

1 18 NCAC 07B .0404 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07B .0404 ELECTRONIC NOTARY PUBLIC REGISTRATION FORM**

4 An electronic notary public applicant registration form includes:

- 5 (1) the name on the applicant's commission;
- 6 (2) the applicant's commission number;
- 7 (3) whether the applicant has any changes to report under G.S. 10B-50, G.S. 10B-51, G.S. 10B-52, G.S.
8 10B-53, G.S. 10B-54, 18 NCAC 07F .0403, 18 NCAC 07F .1106, 18 NCAC 07F .1109, or 18 NCAC
9 07F .1110;
- 10 (4) for reapplications, a statement with regard to technology providers that:
 - 11 (a) the notary will continue to use:
 - 12 (i) the electronic notarization system of the technology provider for which the notary
13 has previously provided notice; and
 - 14 (ii) the custodian for the electronic journal for which the notary has previously
15 provided notice;
 - 16 (b) the names of the technology provider that the notary will now use; or
 - 17 (c) at this time, the notary does not have a technology provider;
- 18 (5) the signature of the electronic notary applicant; and
- 19 (6) the date on which the applicant signs the form.

20

21 *History Note: Authority G.S. 10B-4; 10B-106; 10B-134.21;*

22 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07B .0405 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07B .0405 FORM NOTIFYING DEPARTMENT OF SELECTION OF TECHNOLOGY**
4 **PROVIDERS BY ELECTRONIC NOTARIES**

5 The form notifying the Department of the selection of technology providers by an electronic notary public includes:

- 6 (1) the name on the notary's commission;
- 7 (2) the notary's commission number;
- 8 (3) the name of the technology providers selected by the notary to provide:
 - 9 (a) electronic signatures;
 - 10 (b) electronic seals; and
 - 11 (c) electronic journals;
- 12 (4) the name of the custodian selected by the notary to provide custodial services for electronic journals;
- 13 (5) for an electronic notary who plans to perform remote electronic notarial acts, the names of the
14 technology providers selected by the notary to provide platform services;
- 15 (6) the anticipated dates on which the notary will begin using the technology providers;
- 16 (7) the signature of the notary; and
- 17 (8) the date on which the notary signs the form.

18

19 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125; 10B-126; 10B-127; 10B-134.15; 10B-134.21; 10B-*
20 *134.23;*
21 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07B .0406 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07B .0406 NOTICE TO DEPARTMENT OF CHANGE BY ELECTRONIC NOTARY IN**
4 **TECHNOLOGY PROVIDER**

5 The notice to the Department of change by an electronic notary in technology provider form includes:

6 (1) the name of the technology provider that the electronic notary previously notified the Department
7 the notary would use;

8 (2) the type of service the technology provider previously provided to the notary;

9 (3) the date on which the notary stopped or will stop using the technology provider to perform electronic
10 notarizations;

11 (4) the name of the technology provider that the notary will now use;

12 (5) the date on which the notary anticipates beginning to use the new technology provider;

13 (6) the signature of the notary; and

14 (7) the date on which the notary signs the form.

15

16 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125; 10B-126; 10B-134.21;*

17 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0303 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0303 ELECTRONIC NOTARY COURSE**

4 Before performing a remote electronic notarization, electronic notaries public registered prior to July 1, 2024, shall
5 either:

- 6 (1) successfully complete a remote electronic notarization course module; or
- 7 (2) successfully complete an electronic notary class including training on remote electronic
8 notarization.

9

10 *History Note: Authority G.S. 10B-4; 10B-14; 10B-125; 10B-126; 10B-134.21;*

11 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0401 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0401 SUBMISSION**

4 The electronic notary applicant shall electronically submit the electronic notary registration form, described at 18
5 NCAC 07B .0404.

6

7 *History Note: Authority G.S. 10B-4; 10B-106;*

8 *Eff. January 1, 2007;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
10 *6, 2016;*

11 *Transferred from 18 NCAC 07C .0201(b) Eff. June 1, 2023;*

12 *Amended Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0503 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0503 NOTICE OF DEPARTMENT'S ACTIONS FOR QUALIFIED ELECTRONIC**
4 **NOTARY APPLICANTS**

5 The Department shall notify the notary public that the notary is qualified by electronically issuing an electronic notary
6 registration certificate to the electronic notary public.

7

8 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125; 10B-126; 10B-134.21;*

9 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0505 - .0508 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0505 OATHS TIMING**

4 **18 NCAC 07F .0506 EVIDENCE OF IDENTITY**

5 **18 NCAC 07F .0507 CERTIFICATE DELIVERY**

6 **18 NCAC 07F .0508 REGISTRATION EFFECTIVE DATE**

7

8 *History Note: Authority G.S. 10B-125(b), 10B-126(d); 47-16.5; 47-16.7; 147-36; 15 USC 7002;*

9 *Eff. January 1, 2007;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
11 *6, 2016;*

12 *Transferred from 18 NCAC 07C .0202(a),(b),(c),(d) Eff. June 1, 2023;*

13 *Repealed Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0509 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0509 REGISTRATION EFFECTIVE DATE**

4 The applicant's electronic notary public registration shall be effective as of the date stated on the registration certificate.

5

6 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-134.21;*

7 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0512 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0512 CONFIRMATION OF ELECTRONIC NOTARY STATUS**

4 Upon electronic request of a technology provider, the Department shall report a notary public's status as an electronic
5 notary public registered to perform electronic and remote electronic notarizations.

6

7 *History Note: Authority G.S. 10B-4; 10B-106; 10B-134.15; 10B-134.17; 10B-134.21;*

8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0513 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0513 PERFORMING ELECTRONIC AND REMOTE ELECTRONIC NOTARIAL**
4 **ACTS**

5 A notary public shall not perform any electronic or remote electronic notarial act until:

- 6 (1) the notary has received the electronic notary registration certificate; and
7 (2) the electronic notary public has provided notice to the Department of all technology providers
8 pursuant to Rule .0601 of this Subchapter.

9

10 *History Note: Authority G.S. 10B-4; 10B-125; 10B-126; 10B-134.15; 10B-134.17; 10B-134.21;*

11 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0601 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0601 NOTICE TO DEPARTMENT OF TECHNOLOGY PROVIDER**

4 An electronic notary public shall use the form described in 18 NCAC 07B .0405 to provide notice to the Department
5 of all technology providers used:

6 (1) to affix the electronic notary's electronic signature;

7 (2) to affix the electronic notary's seal;

8 (3) as the means to create and maintain the electronic notary's electronic journal and a backup copy of
9 the journal;

10 (4) as the custodian of the electronic notary's journal; and

11 (5) as the platform that the electronic notary will use if the notary intends to perform remote notarial
12 acts.

13

14 *History Note: Authority G.S. 10B-4; 10B-125; 10B-126; 10B-127; 10B-134.15; 10B-134.17; 10B-134.21;*

15 *Eff. ~~July 1, 2024~~. March 1, 2025.*

1 18 NCAC 07F .0806 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0806 PERIMETER**

4

5 *History Note: Authority G.S. 10B-125(b); 10B-126(d); 47-16.5; 47-16.7; 147-36; 15 USC 7002;*

6 *Eff. January 1, 2007;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*

8 *6, 2016;*

9 *Transferred from 18 NCAC 07C .0402(f) Eff. June 1, 2023;*

10 *Repealed Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0807 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0807 CONTENTS OF ELECTRONIC NOTARY SEAL**

4 An electronic notary public shall ensure that the electronic notary's electronic notary seal has:

5 (1) a visible border:

6 (a) having a physical appearance of the seal that replicates the appearance of an inked seal on
7 paper;

8 (b) with the size and shape required by G.S. 10B-37(c); and

9 (c) that includes an identifier assigned by the Department to the producer of the electronic seal;
10 and

11 (2) inside its border:

12 (a) the information required by G.S. 10B-117(1), (2), and (4);

13 (b) the words:

14 (i) "State of North Carolina";

15 (ii) "North Carolina"; or

16 (iii) the abbreviation "N.C.";

17 (c) the name of the county of commission with either:

18 (i) the word "County"; or

19 (ii) the abbreviation "Co."; and

20 (d) the expiration date of the electronic notary's commission.

21

22 *History Note: Authority G.S. 10B-4; 10B-125(b); 10B-126(d);*

23 *Eff. January 1, 2007;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
25 *6, 2016;*

26 *Transferred from 18 NCAC 07C .0402(g) Eff. June 1, 2023;*

27 *Amended Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0903 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0903 FORM**

4 An electronic notary public shall use the form described in 18 NCAC 07B .0404 to apply for reregistration as an
5 electronic notary.

6

7 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125; 10B-126; 10B-134.21;*

8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .0906 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .0906 REGISTRATION**

4 Section .0500 of this Subchapter shall apply to an electronic notary applicant who is reregistered as an electronic
5 notary public.

6

7 *History Note: Authority G.S. 10B-4; 10B-125; 10B-126; 10B-134.15; 10B-134.17; 10B-134.21;*

8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .1102 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .1102 PRESENCE REQUIREMENT FOR REMOTE ELECTRONIC NOTARIZATION**

4 When an electronic notary public performs a remote electronic notarization, the remotely located principal shall appear
5 before the electronic notary at the time of notarization using communication technology.

6

7 *History Note: Authority G.S. 10B-4; 10B-125(b); 10B-126(d); 10B-134.21;*

8 *Eff. January 1, 2007;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
10 *6, 2016;*

11 *Transferred from 18 NCAC 07C .0601 Eff. June 1, 2023;*

12 *Amended Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .1106 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .1106 NOTICE OF CHANGES**

4 Within 10 business days of an electronic notary public choosing to use a different technology provider, an electronic
5 notary shall notify the Department using the form described in 18 NCAC 07B .0406.

6

7 *History Note: Authority G.S. 10B-4; 10B-106(f); 10B-125(b); 10B-126(d); 10B-134.15; 10B-134.17; 10B-134.21;*
8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .1109 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .1109 CEASING TO USE A TECHNOLOGY PROVIDER**

4 An electronic notary public shall notify the Department within 10 business days of the date on which:

5 (1) the electronic notary cancels a contract or subscription with a technology provider; or

6 (2) the electronic notary is prevented by the provider from accessing the technology provider's services.

7

8 *History Note: Authority G.S. 10B-4; 10B-106(f); 10B-125(b); 10B-126(d); 10B-127(b); 10B-134.21;*

9 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .1110 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .1110 NOTICE OF CANCELLATION BY PROVIDER**

4 An electronic notary public shall notify the Department within 10 business days if the technology provider takes
5 actions that:

6 (1) suspend or halt the provider's operations or the availability of its technology; or

7 (2) impair the ability of the electronic notary to perform notarial functions.

8

9 *History Note: Authority G.S. 10B-4; 10B-125(b); 10B-126(d); 10B-127(b); 10B-134.21;*

10 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07F .1111 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07F .1111 CONTENT OF NOTICE**

4 A notice pursuant to Rules .1109 or .1110 of this Section shall include:

5 (1) the reason for the notice; and

6 (2) any other information the electronic notary public thinks may help the Department to assess the
7 action of the provider.

8

9 *History Note:* *Authority G.S. 10B-4; 10B-125(b); 10B-126(d); 10B-127(b); 10B-134.21;*

10 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07I .0305 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07I .0305 PARTY REQUEST FOR INCLUSION OF ADDITIONAL INFORMATION IN**
4 **JOURNAL FOR REMOTE ELECTRONIC NOTARIZATION**

5 An electronic notary public shall include additional information in the journal if:

- 6 (1) the notarial act is a remote electronic notarial act;
- 7 (2) the requestor is a party involved in the transaction;
- 8 (3) the request is made before the notary commits the journal entry; and
- 9 (4) in the judgment of the electronic notary, the information is directly related to the notarial act. Note:
- 10 A loan origination number or a client number is an example of information directly related to the
- 11 notarial act.

12

13 *History Note: Authority G.S. 10B-4; 10B-38; 10B-126; 10B-134.15; 10B-134.21;*

14 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07I .0406 is amended as published in 38:18 NCR 1188-1189 as follows:

2

3 **18 NCAC 07I .0406 PRE-POPULATED DATA TO BE CONFIRMED BY NOTARY PUBLIC**

4 A notary public may enter the information listed in Rules .0302 and .0303 of this Subchapter in an electronic journal
5 by:

6 (1) reviewing each individual item of information offered as an option or by pre-population; and

7 (2) confirming that offered information is accurate by selecting:

8 (a) the offered information; or

9 (b) the accurate item from among other options offered.

10

11 *History Note: Authority G.S. 10B-4; 10B-38; 10B-126; 10B-134.15; 10B-134.21;*

12 *Eff. ~~July 1, 2024~~ March 1, 2025.*