

REMOTE ONLINE NOTARIZATION (RON) IN PENNSYLVANIA

Presented to the

Pennsylvania On-Line Messenger Association

Harrisburg, PA

October 4, 2022

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Remote Online Notarization in PA

- Established by creating a new Section 306.1 in the Revised Uniform Law on Notarial Acts (RULONA)
- The personal appearance requirement may be satisfied by appearing before the notary by means of communication technology
- Satisfactory evidence of identity requires at least two different types of identity proofing processes or services
- The notary can continue to use personal knowledge or a credible witness to identify the customer

Electronic Signatures

- A signature signifies intent – By signing, the customer indicates the intent to abide by or comply with the terms of the record
- An electronic signature is a “sound, symbol or process” attached to or logically associated with a record
 - A “wet” signature is written on (attached to) a piece of paper
 - An electronic signature is incorporated into the electronic record
 - A signature on a signing pad
 - A sequence of keystrokes
 - A software-encrypted “signature”
 - Tamper-evident

WARNING:

PennDOT does not accept forms signed and notarized electronically at this time

A power of attorney may be executed electronically but cannot be submitted electronically

To Become a RON Notary

- You must have a current Pennsylvania notary public commission
- You must apply to the Department of State for designation as a RON notary
 - There are no additional state fees to become a RON notary
- You must choose one or more state-approved vendors of RON platforms
- You must notify the Department of State of the vendor(s) you choose
- You work with the vendor(s) to set up the technology and learn to use it

Requirements of a RON Transaction

- You must be located within Pennsylvania; the customer may be anywhere in the world
- Real-time audio-visual interaction with the customer on an approved platform
 - Cannot use Zoom, Teams, conference call, Facetime
- The notary certificate must indicate that the notarial act was performed by means of communication technology
 - "This notarial act involved the use of communication technology."
- Transaction must be recorded and stored for ten (10) years
 - Generally, the vendor provides storage for recordings
- You must keep a notary journal of all RON transactions
 - You may keep separate paper and electronic journals
 - Generally, the vendor provides an electronic journal

Identity Proofing Processes

- Personal knowledge
- Credible witness – must participate in the recorded transaction
- Satisfactory evidence – PennDOT's acceptable forms of identification*
 - Driver's license or photo identification card
 - Non-photo driver's license or identification card
 - Military identification card
- Satisfactory evidence – Technology vendor's identity proofing process
 - At least two forms of identity proofing
 - Knowledge-based authentication (KBA)
 - Showing evidence of identity on screen

* [https://www.dot.state.pa.us/public/dvspubsforms/BMV/BMV Fact Sheets/fs-idproof.pdf](https://www.dot.state.pa.us/public/dvspubsforms/BMV/BMV%20Fact%20Sheets/fs-idproof.pdf)

Choosing a RON Technology Vendor

- **Examine your business needs** – What is your intended market? Who are your customers? What types of notarizations do they need? How will you get a return on your investment?
- **Choose 3-5 vendors** – Call and talk to their representatives to see if their products fit your business needs. Ask for references.*
- **Ask for in-depth demos** – Have the vendors show you their products in action. Learn how the products work. List the pros and cons of each.
- **Examine the actual costs** – Look at each vendor's pricing, the investment you will need to make in equipment, training, facilities, and personnel, and the likely benefit to your business.

* <https://www.dos.pa.gov/OtherServices/Notaries/E-Notary/Documents/Approved%20E-Notary%20and%20RON%20Vendor%20List.pdf>

Costs of Choosing a RON Vendor

- Start with the vendor's estimate of your actual costs
- Do your own analysis of your actual costs, including:
 - Platform license; audio-visual equipment; staffing/training
 - Start-up fees; transaction fees; a la carte pricing for more options
 - Payment plan: tokens; credits; sessions; monthly or per transaction
 - Payments to third-party providers, such as ID verification providers
 - Upgraded technical support; platform upgrades
 - Hidden costs: failed KBA/ID verification; more recording time
- Multiply by the number of platforms, if you use more than one

Questions?

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