a notarial act in another state under the authority of the notary public's commission in this Commonwealth.

(11) Making a representation that the notary public has powers, qualifications, rights or privileges that the notary public does not have.

(12) Use of the term "notario," "notario publico," "notario publica" or any non-English equivalent term in a manner which misrepresents the authority of the notary public.

(13) Engaging in the unauthorized practice of any regulated profession, including the practice of law.

(14) Using the notary public's title or official stamp for a purpose other than to perform a notarial act.

(15) Failure to require the personal appearance through physical presence of an individual making a statement in or executing a signature on a tangible record or with respect to an electronic record.

(16) Failure to require the personal appearance of a remotely located individual when using communication technology to perform notarial acts.

(17) Failure to have personal knowledge or satisfactory evidence of the identity of an individual appearing before the notary public.

(18) Executing a notarial certificate that contains a statement known to the notary public to be false.

(19) Placing the official stamp over any signature in the record to be notarized or over any writing in a notarial certificate.

(20) Permitting any other person to use the notary public's official stamp or stamping device to perform a notarial act or for any other purpose.

(21) Using another notary public's stamping device or NON-INKING embosser to perform a notarial act.

(22) Violating a disciplinary order of the Department.

(23) Issuance of a certificate of dishonor of a negotiable instrument, also known as a protest of commercial paper as defined in 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor), that was owned or held for collection by a financial institution, trust company or investment company when the notary public was a party to the commercial paper in an individual capacity.

(24) Issuance of a certificate of dishonor of a negotiable instrument, also known as a protest of commercial paper as defined in 13 Pa.C.S. § 3505(b), of a noncommercial or other record that does not fit the definition of negotiable instrument as defined in 13 Pa.C.S. § 3104 (relating to negotiable instrument).

(25) Issuance of a certificate of dishonor of a negotiable instrument, also known as a protest of commercial paper as defined in 13 Pa.C.S. § 3505(b), in a manner not in accordance with 13 Pa.C.S. § 3505.

(26) Submission of any of the following types of records to the Department or Secretary of the Commonwealth in reply to correspondence from the Department or other government agency or initiating proceedings:

(i) Conditional acceptance, or a similar record purporting to conditionally accept presentment of an official record, and demanding proof of a list of claims to fully accept the official record.

(ii) Affidavit in support of conditional acceptance, or a similar record purporting to attest to the acts of a record and signed by the same notary public who is attesting.

(iii) Notice of dishonor, or a similar record purporting to give notice that a conditional acceptance has not been accepted by the government agency to which it was sent and thereby was dishonored.

(iv) Accepted for value, or similar stamp or certificate purporting to accept for a disclosed or undisclosed value an official record sent to the notary public by the Department, the Secretary of the Commonwealth or other governmental agency. The certificate claims to establish an amount of money payable or accrued to the signor of the certificate.

(v) Notice of protest, or a similar record purporting to be a protest of commercial paper that has been dishonored, when the commercial paper is not, in fact, a negotiable instrument under 13 Pa.C.S. Division 3 (relating to negotiable instruments) and subject to the laws stated therein regarding dishonor and protest.

(vi) Other records attempting to apply 13 Pa.C.S. Division 3 to non-negotiable instruments or other records not included in the scope of Division 3.

(vii) Other record types purporting to follow the Uniform Commercial Code and not related to a filing under 13 Pa.C.S. Division 9 (relating to secured transactions).

(b) For the purposes of 57 Pa.C.S. § 323(a) and this subchapter, an act or omission includes an act or omission occurring within or outside this Commonwealth.

§ 167.122. Offenses involving fraud, dishonesty or deceit.

(a) As set forth in 57 Pa.C.S. § 323(a)(3) (relating to sanctions), the Department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as a notary public

for conviction of or acceptance of accelerated rehabilitative disposition by the applicant or notary public of an offense involving fraud, dishonesty or deceit. An offense involving fraud, dishonesty or deceit includes any of the following:

(1) The following offenses defined in 18 Pa.C.S. Chapter 39 Subchapter B (relating to definition of offenses):

§ 3921. Theft by unlawful taking or disposition.

§ 3922. Theft by deception.

§ 3922.1. Financial exploitation of an older adult or care-dependent person.

§ 3923. Theft by extortion.

§ 3924. Theft of property lost, mislaid, or delivered by mistake.

§ 3925. Receiving stolen property.

§ 3926. Theft of services.

§ 3927. Theft by failure to make required disposition of funds received.

§ 3929. Retail theft.

§ 3929.1. Library theft.

§ 3929.3. Organized retail theft.

§ 3930. Theft of trade secrets.

§ 3931. Theft of unpublished dramas and musical compositions.

§ 3932. Theft of leased property.

§ 3934. Theft from a motor vehicle.

§ 3935.1. Theft of secondary metal.

§ 3936. Theft of mail.

(2) The following offenses defined in 18 Pa.C.S. Chapter 41 (relating to forgery and fraudulent practices):
§ 4101. Forgery.
§ 4101.1. Digital forgery.
§ 4102. Simulating objects of antiquity, rarity, etc.
§ 4103. Fraudulent destruction, removal or concealment of recordable instruments.
§ 4104. Tampering with records or identification.
§ 4105. Bad checks.
§ 4106. Access device fraud.
§ 4106.1. Unlawful device-making equipment.
§ 4107. Deceptive or fraudulent business practices.
§ 4107.1. Deception relating to kosher food products.
§ 4107.2. Deception relating to certification of minority business enterprise or women's business enterprise.
§ 4108. Commercial bribery and breach of duty to act disinterestedly.
§ 4109. Rigging publicly exhibited contest.
§ 4110. Defrauding secured creditors.
§ 4111. Fraud in insolvency.
§ 4112. Receiving deposits in a failing financial institution.
§ 4113. Misapplication of entrusted property and property of government or financial institutions.
§ 4114. Securing execution of documents by deception.
§ 4115. Falsely impersonating persons privately employed.
§ 4117. Insurance fraud.
§ 4118. Washing vehicle titles.
§ 4119. Trademark counterfeiting.
§ 4120. Identity theft.
§ 4121. Possession and use of unlawful devices.
(3) The following offenses defined in 18 Pa.C.S. Chapter 47 (relating to bribery and corrupt influence):
§ 4701. Bribery in official and political matters.
§ 4702. Threats and other improper influence in official and political matters.
§ 4703. Retaliation for past official action.
(4) The following offenses defined in 18 Pa.C.S. Chapter 49 (relating to falsification and intimidation):
§ 4902. Perjury.
§ 4903. False swearing.
§ 4904. Unsworn falsification to authorities.
§ 4905. False alarms to agencies of public safety.
§ 4906. False reports to law enforcement authorities.
§ 4906.1. False reports of child abuse.
§ 4909. Witness or informant taking bribe.
§ 4910. Tampering with or fabricating physical evidence.
§ 4911. Tampering with public records or information.
§ 4912. Impersonating a public servant.
§ 4913. Impersonating a notary public or a holder of a professional or occupational license.
§ 4914. False identification to law enforcement authorities.
§ 4915.1. Failure to comply with registration requirements.
§ 4915.2. Failure to comply with 42 Pa.C.S. Ch. 97 Subch. I registration requirements.
§ 4952. Intimidation of witnesses or victims.
§ 4958. Intimidation, retaliation or obstruction in child abuse cases.
(5) The following offenses defined in 18 Pa.C.S. Chapter 51 Subchapter A (relating to definition of offenses generally):
§ 5101. Obstructing administration of law or other governmental function.
§ 5105. Hindering apprehension or prosecution.

§ 5107. Aiding consummation of crime.

§ 5108. Compounding.

§ 5111. Dealing in proceeds of unlawful activities.

(6) The following offenses defined in 18 Pa.C.S. Chapter 53 (relating to abuse of office):

§ 5301. Official oppression.

§ 5302. Speculating or wagering on official action or information.

(7) Criminal attempt if the underlying crime involves fraud, dishonesty or deceit. See 18 Pa.C.S. § 901 (relating to criminal attempt).

(8) Criminal solicitation if the underlying crime involves fraud, dishonesty or deceit. See 18 Pa.C.S. § 902 (relating to criminal solicitation).

(9) Criminal conspiracy if the underlying crime involves fraud, dishonesty or deceit. See 18 Pa.C.S. § 903 (relating to criminal conspiracy).

(b) For the purposes of 57 Pa.C.S. § 323(a)(3) and this chapter, "conviction of or acceptance of Accelerated Rehabilitative Disposition" includes conviction or acceptance of Accelerated Rehabilitative Disposition or other similar diversionary program in any other state or jurisdiction.

§ 167.123. Factors considered in sanctions.

When imposing any action authorized under 57 Pa.C.S. § 323 (relating to sanctions), including denial of application, the Department may consider a variety of factors including:

(1) The nature, number and severity of any acts, offenses, official misconduct or crimes under consideration.

(2) Evidence pertaining to the honesty, credibility, truthfulness and integrity of the applicant or notary public.

(3) Actual or potential monetary or other harm to the general public, group, individual or customer.

(4) The history of complaints received by the Department.

(5) Prior disciplinary record or warning from the Department.

(6) Evidence in mitigation.

(7) Evidence in aggravation.

(8) Other occupational, vocational or professional license disciplinary record.

(9) Evidence of rehabilitation, such as reference letters and proof of class attendance.

(10) A criminal record.

(11) Reports from law enforcement agencies.

(12) Willfulness.

(13) Negligence.

§ 167.124. Unauthorized practice of law.

In determining whether a notary public has assisted a person in drafting legal records, gave legal advice or is otherwise practicing law in violation of 57 Pa.C.S. § 325 (relating to prohibited acts), the Department will take into consideration the factors in the Pennsylvania Bar Association Unauthorized Practice of Law Committee Formal Opinion 2006-01 or any successor opinion.

§ 167.125. Reporting requirements.

A notary public shall notify the Department of any of the following:

(1) Conviction of or acceptance of Accelerated Rehabilitative Disposition in resolution of a felony or an offense involving fraud, dishonesty or deceit within 30 days of the disposition or on the next application for renewal of appointment and commission, whichever is sooner.

(2) Disciplinary action taken against the notary public's commission by the commissioning authority of another state or jurisdiction within 30 days of receiving notice of the disciplinary action or on the next application for renewal of appointment and commission, whichever is sooner.

(3) Finding against, or admission of liability by, the notary public in any criminal, civil or administrative proceeding, based on the fraud, dishonesty or deceit of the notary public, within 30 days of conclusion of the legal proceeding or on the next application for renewal of appointment and commission, whichever is sooner.

(4) Finding by the Pennsylvania Bar Association or the courts of the Commonwealth or the bar or courts of any other state or jurisdiction finding that the notary public has engaged in the unauthorized practice of law within 30 days of conclusion of the proceeding or on the next application for renewal of appointment and commission, whichever is sooner.

(5) Payment to a claimant under the notary's bond within 30 days of the surety making the payment or on the next application for renewal of appointment and commission, whichever is sooner.

NOTARY
Errors and Omissions Insurance
for PAN Members

Your notary bond protects your customer …
E&O Insurance protects you, the notary.

Errors and Omissions (E&O) insurance is protection for you when you make a mistake in performing your notarial duties that causes a financial loss for your customer. Even if you never make a mistake, there is always the possibility that you may be falsely accused of wrongdoing.

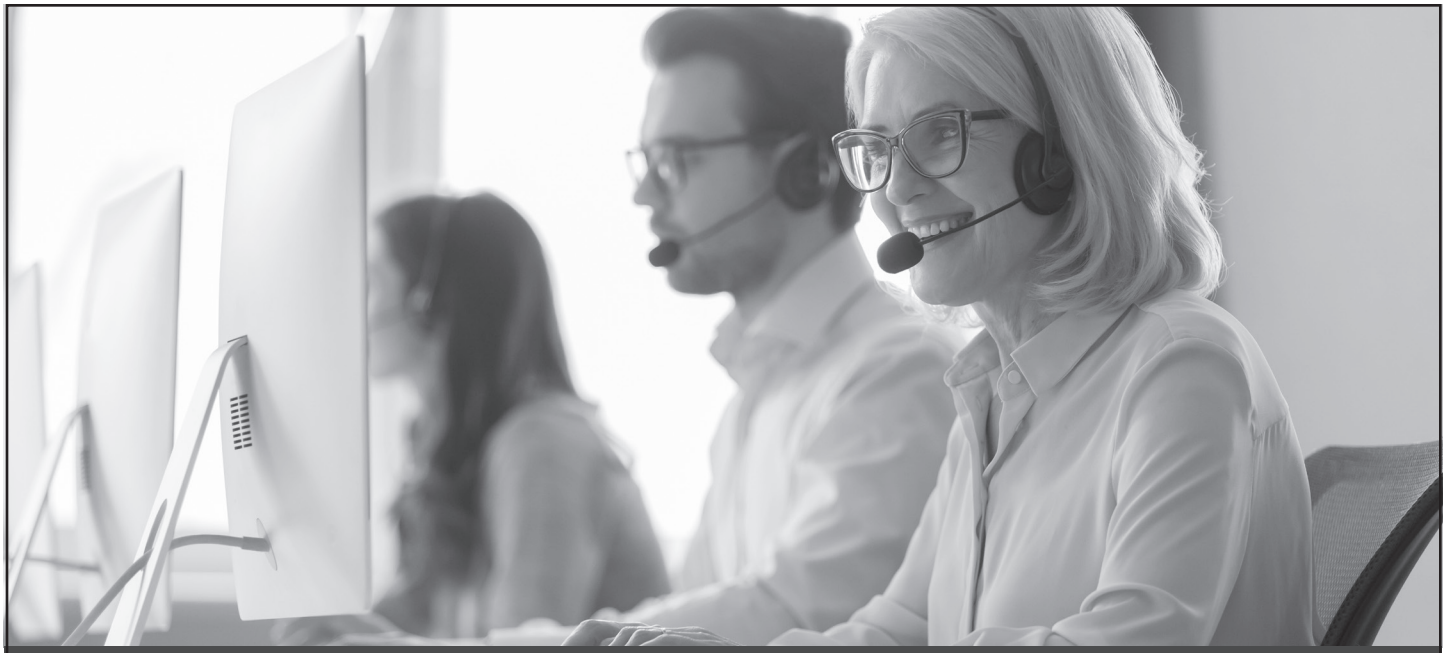
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