Pennsylvania On-Line Messenger Association
228 E. Main St.
Monongahela, PA 15063

September 15, 2026

Aaron Holland
Assistant Counsel
Office of Chief Counsel | Department of State
Governor's Office of General Counsel
401 North Street, Room 306
Harrisburg, PA 17120-0102

RE: Rulemaking #16-66 - Notary Public Fee Schedule

Dear Mr. Holland:

On behalf of the Pennsylvania On-Line Messenger Association (PAOLMA), we support increasing the maximum fees for notarial acts under the Department of State's proposed amendments to 4 Pa. Code § 167.3. However, we request revisions to Rulemaking #16-66 to preserve businesses' ability to establish reasonable charges for separate clerical, administrative, and other non-notarial services.

PAOLMA represents On-Line Messenger and title and tag businesses throughout the Commonwealth. Notarial services are an important part of many motor vehicle transactions handled by our members, and our businesses routinely provide these services to Pennsylvania consumers in conjunction with PennDOT-authorized transactions.

PAOLMA supports the Department's proposal to modernize the maximum fees permitted for notarial acts. The proposed increases - including raising the maximum fee for an initial acknowledgment, oath or affirmation, verification on oath or affirmation, witnessing or attesting a signature, and certifying or attesting a copy from $5 to $10 - better reflect the time, responsibility, compliance obligations, and operating costs associated with providing professional notarial services.

PAOLMA also respectfully requests that the final regulation include a mechanism for periodic adjustments to the maximum notarial fees based on inflation. We suggest that the maximum fees be reviewed and adjusted every two years based on changes in the Consumer Price Index (CPI), or a similar objective inflationary measure. An automatic adjustment mechanism would help ensure that permitted fees remain reasonably aligned with increases in wages, compliance costs, and other operating expenses, while reducing the need for lengthy future rulemaking proceedings simply to update the fee schedule.

PAOLMA opposes the proposed caps on ancillary business charges, including the $0.50 per-page copy fee and travel limited to the IRS standard mileage rate. Our position is that this fee schedule should regulate the notarial act itself. Separate business services should remain subject to reasonable, market-based pricing, advance disclosure, and itemization, consistent with other applicable law. Providing a notarial service should not subject a business's other services to general price controls.

The Department's published guidance currently recognizes clerical and administrative charges for copying, postage, travel, and telephone calls as fees that the Department does not set, provided they are customary and reasonable for the geographic area and service rendered. We ask the Department

to preserve that approach and explain the statutory authority and policy justification for imposing the proposed additional limits.

The proposed travel limit is particularly concerning. A mileage allowance does not compensate a business for employee wages, payroll costs, travel time, waiting time, or the loss of staff availability at its office. Limiting the entire travel charge to the IRS mileage rate could make mobile services uneconomical. We request that businesses remain free to establish reasonable, separately disclosed travel and service charges. If a mileage cap is retained, the rule should expressly permit separate compensation for employee time and other reasonable costs, such as tolls and parking.

The proposed $0.50 copy fee also requires clarification. One member business already charges $0.50 per page for standard black-and-white copies; the concern is the scope of the restriction, not simply that amount. Would the same maximum apply to higher-cost color copies? Would scanning documents and emailing them to a customer or third party, or transmitting documents by fax, be treated as a ‘copy’? The Department should distinguish ordinary photocopying from these separate services and from the notarial act of certifying or attesting a copy.

Our preferred approach is to remove the ancillary fee caps. If the Department retains a copy limit, it should narrowly define the service covered and expressly clarify the treatment of color copying, scanning, electronic delivery, and faxing. Any retained restriction should state precisely which charge it governs.

PAOLMA supports advance disclosure and itemized receipts that clearly distinguish the notarial fee from separate service charges. These safeguards allow customers to understand and evaluate the total cost. Separate charges must reflect services provided and must not be used to disguise an excessive notarial fee.

We therefore support the proposed increases in fees for notarial acts, but cannot support the ancillary fee provisions as drafted. We respectfully request revisions that preserve reasonable business pricing while maintaining clear disclosure and consumer protections. Thank you for considering our comments; we welcome further dialogue as this rulemaking moves forward.

Respectfully submitted,

John T. Yurconic
Co-Chairperson | Pennsylvania On-Line Messenger Association
610-657-6315 | jtyurconic@yurconic.com