

## Remote Notarization: What You Need To Know

By Michael Lewis on June 27, 2018 in Remote Online Notarization, Notary News

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**Editor's note:** Amid the COVID-19 crisis, the NNA is receiving heavy call volume from Notaries asking about Remote Online Notarization. Please refer to this frequently updated article for guidance before calling. If you live in a state that has authorized the practice and has rules in place — or if your state has issued emergency authorization — then you may perform remote notarizations. If your state has not authorized RON — or has authorized it but has not put rules in place — then you are not authorized to perform remote notarizations. However, if you have a signer requesting it refer them to one of the numerous companies that are set to perform them. (see list below).



As more states pass laws authorizing remote online notarizations, the practice continues to raise questions among Notaries and signers alike. What is remote notarization? Where can it be performed? Who can request it? Can I perform it? What technology is needed?

### COVID-19 UPDATE, 3-25-20:

In response to the ongoing COVID-19 health emergency, a number of states have issued emergency measures allowing Notaries to perform remote online notarizations during the crisis. For full information and updates, see "States Take Emergency Action On Remote Notarization And Signers' ID."

Here are answers to the most common questions.

### What is remote notarization?

With remote notarization, a signer personally appears before the Notary at the time of the notarization using audio-visual technology over the internet instead of being physically present in the same room. Remote online notarization is also called webcam notarization, online notarization or virtual notarization.

### Is remote notarization the same as electronic notarization?

Many people confuse electronic notarization with remote notarization, believing they are the same. They are not.

Electronic notarization, or eNotarization, involves documents that are notarized in electronic form, and the Notary and document signer sign with an electronic signature. But all other elements of a traditional, paper notarization apply to electronic notarization, including the requirement for the signer to physically appear before the Notary.

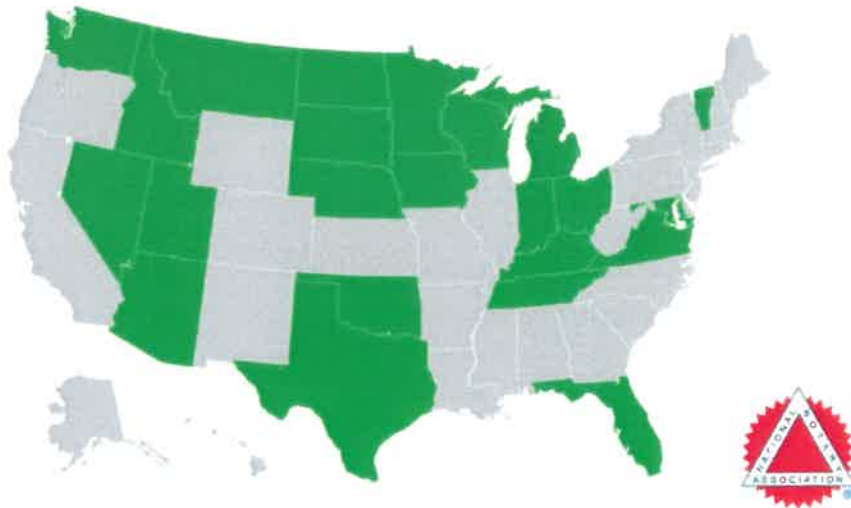
The confusion arises from the fact that Webcam notarizations typically involve digital documents that are signed and notarized electronically. However they go a step further in that the transaction is conducted online rather than in person.

### What states allow remote notarization?

Currently, 23 states have passed remote notarization laws. Out of those states, 17 have laws that are in effect as of January 1, 2020. Currently 14 of these states have fully implemented their remote notarization procedures, meaning the law has taken effect and Notaries are currently authorized to perform remote online notarizations in those states.

Also, due to the COVID-19 pandemic, several states that have not fully implemented RON or with pending legislation have issued special orders authorizing Notaries to perform remote notarizations early due to the emergency (See below).

## States With Laws Allowing Remote Notarization



**Virginia**, fully implemented

**Texas**, fully implemented (Additional emergency ID rules for Notaries currently in place, see "COVID-19 UPDATE" above)

**Nevada**, fully implemented

**Minnesota**, fully implemented

**Montana**, fully implemented

**Ohio**, fully implemented

**Tennessee**, fully implemented

**Florida**, fully implemented (Additional COVID-19 emergency rules in place, see "COVID-19 UPDATE" above)

**Idaho**, fully implemented

**Kentucky**, fully implemented

**Oklahoma**, fully implemented

**Michigan**, fully implemented

**Utah**, accepting applications to perform remote notarizations, according to the Lt. Governor's website

**South Dakota**, fully implemented but with limitations (see below)

**North Dakota**, fully implemented (see below for more details)

**Indiana**, pending full implementation

**Vermont**, pending full implementation (Currently permitting RON under special emergency rules)

Effective October 1, 2019, Montana Notaries are permitted to perform remote notarizations for signers outside the state.

Indiana and Vermont's online notarization laws took effect July 1, 2019. However, these states may require additional time to implement remote notarization rules and technology. Notaries interested in performing remote notarizations in these states should contact their state Notary regulating agency for information when remote notarization procedures and services will be made fully available.

South Dakota currently limits remote notarizations to paper documents only and signers for remote notarizations may only be identified through the Notary's personal knowledge.

North Dakota's webcam notarization law took effect August 1, 2019. North Dakota issued guidance for remote notarization in March 2020.

## Will other states permit remote notarizations in the near future?

States that have enacted remote notarization laws that have not taken effect yet include:

- **Wisconsin**, effective May 1, 2020 (Currently permitting RON early under special emergency rules, see "COVID-19 UPDATE" above)
- **Arizona**, effective July 1, 2020 (Currently permitting RON early under special emergency rules)
- **Iowa**, effective July 1, 2020
- **Maryland**, effective October 1, 2020 (Currently permitting RON early under special emergency rules)
- **Nebraska**, effective July 1, 2020 (Currently permitting RON early under special emergency rules)
- **Washington**, effective October 1, 2020 (Currently permitting RON early under special emergency rules)

## How do I prepare for remote notarization?

If you live in a state that has authorized remote notarization, simply follow the requirements of that state.

To find out what your state requires, visit your Secretary of State's website or check the NNA's Notary Law database for details of each of the laws mentioned above. The NNA also will continue to publish information as the states put their remote notarization programs into effect.

## What kind of technology will I need to perform remote notarizations?

Each state that authorizes remote notarizations may establish its own technology standards and requirements.

There are a number of technology companies that offer end-to-end remote notarization systems. They include:

- DocVerify
- Notarize
- NotaryCam
- Pavaso
- Safedocs
- SIGNiX

In practical terms, signing up with one or more of these companies will provide most online Notaries with the technology they need.

## What training do I need to perform remote notarizations?

Currently Florida, Nevada and Ohio have training requirements for prospective online Notaries.

To learn how to use remote notarization technology, each online notarization company will provide training for their respective systems.

## Will being a remote Notary increase my market value?

If you are a mobile Notary, adding services to your business offerings may increase your value, but it depends on the market and customers you serve.

## How will clients know I am a remote Notary?

Some remote notarization system companies market their services directly to the public, so you don't have to. A couple of the companies also have apps in the Apple App Store and on Google Play. A person who needs to have a document remotely notarized downloads the app, pays the fee and is connected to a remote Notary who can help them.

In these cases, companies function like signing services. Customers come to them for a notarization, and they schedule a remote Notary through their system. Typically, when you sign up, they will ask you when you are available to perform remote notarizations. You'll be paid a portion of the maximum fee for the remote notarization that the company collects from the signer through the app.

If you use a technology company that doesn't market directly to the public, you will need to market yourself to potential clients just like you do today for paper notarizations.

## Can I list that I perform remote notarizations on my SigningAgent.com profile?

Yes. Every profile has an "Additional Information" section where you can put other qualifications and services. Go ahead and list it there.

*Michael Lewis is Managing Editor of member publications for the National Notary Association.*

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