

1 18 NCAC 07J .0101 is adopted with changes as published in 39:13 NCR 831-832 as follows:

2
3 **SUBCHAPTER 07J – ~~REQUIREMENTS FOR TECHNOLOGY TO CONDUCT ELECTRONIC~~**
4 **~~NOTARIZATION~~ TECHNOLOGY PROVIDER REQUIREMENTS**

5
6 **SECTION .0100 – GENERAL RULES**

7
8 **18 NCAC 07J .0101 DEFINITIONS**

9 For purposes of this Subchapter:

- 10 (1) "Break in service" means:
- 11 (a) the technology provider is subject to a disciplinary action by the Department that:
- 12 (i) restricts its services;
- 13 (ii) suspends its services; or
- 14 (iii) revokes its authorization;
- 15 (b) the technology provider has been denied a subsequent license or approval by the
- 16 Department;
- 17 (c) the technology provider has not submitted an application to the Department for a renewed
- 18 license or approval; or
- 19 (d) the technology provider has discontinued providing its authorized solution in North
- 20 Carolina or support for the solution for any reason.
- 21 (2) "Communication technology recording" means a data file that contains the audio, video, and written
- 22 communication that occurred during a remote notarial transaction process via the communication
- 23 technology in a platform.
- 24 (3) "Custodial notary" means an electronic notary public who designates himself or herself as a
- 25 custodian of the electronic notary's own session records pursuant to 18 NCAC 07H .0504.
- 26 (4) "Cybersecurity incident" means an occurrence defined in G.S. 143B-1320(a)(4a).
- 27 (5) "Depository" means a storage services solution for electronic journal entries and communication
- 28 technology recordings, if applicable, that is offered by an IPEN solution provider or a platform
- 29 provider.
- 30 (6) "Electronic notary solution" means any of the following products or services:
- 31 (a) an IPEN solution that is:
- 32 (i) available from an existing technology provider subject to Section .1100 of this
- 33 Subchapter; or
- 34 (ii) subject to approval pursuant to Rule .1301 of this Subchapter;
- 35 (b) a platform as defined in G.S. 10B-134.1(6) and subject to approval pursuant to Rule .1501
- 36 of this Subchapter;

- (c) an identity proofing solution as defined in G.S. 10B-134.1(5) and subject to approval pursuant to Rule .1901 of this Subchapter;
- (d) a credential analysis solution as defined in G.S. 10B-134.1(3) and subject to approval pursuant to Rule .1701 of this Subchapter; and
- (e) custodial services as defined in G.S. 10B-134.1(3a) and subject to approval pursuant to Rule .2101 of this Subchapter.
- (7) "Encryption" shall have the meaning in G.S. 75-61(8).
- (8) "Existing technology providers" means IPEN solution providers approved before the effective date of these rules.
- (9) "Geolocation" means technology that identifies the location of remotely located principals connecting to a ~~platform using a GPS-enabled device with an accuracy rate of within 100 feet.~~ platform.
- (10) "Journal convenience copy" means a collection of a notary's electronic journal entries hosted by a depository in an electronic format for use by the notary as a convenience and that may be retained or deleted by the depository at the notary's discretion. The journal convenience copy is not a session record.
- (11) "Key individuals" are those individuals who are identified by a platform provider or an IPEN solution provider as meeting the criteria identified in G.S. 10B-134.19(c)(2).
- (12) "Protocols" or "Department's Scientific, Architectural, and Engineering Protocols for Technology Providers" means a document prepared by the Department and made available to the public that contains scientific, architectural, and engineering standards, forms, or procedures related to information technology for technology providers.
- (13) "Session record" means the electronic journal entries for a notarial session preserved in PDF/A format in accordance with the Department's protocols, including any embedded communication technology recording and associated metadata.
- (14) "Supporting vendor" means a person that provides an electronic service to a technology provider:
- (a) upon which the provider relies to provide the notarial service for which the provider seeks or has approval or licensure; and
- (b) that must be reported to the Department pursuant to Rule .0410 of this Subchapter.
- (15) "Transferee" means a custodian that receives a session record from a depository or a custodian.
- (16) "Transferor" means a depository or a custodian that transfers a session record to a custodian.

History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-134.21; 10B-134.23;
Eff. July 1, 2025.

1 18 NCAC 07J .0102 is adopted as published in 39:13 NCR 832 as follows:

2
3 **18 NCAC 07J .0102 TECHNOLOGY PROVIDERS LICENSED OR APPROVED**

4 Only authorized technology providers may offer electronic notary solutions to any North Carolina notary public.

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6 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
7 134.21; 10B-134.23;
8 Eff. July 1, 2025.

1 18 NCAC 07J .0103 is adopted as published in 39:13 NCR 832 as follows:

2
3 **18 NCAC 07J .0103 MULTIPLE SERVICES**

4 A technology provider that seeks or has authorization for a product or service that offers one or more types of electronic
5 notary solution shall comply with the rules in this Subchapter applicable to each solution.

6 Note: An IPEN solution that includes credential analysis and identity proofing services is an example of a solution to
7 which this rule applies.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0104 is adopted as published in 39:13 NCR 832 as follows:

2
3 **18 NCAC 07J .0104 NO TRANSFER OF LICENSE OR APPROVAL**

4 A technology provider shall not assign, transfer, or sell its authorization to offer an electronic notary solution in North
5 Carolina.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0105 is adopted as published in 39:13 NCR 832-833 as follows:

2
3 **18 NCAC 07J .0105 PERMISSIBLE PROVIDER DESIGNATIONS**

4 An authorized technology provider may use the applicable following designations for its authorized electronic notary
5 solutions only during the period that each approval or license is effective:

6 (1) "approved North Carolina in-person electronic notary solution" or "approved North Carolina IPEN
7 solution";

8 (2) "licensed North Carolina electronic notary platform";

9 (3) "approved North Carolina identity proofing solution";

10 (4) "approved North Carolina credential analysis solution"; and

11 (5) "approved North Carolina custodial services solution."

12 Note: An authorized technology provider may use "NC" or "N.C." as well as "North Carolina."

13
14 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
15 134.21; 10B-134.23;
16 Eff. July 1, 2025.

1 18 NCAC 07J .0106 is adopted as published in 39:13 NCR 833 as follows:

2
3 **18 NCAC 07J .0106 AUTHORIZATION DOES NOT MEAN ENDORSEMENT**

4 A technology provider shall not state or imply that the Department endorses the services of the technology provider.

5
6 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
7 134.21; 10B-134.23;
8 Eff. July 1, 2025.

1 18 NCAC 07J .0107 is adopted as published in 39:13 NCR 833 as follows:

2
3 **18 NCAC 07J .0107 TIMELY RESPONSE REQUIRED**

4 A technology provider or applicant shall respond to any inquiry from the Department in the manner and within the
5 time set by the Department. Extensions may be requested and granted pursuant to 18 NCAC 07B .0313 and .0314,
6 respectively.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0108 is adopted with changes as published in 39:13 NCR 833 as follows:

2
3 **18 NCAC 07J .0108 SUBPOENA OR WARRANT**

4 Within three business days after receiving a subpoena, warrant, or court order that is related to a notary public's
5 records, a technology provider shall notify the notary in writing of the subpoena, warrant, or court order, ~~unless~~;
6 unless:

- 7 (1) the subpoena, warrant, or court order is issued in relation to an investigation by the Department
8 pursuant to G.S. 10B-60; or
9 (2) notice is otherwise prohibited by law.

10
11 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
12 *134.21; 10B-134.23;*
13 *Eff. July 1, 2025.*

1 18 NCAC 07J .0109 is adopted as published in 39:13 NCR 833 as follows:

2
3 **18 NCAC 07J .0109 SERVICE LEVEL AGREEMENT**

4 A technology provider's service level agreement shall include:

5 (1) guaranteed uptime for the electronic notary solution; and

6 (2) terms and conditions for crediting or reimbursing a notary public for unscheduled service outages.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0110 is adopted with changes as published in 39:13 NCR 833 as follows:

2
3 ~~18 NCAC 07J .0111~~ **18 NCAC 07J .0110 ADVERTISING RESTRICTION**

4 A technology provider shall not display any of the following on screen during an electronic notarial transaction:

- 5 (1) its own logos or those of another;
- 6 (2) its own symbols or those of another;
- 7 (3) advertising for itself or others; or
- 8 (4) pre-recorded audio or video.

9 Note: Display of text from chats between transaction participants or text from a CART captioner shall not be affected
10 ~~by this rule.~~ constitute a violation of this Rule.

11
12 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
13 *134.21; 10B-134.23;*

14 *Eff. July 1, 2025.*

1 18 NCAC 07J .0111 is adopted as published in 39:13 NCR 833 as follows:

2
3 ~~18 NCAC 07J .0112~~ **18 NCAC 07J .0111** COMPLIANCE WITH TECHNOLOGY PROVIDER
4 PROTOCOLS REQUIRED

5 Technology providers shall comply with applicable provisions of the Department's Scientific, Architectural, and
6 Engineering Protocols for Technology Providers. The protocols may be accessed on the Department's website at no
7 cost.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0112 is adopted as published in 39:13 NCR 833 as follows:

2
3 ~~18 NCAC 07J .0113~~ **18 NCAC 07J .0112** IMPLEMENTATION OF POLICIES AND PLANS

4 A technology provider shall implement all plans and policies required by the rules in this Subchapter.

5
6 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
7 134.21; 10B-134.23;
8 Eff. July 1, 2025.

1 18 NCAC 07J .0113 is adopted as published in 39:13 NCR 833 as follows:

2
3 ~~18 NCAC 07J .0114~~ **18 NCAC 07J .0113** CONTINUITY OF SERVICE

4 In the event of a break in service, a technology provider shall, pursuant to Rule .0207 of this Subchapter, ensure that
5 notaries public using its authorized services:

6 (1) have continuous access to the notaries' records; and

7 (2) have assistance, if requested by a notary public, to transfer the notary's records to an approved
8 custodian.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0114 is adopted as published in 39:13 NCR 833 as follows:

2
3 ~~18 NCAC 07J .0115~~ **18 NCAC 07J .0114** WHEN PROVIDER MAY USE INFORMATION

4 Facilitating a notarial transaction and mitigating fraud are the only reasons that a technology provider or its supporting
5 vendor may use, disclose, or permit disclosure of information that has not been anonymized and that is specific to:

- 6 (1) the contents of a notarial transaction;
7 (2) a transaction participant;
8 (3) credentials of a notarial transaction participant; or
9 (4) a notarial transaction record or electronic record.

10
11 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0115 is adopted with changes as published in 39:13 NCR 834 as follows:

2
3 ~~18 NCAC 07J .0116~~ **18 NCAC 07J .0115** **WHEN PROVIDER MAY RETAIN BACKUP COPIES OF DATA**

4 A technology provider may retain backup copies of data associated with the notarial transaction process longer than
5 the retention period otherwise specified in this Subchapter only if:

- 6 (1) the backup copies of the data are retained offline;
7 (2) the provider has a backup retention policy; and
8 (3) the offline backup copies are securely deleted in accordance with the provider's backup policy.
9

10 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
11 *134.21; 10B-134.23;*
12 *Eff. July 1, 2025.*

1 18 NCAC 07J .0116 is adopted with changes as published in 39:13 NCR 834 as follows:

2
3 ~~18 NCAC 07J .0117~~ **18 NCAC 07J .0116** DATA DELETION REQUIREMENT

4 A technology provider shall securely delete data upon the finalization of the notarial session record if there is no
5 retention requirement in the rules in this Subchapter.

6
7 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0201 is amended **with changes** as published in 39:13 NCR 834 as follows:

2
3 **SECTION .0200 – ~~PROCESS FOR APPROVAL FOR AVEN TECHNOLOGY TO CONDUCT~~**
4 **ELECTRONIC NOTARIZATION NOTICES REQUIRED FROM TECHNOLOGY PROVIDERS**

5
6 **18 NCAC 07J .0201 ~~ELECTRONIC NOTARY SOLUTION PROVIDER APPLICATION NOTICE OF~~**
7 **MATERIAL CHANGE TO ELECTRONIC NOTARY SOLUTION**

8 ~~(a) Any person or entity applying to the Department for designation as an approved electronic notary solution provider~~
9 ~~must complete and submit an application to the Department for review and approval before authorizing any electronic~~
10 ~~notary seals or electronic signatures to North Carolina electronic notaries. The application shall include the following~~
11 ~~information:~~

12 ~~(1) Hardware and software specifications and requirements for the provider's electronic notarization~~
13 ~~system;~~

14 ~~(2) A description of the type(s) of technology used in the provider's electronic notarization system; and~~

15 ~~(3) A demonstration of how the technology is used to perform an electronic notarization.~~

16 ~~(b) An electronic notary solution provider may appeal the Department's rejection of the provider's application for~~
17 ~~designation as an approved electronic notary solution provider as provided under Article 3 of Chapter 150B of the~~
18 ~~General Statutes.~~

19 **(a) After authorization by the Department and before implementation, a technology provider shall notify the**
20 **Department of any material change to its authorized electronic notary solution.**

21 **(b) [Note:] For purposes of this Section, a material change is one affecting the electronic notary solution's core:**

22 **(1) functionality;**

23 **(2) security; or**

24 **(3) reliability.**

25
26 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126(d); 10B-134.15; 10B-134.17; 10B-134.19;*
27 *10B-134.21; 10B-134.23; 47 16.5; 47 16.7; 147 36; 15 USC 7002;*

28 *Eff. January 1, 2007;*

29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
30 *6, 2016;*

31 *Transferred from 18 NCAC 07C .0501 Eff. June 1, ~~2023.~~ 2023;*

32 *Amended Eff. July 1, 2025.*

1 18 NCAC 07J .0202 is adopted with changes as published in 39:13 NCR 834 as follows:

2
3 **18 NCAC 07J .0202 IMPLEMENTATION OF MATERIAL CHANGES PROHIBITED PENDING**
4 **DEPARTMENTAL APPROVAL**

5 No material change to an electronic notary solution shall be implemented and offered to a notary public until the
6 technology provider:

- 7 (1) files written notice pursuant to the rules in this Section;
8 (2) complies with Section .0500 of this Subchapter; and
9 (3) receives approval from the ~~Department.~~ Department upon its determination that the material change
10 does not adversely affect the provider's continued compliance with the standards established in the
11 rules in this Subchapter and the Protocols.

12
13 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
14 *134.21; 10B-134.23;*
15 *Eff. July 1, 2025.*

1 18 NCAC 07J .0203 is adopted as published in 39:13 NCR 834 as follows:

2
3 **18 NCAC 07J .0203 NOTICE TO DEPARTMENT OF BUSINESS INFORMATION CHANGES**

4 After authorization by the Department, a technology provider shall provide written notice to the Department:

5 (1) within five business days of changes to:

6 (a) the information required by 18 NCAC 07B .0402(2);

7 (b) the information required by 18 NCAC 07B .0402(3);

8 (c) conversion to an alternate type of business entity;

9 (d) conversion to a foreign entity;

10 (e) failure to remain active and current with the Department's Business Registration Division;

11 (f) merger with another business entity;

12 (g) filing of a bankruptcy petition; or

13 (h) a change in the technology provider's controlling ownership; and

14 (2) within 45 calendar days of changes to any other information on the provider's application for
15 authorization.

16
17 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
18 134.21; 10B-134.23;
19 Eff. July 1, 2025.

1 18 NCAC 07J .0204 is adopted as published in 39:13 NCR 834-835 as follows:

2
3 **18 NCAC 07J .0204 CONTENTS OF NOTICE OF CHANGES**

4 A technology provider's written notice pursuant to Rule .0203 of this Section shall state:

5 (1) what has changed; and

6 (2) the correct information after the change.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0205 is adopted with changes as published in 39:13 NCR 835 as follows:

2
3 **18 NCAC 07J .0205 NOTICE TO NOTARIES OF PLANNED SERVICE OUTAGES**

4 (a) A technology provider shall provide at least five calendar days' notice to its subscribers and electronic notaries
5 public that its systems will be unavailable due to planned ~~maintenance, and shall include:~~ maintenance.

6 (b) The notice required under Paragraph (a) shall include:

7 (1) the date that the service will begin to be unavailable; and

8 (2) the approximate amount of time during which the service is expected to be unavailable.

9
10 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
11 *134.21; 10B-134.23;*
12 *Eff. July 1, 2025.*

1 18 NCAC 07J .0206 is adopted as published in 39:13 NCR 835 as follows:

2
3 **18 NCAC 07J .0206 SERVICE OUTAGE NOTIFICATION TO THE DEPARTMENT**

4 As specified in the Department's authorization letter, a technology provider shall notify the Department immediately
5 of any service outage or lack of accessibility to notaries public:

6 (1) when the outage exceeds four consecutive hours; and

7 (2) when service to notaries is restored.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0207 is adopted as published in 39:13 NCR 835 as follows:

2
3 **18 NCAC 07J .0207 NOTICE TO NOTARIES OF BREAK IN SERVICE**

4 A technology provider subject to Rule .0114 of this Subchapter shall notify notaries public using its authorized services
5 within three days of the occurrence of a break in service and include:

6 (1) the reason for the break in service;

7 (2) whether the break in service is for a specific time period or is permanent;

8 (3) whether the notaries:

9 (a) can continue using the provider's authorized services:

10 (i) with limits and what the limits are; or

11 (ii) without limits; or

12 (b) cannot continue to use the provider's authorized services and, where the provider is a
13 depository or custodian:

14 (i) will have 60 days to transfer any records maintained by the provider to a
15 custodian; and

16 (ii) that the notaries may continue to access the records maintained by the provider
17 until they are transferred; and

18 (4) any actions the provider requires the notaries to take.

19
20 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
21 134.21; 10B-134.23;
22 Eff. July 1, 2025.

1 18 NCAC 07J .0208 is adopted with changes as published in 39:13 NCR 835 as follows:

2
3 **18 NCAC 07J .0208 NOTICE OF REPORTABLE INCIDENT**

4 (a) Within 72 hours of discovery of a reportable incident, a technology provider shall notify the Department.

5 (b) ~~Note:~~ For purposes of the rules in this Section of this Subchapter, a reportable incident is one that involves:

- 6 (1) a technology provider's electronic notary solution, a notary public's records, ~~a~~ an electronic notary's
7 electronic seal or signature, or a principal's records or information;
8 (2) any of the following affecting data or access:
9 ~~(a)~~ (A) unauthorized access, use, alteration, or disclosure;
10 ~~(b)~~ (B) theft;
11 ~~(c)~~ (C) loss; or
12 ~~(d)~~ (D) compromise; or
13 (3) a cybersecurity incident.
14

15 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
16 134.21; 10B-134.23;
17 *Eff. July 1, 2025.*

1 18 NCAC 07J .0209 is adopted as published in 39:13 NCR 835 as follows:

2
3 **18 NCAC 07J .0209 CONTENT OF NOTIFICATION TO DEPARTMENT**

4 Notification to the Department pursuant to Rule .0208 of this Section shall include the following information when
5 available:

6 (1) the names of the affected notaries public including their notary commission numbers;

7 (2) a description of the affected records, data, or solution;

8 (3) a copy of any law enforcement report made in connection with the incident;

9 (4) a description of how the reportable incident occurred;

10 (5) the duration of the reportable incident;

11 (6) a description of actions taken to prevent or mitigate a similar reportable incident;

12 (7) when the reportable incident occurred; and

13 (8) a point of contact for the technology provider who has knowledge of:

14 (a) the reportable incident;

15 (b) actions taken to address the reportable incident; and

16 (c) actions to be taken to address the reportable incident.

17
18 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
19 134.21; 10B-134.23;
20 Eff. July 1, 2025.

1 18 NCAC 07J .0210 is adopted as published in 39:13 NCR 835-836 as follows:

2
3 **18 NCAC 07J .0210 NOTIFICATION TO OTHER PARTIES**

4 Technology providers shall notify affected persons of a reportable incident as required by applicable law, rule, or
5 regulation. Note: The Identity Theft Protection Act, Chapter 75, Article 2A of the General Statutes is an example of
6 an applicable law.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;
10 Eff. July 1, 2025.

1 18 NCAC 07J .0211 is adopted as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0211 VERIFICATION OF CONTINUING COMPLIANCE**

4 A technology provider shall:

5 (1) annually verify its compliance with the rules in this Subchapter for each approved electronic notary
6 solution, by submitting the form in 18 NCAC 07B .0429; or

7 (2) submit notice that it will not apply again pursuant to Rule .0215 of this Subchapter.

8 Item (1) of this Rule shall not apply to licensed platforms.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0212 is adopted as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0212 TIMING OF VERIFICATION OF CONTINUING COMPLIANCE**

4 A technology provider's verification of compliance pursuant to Rule .0211 of this Section shall be submitted to the
5 Department:

6 (1) no more than 60 days before the expiration of its approval; or

7 (2) as part of its application for a subsequent approval.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0213 is adopted as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0213 DUE DILIGENCE**

4 A technology provider's verification pursuant to Rule .0211 of this Section shall be made only after the exercise of
5 due diligence to enable the signer to comply with Rule .0214 of this Section.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0214 is adopted with changes as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0214 SIGNER OF VERIFICATION**

4 A technology provider's verification pursuant to Rule .0211 of this Section shall be signed by a person with the
5 authority to bind the provider and who certifies under penalty of perjury that the information on the form is true and
6 complete ~~correct~~ to the best of the signer's knowledge and belief.

7
8 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;
10 *Eff. July 1, 2025.*

1 18 NCAC 07J .0215 is adopted as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0215 NOTICE TO DEPARTMENT THAT PROVIDER WILL NOT RENEW**

4 At least 90 days before its existing authorization expires, a technology provider shall notify the Department in writing:

5 (1) if it declines to apply for a subsequent authorization of its electronic notary solution;

6 (2) the date on which it will cease offering its electronic notary solution to North Carolina notaries
7 public; and

8 (3) that it has complied with Rule .0216 of this Section.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0216 is adopted as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0216 NOTICE TO SUBSCRIBERS AND NOTARIES OF NONRENEWAL**

4 No later than the date that a technology provider gives notice to the Department pursuant to Rule .0215 of this Section,
5 the provider shall:

6 (1) notify each subscriber and notary public account holder in writing that it will cease offering its
7 electronic notary solution to North Carolina notaries public;

8 (2) specify the date on which it will cease offering its electronic notary solution; and

9 (3) comply with the rules in this Subchapter regarding notary access to records and transfer of records
10 to a custodian.

11
12 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
13 134.21; 10B-134.23;

14 Eff. July 1, 2025.

1 18 NCAC 07J .0301 is adopted with changes as published in 39:13 NCR 836 as follows:

2
3 **SECTION .0300 – ~~RESERVED FOR FUTURE CODIFICATION~~ GENERAL APPLICATION**
4 **PROCEDURES**
5

6 **18 NCAC 07J .0301 APPLICATION PROCESS**

7 A technology provider applicant for authorization of an electronic notary solution shall:

- 8 (1) submit a complete electronic application to the Department;
9 (2) demonstrate the electronic notary solution to the Department to enable it to evaluate ~~the~~ compliance
10 with applicable laws, rules, and protocols; and
11 (3) submit the filing fee, if applicable, with the application.
12

13 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
14 *134.21; 10B-134.23;*
15 *Eff. July 1, 2025.*

1 18 NCAC 07J .0302 is adopted with changes as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0302 SEPARATE APPLICATIONS FOR EACH SOLUTION TYPE**

4 A technology provider shall complete an application designating each type of electronic notary solution for which it
5 seeks authorization.

6
7 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
8 *134.21; 10B-134.23;*
9 *Eff. July 1, 2025.*

1 18 NCAC 07J .0303 is adopted as published in 39:13 NCR 836 as follows:

2
3 **18 NCAC 07J .0303 APPLICATION FEES**

4 (a) Each application for a platform license shall be accompanied by a non-refundable five thousand dollar (\$5,000)
5 fee pursuant to G.S. 10B-134.19(b).

6 (b) No fee is required to accompany an application for any other electronic notary solution.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0304 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0304 BINDING REPRESENTATIONS IN APPLICATION**

4 All representations, promises and assurances of performance made to the Department by a technology provider during
5 the application process shall be binding and made under penalty of perjury.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0305 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0305 LIMIT ON DESIGNATION OF TRADE SECRET OR CONFIDENTIAL**
4 **INFORMATION**

5 A technology provider applicant shall not designate its entire application as:

6 (1) a trade secret; or

7 (2) confidential information.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0306 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0306 DESIGNATION OF CONFIDENTIAL OR TRADE SECRET INFORMATION**

4 A technology provider applicant shall designate each specific item on its application, attachments, and other filings
5 for which confidentiality or trade secret protection is claimed. Each designation shall comply with:

6 (1) the North Carolina Trade Secrets Protection Act, Chapter 66, Article 24 of the General Statutes; or

7 (2) the confidentiality provisions of G.S. 132-1.2.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0307 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0307 REDACTED COPY**

4 A technology provider applicant that designates information as confidential or trade secret shall submit:

5 (1) the unredacted filing with the confidential and trade secret designations; and

6 (2) an exact duplicate of the filing with redactions of the confidential and trade secret information.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-

9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0308 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0308 DESIGNATION OF REDACTED COPY**

4 For any redacted document submitted pursuant to Rule .0307 of this Section, a technology provider applicant shall
5 include the word "redacted" in:

6 (1) the document title;

7 (2) the document digital file name; and

8 (3) a header on each page.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0309 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0309 GOOD FAITH BASIS FOR CONFIDENTIAL OR TRADE SECRET**
4 **DESIGNATION**

5 If a technology provider designates items on its application as confidential or trade secret, the applicant shall certify
6 on the application that it has formed a good faith opinion that the information claimed as confidential or trade secret
7 meets the requirements for designation under the laws specified in Rule .0306 of this Section.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0310 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0310 SOURCES OF CONFIDENTIAL INFORMATION**

4 If designated as confidential or trade secret, the Department shall presume that the following plans and documents are
5 confidential information or trade secrets:

6 (1) configuration management plan required by Rule .0616 of this Subchapter;

7 (2) information technology security audit and summary required by Rules .0620 and .0621 of this
8 Subchapter;

9 (3) security plan required by Rule .0624 of this Subchapter;

10 (4) security incident response plan required by Rule .0626 of this Subchapter; and

11 (5) contingency plan required by Rule .0628 of this Subchapter.

12
13 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
14 134.21; 10B-134.23;

15 Eff. July 1, 2025.

1 18 NCAC 07J .0311 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0311 APPLICATION CHANGES PRIOR TO LICENSURE OR APPROVAL**

4 If information in a technology provider's application changes before the Department's decision on the application, the
5 provider shall inform the Department in writing, and:

6 (1) state what has changed; and

7 (2) state the correct information after the change.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0312 is adopted as published in 39:13 NCR 837 as follows:

2
3 **18 NCAC 07J .0312 APPLICATION WITHDRAWAL**

4 A technology provider applicant may withdraw its application:

5 (1) before receiving notice of the Department's decision on its application; and

6 (2) by providing written notice:

7 (a) with the effective date of the withdrawal; and

8 (b) signed by a person with the authority to bind the applicant.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0313 is adopted as published in 39:13 NCR 838 as follows:

2
3 **18 NCAC 07J .0313 APPLICATION RESUBMISSION**

4 A technology applicant may resubmit its application without a new application fee if the resubmission is delivered
5 within 45 days of:

6 (1) the application initially being rejected as incomplete; or

7 (2) the application being withdrawn.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0314 is adopted as published in 39:13 NCR 838 as follows:

2
3 **18 NCAC 07J .0314 NOTICE OF DEPARTMENT DECISION**

4 The Department shall notify a technology provider applicant whether its application is:

5 (1) rejected as incomplete, with:

6 (a) information regarding the areas in which the application is incomplete; and

7 (b) a time within which the application must be amended to include the information;

8 (2) denied, in which case the Department shall provide reasons for the denial; or

9 (3) approved.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0315 is adopted as published in 39:13 NCR 838 as follows:

2
3 **18 NCAC 07J .0315 TIMING OF SUBMISSION OF APPLICATION FOR SUBSEQUENT**
4 **AUTHORIZATION**

5 A technology provider's application for a subsequent authorization shall be submitted:

6 (1) no earlier than 120 days before its existing authorization expires; and

7 (2) no later than 90 days before its existing authorization expires.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0401 is adopted as published in 39:13 NCR 838 as follows:

2
3 **SECTION .0400 – ~~IN PERSON ELECTRONIC NOTARIZATION (AVEN) PROVIDER REQUIREMENTS~~**
4 **GENERAL APPLICATION CONTENTS**

5
6 **18 NCAC 07J .0401 CONTENTS OF ALL TECHNOLOGY PROVIDER APPLICATIONS**

7 All technology provider applicants shall submit applications that include the information required by:

8 (1) this Section; and

9 (2) 18 NCAC 07B .0422.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0402 is amended **with changes** as published in 39:13 NCR 838-839 as follows:

2
3 **18 NCAC 07J .0402 ~~CRITERIA FOR APPROVAL OF ELECTRONIC NOTARY SOLUTION~~**
4 **PROVIDERS PROVIDER NAME**

5 Each applicant and each approved electronic notary solution provider shall:

- 6 ~~(1) Provide a free and readily available viewer/reader so as to enable all parties relying on the~~
7 ~~electronically notarized record or document to view the electronic notary signature and the~~
8 ~~electronic notary seal without incurring any cost;~~
9 ~~(2) Comply with the laws, policies, and rules that govern North Carolina notaries;~~
10 ~~(3) Provide an electronic notarization system or solution that complies with the technical specifications~~
11 ~~of the rules and standards that govern electronic notarization processes and procedures in North~~
12 ~~Carolina;~~
13 ~~(4) Require such of the provider's principals or employees to take the mandatory electronic notary~~
14 ~~education course online and pass the required examination as is necessary to ensure the provider~~
15 ~~possesses sufficient familiarity with North Carolina's electronic notary laws and requirements;~~
16 ~~(5) Require notaries to present the NC Secretary of State's Electronic Notary Certificate to Perform~~
17 ~~Electronic Notary Acts prior to authorizing an electronic notary seal and signature;~~
18 ~~(6) Verify the authorization of a North Carolina notary to perform electronic notary acts by logging on~~
19 ~~to the Department's website and comparing the name, notary commission number and commission~~
20 ~~expiration date with the information on the Electronic Notary Certificate to Perform Electronic~~
21 ~~Notary Acts prior to authorizing an electronic notary seal and signature;~~
22 ~~(7) Provide prorated fees to align the usage and cost of the electronic notary system or solution with the~~
23 ~~commission term limit of the electronic notary purchasing the electronic notary seal and signature;~~
24 ~~(8) Suspend the use of any electronic notarization system or solution for any notary whose commission~~
25 ~~has been revoked or suspended by the North Carolina Secretary of State; and~~
26 ~~(9) Submit an exemplar of the electronic notary signature and the electronic notary seal to the~~
27 ~~Department for each electronic notary who subscribes to the provider's electronic notary solution.~~

28 All technology provider applications shall include:

- 29 ~~(1) the provider's name in its state or jurisdiction of [formation; formation as required by 18 NCAC~~
30 ~~07B .0402(2)(a); and~~
31 ~~(2) the names required by [18 NCAC 07B .0422(3)(e); 18 NCAC 07B .0422(3)(c) and (d).~~

32
33 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126(d); 10B-126; 10B-134.15; 10B-134.17; 10B-*
34 *134.19; 10B-134.21; 10B-134.23; 47-16.5; 47-16.7; 147-36; 15 USC 7002;*
35 *Eff. January 1, 2007;*
36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
37 *6, 2016;*

- 1 *Transferred from 18 NCAC 07C .0502 Eff. June 1, ~~2023~~, 2023;*
- 2 *Amended Eff. July 1, 2025.*

1 18 NCAC 07J .0403 is adopted with changes as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0403 CONTACT INFORMATION**

4 A technology provider's application shall include the contact information required by ~~18 NCAC 07B .0422~~, 18 NCAC
5 07B .0402.

6
7 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
8 *134.21; 10B-134.23;*
9 *Eff. July 1, 2025.*

1 18 NCAC 07J .0404 is adopted as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0404 CERTIFICATION OF STANDING**

4 A technology provider applicant shall certify in its application that it:

5 (1) is currently registered to do business in North Carolina or has a certificate of authority to do business
6 in North Carolina; and

7 (2) is in current-active status with the Department and the business registrar in the jurisdiction where
8 formed, if not North Carolina.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0405 is adopted as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0405 NOTARY SERVICES IN OTHER JURISDICTIONS**

4 A technology provider applicant's application shall provide the following information for each state, federally
5 recognized tribe, or nation in which it has offered the same or similar services within the previous 10 years:

- 6 (1) the types of service provided;
7 (2) the month and year in which the technology provider received its most recent license or approval or
8 a statement that a license or approval is not required;
9 (3) the expiration date of the most recent required license, approval, or equivalent, if any;
10 (4) whether any application for a required license, approval, or equivalent has been denied;
11 (5) whether the applicant has discontinued a service and if applicable:
12 (a) an explanation of the discontinuance of the service; and
13 (b) the month and year in which the applicant discontinued services; and
14 (6) for any open, pending, or active governmental or authorizing entity's investigations in relation to the
15 applicant's provision of services in another jurisdiction and of which the applicant is aware at the
16 time of application:
17 (a) the name of the governmental or authorizing entity; and
18 (b) a brief description of what the applicant believes is being investigated.

19
20 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
21 134.21; 10B-134.23;
22 Eff. July 1, 2025.

1 18 NCAC 07J .0406 is adopted as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0406 COMPLIANCE CONTACT**

4 A technology provider applicant shall name a compliance contact on its application who shall:

5 (1) be an employee;

6 (2) be a key individual;

7 (3) successfully complete the Department's electronic notary public course; and

8 (4) successfully complete the Department's technology provider course.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0407 is adopted as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0407 COMPLIANCE CONTACT DUTIES**

4 A technology provider's compliance contact shall, for the duration of the provider's authorization:

5 (1) have the duty to monitor the provider's compliance with:

6 (a) Chapter 10B of the General Statutes; and

7 (b) the rules in this Chapter;

8 (2) ensure that notices are provided to the Department as required by the rules in this Subchapter; and

9 (3) receive notices from the Department made pursuant to the rules in this Chapter.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;

13 Eff. July 1, 2025.

1 18 NCAC 07J .0408 is adopted as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0408 THIRD-PARTY VENDORS INCLUDED IN ELECTRONIC NOTARY SOLUTION**

4 A technology provider applicant shall list on its application any third-party vendors providing services to the
5 technology provider in connection with the electronic notary solution for which it seeks authorization.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0409 is adopted as published in 39:13 NCR 839 as follows:

2
3 **18 NCAC 07J .0409 THIRD-PARTY VENDOR INFORMATION**

4 A technology provider applicant shall provide the following information for each third-party vendor listed on its
5 application:

6 (1) the type of service that the vendor provides to the applicant; and

7 (2) which, if any, of the third-party vendors used by the solution are:

8 (a) currently approved by the Department;

9 (b) currently under consideration for approval by the Department; or

10 (c) being submitted by the applicant with its application for approval by the Department.

11
12 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
13 134.21; 10B-134.23;

14 Eff. July 1, 2025.

1 18 NCAC 07J .0410 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0410 SUPPORTING VENDORS**

4 A technology provider applicant shall list on its application any supporting vendors providing the following services
5 to the technology provider in connection with the electronic notary solution for which it seeks authorization:

6 (1) cloud services;

7 (2) geolocation services;

8 (3) communication technology;

9 (4) communication recording technology;

10 (5) electronic journal;

11 (6) digital certificate authorities; and

12 (7) electronic signature and electronic seal.

13
14 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
15 134.21; 10B-134.23;
16 Eff. July 1, 2025.

1 18 NCAC 07J .0411 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0411 SUPPORTING VENDOR INFORMATION**

4 A technology provider applicant shall specify the type of service provided by each supporting vendor listed on its
5 application.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0412 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0412 VENDORS WITH ACCESS TO NOTARIAL TRANSACTION DATA**

4 A technology provider applicant shall disclose on its application the names of all vendors, business entities, and any
5 of their affiliates that will have access to notarial transaction data when at rest.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0413 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0413 DISCLOSURE OF CERTIFICATIONS AND COMPLIANCE REPORTS**

4 A technology provider applicant shall disclose on its application each independent third-party certification, SOC 2
5 Type 2 compliance report, or equivalent pertaining to the electronic notary solution for which authorization is sought,
6 with:

7 (1) the name of the issuer of the certification, compliance report, or equivalent;

8 (2) the name or title of the certification, compliance report, or equivalent;

9 (3) the date of its issuance; and

10 (4) its expiration date, if applicable.

11 Note: FIPS validation, NSA approval, FedRAMP, ISO 27001, or HITRUST are examples of an independent third-
12 party certification or equivalent.

13
14 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
15 134.21; 10B-134.23;
16 Eff. July 1, 2025.

1 18 NCAC 07J .0414 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0414 DISCLOSURE OF DEBARMENTS**

4 A technology provider applicant shall disclose on its application if it or any of its key individuals is now or has ever
5 been the subject of a debarment by a state, federally recognized tribe, or nation, and for each:

6 (1) whether the debarment was for the applicant or a key individual, and the name of the key individual;

7 (2) the name of each government that debarred the applicant or the key individual;

8 (3) an explanation of the reason for each debarment; and

9 (4) the start and end dates of each debarment.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0415 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0415 DISCLOSURE OF VOLUNTARY EXCLUSIONS IN LIEU OF DEBARMENT**

4 A technology provider applicant shall disclose on its application:

5 (1) whether, within 10 years of its application, the applicant or any of its key individuals have agreed
6 to voluntary exclusion in lieu of debarment being taken against it or any of its key individuals by a
7 state, federally recognized tribe, or nation; and

8 (2) for each disclosed voluntary exclusion of the applicant or its key individuals:

9 (a) the name of the person for whom any voluntary exclusion was agreed to;

10 (b) the name of each governmental entity for which the applicant or the key individual agreed
11 to voluntary exclusion in lieu of debarment;

12 (c) an explanation of the reason for each voluntary exclusion; and

13 (d) the start and end dates of each voluntary exclusion.

14
15 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
16 134.21; 10B-134.23;
17 Eff. July 1, 2025.

1 18 NCAC 07J .0416 is adopted as published in 39:13 NCR 840 as follows:

2
3 **18 NCAC 07J .0416 DISCLOSURE OF CIVIL LEGAL ACTIONS**

4 A technology provider applicant shall disclose on its application all findings in civil legal actions, including arbitration:

5 (1) made within 10 years of its application date;

6 (2) that are against the applicant or any of its key individuals for:

7 (a) activity involving dishonesty, untruthfulness, deceit, fraud, false dealing, cheating,
8 stealing, or insider trading;

9 (b) mishandling or misuse of customer data; or

10 (c) failure of the platform to perform as warranted.

11
12 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
13 134.21; 10B-134.23;

14 Eff. July 1, 2025.

1 18 NCAC 07J .0417 is adopted as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0417 CONTENT OF CIVIL LEGAL ACTION DISCLOSURES**

4 A technology provider's application disclosure pursuant to Rule .0416 of this Section shall include:

- 5 (1) a description of each finding or admission;
6 (2) a copy of the document containing the finding or admission;
7 (3) a brief description of the circumstances surrounding the finding or admission;
8 (4) if not included in the document in Item (2) of this Rule:
9 (a) the date on which the finding or admission was made;
10 (b) the court in which the civil lawsuit was filed; and
11 (c) the case name and docket number; and
12 (5) any additional information that the applicant wishes the Department to consider.

13
14 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
15 134.21; 10B-134.23;
16 Eff. July 1, 2025.

1 18 NCAC 07J .0418 is adopted as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0418 DISCLOSURE OF DISCIPLINARY ACTIONS**

4 A technology provider shall disclose on its application any disciplinary actions:

5 (1) taken against it or any of its key individuals by any state, federally recognized tribe, or nation's
6 government; and

7 (2) concluded within 10 years of the application date.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0419 is adopted as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0419 CONTENT OF DISCIPLINARY ACTION DISCLOSURES**

4 For each disciplinary action listed pursuant to Rule .0418 of this Section, a technology provider shall disclose:

5 (1) the date of each disciplinary action;

6 (2) the disciplinary action taken;

7 (3) a copy of each disciplinary action;

8 (4) if not included in the copy of the disciplinary action provided:

9 (a) the reason given for the disciplinary action;

10 (b) an explanation of the circumstances that led to the disciplinary action; and

11 (c) the name of the issuing entity;

12 (5) where the disciplinary action included any corrective action or conditions:

13 (a) whether the applicant or key individual has complied with the corrective actions or
14 conditions; and

15 (b) the date on which compliance with the corrective actions or conditions was satisfied;

16 (6) whether the applicant or key individual would be eligible for relicensure or recommissioning; and

17 (7) other information that the applicant wishes to include in order to aid the Department in assessing
18 the application.

19
20 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
21 134.21; 10B-134.23;

22 Eff. July 1, 2025.

1 18 NCAC 07J .0420 is adopted as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0420 DISCLOSURE OF BANKRUPTCY**

4 A technology provider applicant shall disclose on its application whether the applicant is in, or has previously exited
5 within the past 10 years, bankruptcy proceedings pursuant to the laws of the United States or other nation.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0421 is adopted as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0421 CONTENTS OF BANKRUPTCY DISCLOSURE**

4 A technology provider applicant that discloses a bankruptcy pursuant to Rule .0420 of this Section shall state:

5 (1) the status of the matter;

6 (2) the style of the case, including the case number; and

7 (3) the court in which the bankruptcy was filed.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0422 is adopted as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0422 WEBSITE INFORMATION**

4 The application of a technology provider applicant shall include:

5 (1) the single URL link required by Rule .0607 of this Subchapter; and

6 (2) the form required by 18 NCAC 07B .0422(6).

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0423 is adopted with changes as published in 39:13 NCR 841 as follows:

2
3 **18 NCAC 07J .0423 IT SECURITY AUDIT SUMMARY**

4 The application of a technology provider applicant shall ~~include~~; include:

- 5 (1) how often the applicant conducts IT security audits; and
6 (2) the IT security audit summary required by Rule .0621 of this Subchapter.

7
8 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
9 *134.21; 10B-134.23;*
10 *Eff. July 1, 2025.*

1 18 NCAC 07J .0501 is adopted as published in 39:13 NCR 841-842 as follows:

2
3 **SECTION .0500 – ~~RESERVED FOR FUTURE CODIFICATION~~ TECHNOLOGY DEMONSTRATION**

4
5 **18 NCAC 07J .0501 SOLUTION AVAILABILITY REQUIRED**

6 After submitting its application, a technology provider applicant shall make its electronic notary solution available to
7 the Department for evaluation as specified in the rules in this Subchapter.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0502 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0502 DEMONSTRATION CONTENT**

4 A technology provider's demonstration of its electronic notary solution shall establish that the features, functionality,
5 and instructional materials for users comply with the rules in this Subchapter.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0503 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0503 DEMONSTRATION TO INCLUDE USE OF SOLUTION IN NOTARIAL**
4 **TRANSACTION**

5 A technology provider's demonstration of its electronic notary solution shall include a step-by-step exhibition of how
6 the electronic notary solution will be used for notarial transactions.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0504 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0504 ADDITIONAL DEMONSTRATIONS**

4 Upon request by the Department, a technology provider applicant shall provide additional demonstrations of its
5 electronic notary solution to establish:

6 (1) resolution of issues identified in a prior demonstration; and

7 (2) compliance with the rules in this Subchapter.

8
9 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 *134.21; 10B-134.23;*

11 *Eff. July 1, 2025.*

1 18 NCAC 07J .0505 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0505 WAIVER OF DEMONSTRATION REQUIREMENT**

4 The Department may waive the requirement that a technology provider applicant provide the demonstration required
5 by Rule .0501 of this Section based upon the factors in 18 NCAC 07B .0108.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0601 is amended as published in 39:13 NCR 842 as follows:

2
3 **SECTION .0600 – CONTINUING OBLIGATIONS OF ELECTRONIC NOTARIZATION TECHNOLOGY**
4 **PROVIDERS TECHNOLOGY PROVIDER STANDARDS**

5
6 **18 NCAC 07J .0601 ELECTRONIC NOTARY SOLUTION PROVIDER CHANGES SCOPE**

7 ~~(a) An electronic notary solution provider shall notify the Department within 45 days of changes, modifications or~~
8 ~~updates to information previously submitted to the Department.~~

9 ~~(b) An approved electronic notary solution provider shall obtain approval of the Department pursuant to the Act and~~
10 ~~this Subchapter before making available to North Carolina electronic notaries any updates or subsequent versions of~~
11 ~~the provider's electronic notarization system. The rules in this Section apply to electronic notary solutions.~~

12
13 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); ~~10B-126(d); 10-126; 10B-134.15; 10B-134.17; 10B-~~*
14 *134.19; 10B-134.21; 10B-134.23; 47-16.5; 47-16.7; 147-36; 15 USC 7002;*

15 *Eff. January 1, 2007;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016;*

18 *Transferred from 18 NCAC 07C .0503 Eff. June 1, ~~2023;~~ 2023;*

19 *Amended Eff. July 1, 2025.*

1 18 NCAC 07J .0602 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0602 NOTARY ACCOUNT ACCESS**

4 A technology provider shall ensure that only the notary public, the technology provider, or a person authorized by law
5 can access the notary's:

6 (1) account information;

7 (2) journals;

8 (3) communication technology recordings;

9 (4) session records; or

10 (5) metadata associated with the notarial transaction.

11
12 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-

13 134.21; 10B-134.23;

14 Eff. July 1, 2025.

1 18 NCAC 07J .0603 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0603 REQUIRE NOTARY MULTI-FACTOR AUTHENTICATION**

4 A technology provider shall require multi-factor authentication before a notary public may access the notary's account.

5
6 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
7 134.21; 10B-134.23;
8 Eff. July 1, 2025.

1 18 NCAC 07J .0604 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0604 INACTIVITY WARNING TIMING**

4 A technology provider's electronic notary solution shall issue a warning on screen to a notary public:

5 (1) _____ who is logged into the notary's account; and

6 (2) _____ has been inactive longer than 15 minutes.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0605 is adopted as published in 39:13 NCR 842 as follows:

2
3 **18 NCAC 07J .0605 PROVIDER ACTION AFTER WARNING**

4 No more than five minutes after the on screen warning in Rule .0604 of this Section, a technology provider's electronic
5 notary solution shall:

6 (1) determine whether there has been activity by the notary public in that five minutes; and

7 (2) log the notary out if there has been no activity.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0606 is adopted as published in 39:13 NCR 842-843 as follows:

2
3 **18 NCAC 07J .0606 TECHNOLOGY PROVIDER WEB PAGE**

4 A technology provider shall create a publicly accessible web page or pages containing the information required by
5 Rule .0607 of this Section.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0607 is adopted with changes as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0607 SINGLE LINK AND SUBMISSION TO DEPARTMENT**

4 A technology provider shall ensure that the ~~primary~~ website page or pages required by Rule .0606 of this Section and
5 website content required by Rule .0608 of this Section ~~is~~ are accessible through a single link provided to the
6 Department:

- 7 (1) for inclusion on the Department's authorized technology provider web page; and
8 (2) with any sub-pages directly accessible through the single linked page.
9

10 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
11 *134.21; 10B-134.23;*
12 *Eff. July 1, 2025.*

1 18 NCAC 07J .0608 is adopted with changes as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0608 WEBSITE CONTENT**

4 A technology provider's website shall include the following content in the order set out in this Rule:

- 5 (1) the provider's name;
- 6 (2) the provider's contact information, including:
- 7 (a) a general telephone number;
- 8 (b) a sales number, if different; and
- 9 (c) a support or help desk number;
- 10 (3) the types of authorized electronic notary solution offered and each product name;
- 11 (4) if applicable, a notice that North Carolina notaries may use only electronic notary solutions
- 12 authorized by the Department;
- 13 (5) a product description, including the functions offered;
- 14 (6) service sectors served by the products described;
- 15 (7) the minimum technical specifications for use of the electronic notary solution by:
- 16 (a) a notary public;
- 17 (b) a principal; and
- 18 (c) other participants in an electronic notarial transaction;
- 19 (8) a direct link to the service level agreement required by Rule .0109 of this Subchapter;
- 20 (9) either the disclosures required by the following rules in this Subchapter or a link to ~~them~~ those
- 21 disclosures:
- 22 (a) Rule .1208;
- 23 (b) Rule .1427;
- 24 (c) ~~Rule .1611~~; Rule .1613
- 25 (d) Rule .1812; and
- 26 (e) Rule .2021;
- 27 (10) either the instructions for use and demonstrations or tutorials or links to them; and
- 28 (11) other information that the provider wishes to provide, such as pricing.
- 29

30 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*

31 *134.21; 10B-134.23;*

32 *Eff. July 1, 2025.*

1 18 NCAC 07J .0609 is adopted as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0609 UPDATING SINGLE LINK URL**

4 A technology provider shall notify the Department within five business days of a change in the URL of the information
5 required by Rule .0606 of this Section.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0610 is adopted with changes as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0610 ENCRYPTION OF DATA**

4 A technology provider shall securely encrypt data while it is at rest and ~~while it is~~ in transit.

5
6 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
7 *134.21; 10B-134.23;*
8 *Eff. July 1, 2025.*

1 18 NCAC 07J .0611 is adopted as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0611 DATA STORED DOMESTICALLY**

4 A technology provider shall:

5 (1) store all data associated with the notarial transaction process in the United States while the data is
6 at rest; and

7 (2) certify compliance with Item (1) of this Rule:

8 (a) on its initial and subsequent applications; and

9 (b) on its verification of compliance pursuant to Rule .0211 of this Subchapter, if applicable.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;

13 Eff. July 1, 2025.

1 18 NCAC 07J .0612 is adopted as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0612 DATA STORAGE FACILITY REQUIREMENTS**

4 A technology provider shall store all data associated with a notarial session in facilities that are:

5 (1) climate-controlled; and

6 (2) secure from unauthorized physical access.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0613 is adopted as published in 39:13 NCR 843 as follows:

2
3 **18 NCAC 07J .0613 DATA CENTER SECURITY**

4 A technology provider shall ensure that each data center it uses has physical security measures in place that include:

- 5 (1) restricting physical system access to personnel authorized by the provider to access the data center's
6 system;
7 (2) monitoring and logging physical access to the data center's information systems;
8 (3) maintaining the physical access logs for five years; and
9 (4) monitoring and responding to:
10 (a) physical intrusion alarms; and
11 (b) surveillance system observations and alerts.

12
13 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
14 134.21; 10B-134.23;
15 Eff. July 1, 2025.

1 18 NCAC 07J .0614 is adopted as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0614 CERTIFICATION RE DATA CENTER SECURITY**

4 A technology provider shall certify its compliance with Rules .0612 and .0613 of this Section on its:

5 (1) initial and subsequent applications; and

6 (2) verification of compliance pursuant to Rule .0211 of this Subchapter, if applicable.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0615 is adopted as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0615 MAINTENANCE OF SOFTWARE AND HARDWARE**

4 A technology provider's hardware, software, and firmware for systems supporting the electronic notary solution shall:

5 (1) not be classified as end-of-life by their manufacturers;

6 (2) still be eligible for vendor security patches; and

7 (3) comply with the "N-1" principle that states that all systems should be running either the newest
8 stable release or one version prior to that release.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0616 is adopted with changes as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0616 CONFIGURATION MANAGEMENT PLAN**

4 A technology provider shall maintain a configuration management plan for systems supporting the electronic notary
5 solution that addresses:

- 6 (1) maintenance of an accurate inventory of items including:
- 7 (a) software;
- 8 (b) hardware; and
- 9 (c) network components;
- 10 ~~(2) establishment of configuration settings that reflect the most restrictive mode consistent with its~~
- 11 ~~operational requirements;~~
- 12 (2) implementation of configuration settings which represent the most restrictive security settings
- 13 compatible with the systems' operational requirements;
- 14 (3) use of automated mechanisms to detect inventory and configuration changes;
- 15 (4) prevention of unauthorized changes to the systems; and
- 16 (5) evaluation of the potential security impact of proposed changes.

17
18 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
19 *134.21; 10B-134.23;*
20 *Eff. July 1, 2025.*

1 18 NCAC 07J .0617 is adopted as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0617 IDENTIFICATION AND ACCESS CONTROL**

4 A technology provider shall implement personnel identification and access control measures for systems supporting
5 the electronic notary solution that:

6 (1) designate and authorize users;

7 (2) assign access to its data and systems based on users' roles;

8 (3) restrict non-privileged users from performing privileged functions;

9 (4) review, manage, and monitor users' role-based access;

10 (5) restrict notarial transaction process-related data access to authorized persons; and

11 (6) delete, revise, or remove access for users:

12 (a) whose role changes; or

13 (b) who are no longer employed with the provider.

14
15 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
16 134.21; 10B-134.23;
17 Eff. July 1, 2025.

1 18 NCAC 07J .0618 is adopted as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0618 IDENTIFICATION AND ACCESS CONTROL BY THIRD-PARTY VENDORS**
4 **AND SUPPORTING VENDORS**

5 A technology provider shall confirm that each of its third-party and supporting vendors maintain and implement
6 identification and access control measures equivalent to or more stringent than those required by Rule .0617 of this
7 Section.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0619 is adopted with changes as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0619 VULNERABILITY DETECTION AND REMEDIATION**

4 A technology provider shall:

- 5 ~~(1) scan for vulnerabilities of the systems supporting the electronic notary solution at least weekly; and~~
6 (1) at least weekly execute or cause to be executed a third party security program which shall evaluate
7 each system endpoint for indications of malware, known security risks, and other vulnerabilities;
8 and
9 (2) detect and remediate IT security vulnerabilities.

10
11 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
12 *134.21; 10B-134.23;*
13 *Eff. July 1, 2025.*

1 18 NCAC 07J .0620 is adopted as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0620 IT SECURITY AUDIT**

4 A technology provider shall have a third-party audit of its IT security conducted at least once every three years:

5 (1) sufficient to comply with Rule .0622 of this Section; and

6 (2) by Certified Information Systems Auditors or the equivalent.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0621 is adopted as published in 39:13 NCR 844 as follows:

2
3 **18 NCAC 07J .0621 SUMMARY OF IT SECURITY AUDIT**

4 A technology provider shall provide a summary to the Department of its most recent IT security audit, which shall not
5 be more than three years old:

6 (1) on its initial and subsequent applications; and

7 (2) on its verification of compliance pursuant to Rule .0211 of this Section, if applicable.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0622 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0622 CONTENTS OF IT SECURITY AUDIT SUMMARY**

4 (a) The IT audit summary provided to the Department pursuant to Rule .0620 of this Section shall include:

5 (1) the date of the audit;

6 (2) the third-party audit standards by which the audit was conducted;

7 (3) the name, contact information, and title or role of a representative of the organization conducting
8 the audit;

9 (4) the IT security audit findings; and

10 (5) any plan of action including a timeline to address all findings.

11 (b) For purposes of this Rule, "finding" means:

12 (1) a deficiency in internal control;

13 (2) noncompliance with applicable laws and rules; or

14 (3) instances of fraud.

15
16 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
17 134.21; 10B-134.23;

18 Eff. July 1, 2025.

1 18 NCAC 07J .0623 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0623 CYBERSECURITY INCIDENT PREVENTION**

4 A technology provider shall take steps to prevent cybersecurity incidents by:

5 (1) logging and monitoring access to the system; and

6 (2) detecting, tracking, and addressing security flaws.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0624 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0624 SECURITY PLAN**

4 A technology provider shall maintain a security plan specifying how it will comply with laws, rules, and the
5 Department's protocols related to:

6 (1) physical security; and

7 (2) IT security.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0625 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0625 SECURITY BOUNDARY AND THREAT PROTECTION TECHNOLOGY**

4 A technology provider shall use security boundary and threat protection technology.

5
6 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
7 134.21; 10B-134.23;
8 Eff. July 1, 2025.

1 18 NCAC 07J .0626 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0626 SECURITY INCIDENT RESPONSE PLAN**

4 A technology provider shall maintain a security incident response plan that:

5 (1) addresses the capabilities required by the rules in this Section;

6 (2) includes annual testing; and

7 (3) is revised annually, as needed.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0627 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0627 CYBERSECURITY INCIDENT RESPONSE**

4 A technology provider shall:

5 (1) detect and respond to any cybersecurity incident;

6 (2) store evidence related to a cybersecurity incident in a manner that:

7 (a) establishes chain of custody; and

8 (b) preserves chain of custody; and

9 (3) retain security logs and other data related to cybersecurity incidents and response for at least three
10 years.

11
12 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
13 134.21; 10B-134.23;

14 Eff. July 1, 2025.

1 18 NCAC 07J .0628 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0628 CONTINGENCY PLAN REQUIREMENT**

4 A technology provider shall maintain a contingency plan for recovery to a functional state in the event of a
5 cybersecurity incident or other service disruption of:

6 (1) its authorized electronic notary solutions;

7 (2) the following businesses upon which its electronic notary solutions are reliant:

8 (a) critical infrastructure companies, as defined in G.S. 166A-19.70A; and

9 (b) supporting vendors listed pursuant to Rule .0410 of this Subchapter.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;

13 Eff. July 1, 2025.

1 18 NCAC 07J .0629 is adopted as published in 39:13 NCR 845 as follows:

2
3 **18 NCAC 07J .0629 CONTENTS OF CONTINGENCY PLAN**

4 A technology provider's contingency plan shall include:

5 (1) the manner in which it will recover its authorized services to a functional state;

6 (2) a projected timeline for recovery to a functional state; and

7 (3) required notices to the Department and notaries public pursuant to Section .0200 of this Subchapter.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0701 is adopted as published in 39:13 NCR 845-846 as follows:

2
3 **SECTION .0700 – ELECTRONIC SIGNATURE AND SEAL STANDARDS**

4
5 **18 NCAC 07J .0701 APPLICATION OF ELECTRONIC SEAL**

6 An electronic notary seal shall be applied only by an electronic notary using an IPEN or platform provider's electronic
7 notary solution.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0702 is adopted as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0702 COMPLIANCE WITH ELECTRONIC SIGNATURE AND SEAL RULES**

4 An IPEN or platform provider's electronic notary solution shall enable an electronic notary public to comply with the
5 following rules:

6 (1) 18 NCAC 07F Section .0700, Electronic Notary Signature;

7 (2) 18 NCAC 07F Section .0800, Electronic Notary Seal; and

8 (3) 18 NCAC 07F Section .1000, Confidentiality, Security, and Records Retention.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .0703 is adopted with changes as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0703 APPLICATION OF ELECTRONIC SIGNATURE**

4 An IPEN or platform provider's electronic notary solution shall enable an electronic notary public to affix the
5 electronic notary's electronic signature on an electronic notarial certificate.

6
7 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
8 *134.21; 10B-134.23;*
9 *Eff. July 1, 2025.*

1 18 NCAC 07J .0704 is adopted with changes as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0704 ELECTRONIC SIGNATURE APPEARANCE**

4 An IPEN or platform provider's electronic notary solution shall enable an electronic notary public to apply the
5 electronic notary's electronic signature to ~~a document~~ an electronic record being notarized only if:

- 6 (1) the electronic signature is an exact copy of the electronic notary's handwritten signature delivered
7 pursuant to Rules .1201 and .1410 of this Subchapter; or
8 (2) the signature is handwritten by the electronic notary using electronic means during the notarial
9 transaction.

10
11 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
12 *134.21; 10B-134.23;*
13 *Eff. July 1, 2025.*

1 18 NCAC 07J .0705 is adopted with changes as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0705 ELECTRONIC SIGNATURE AND SEAL REVIEW**

4 An IPEN or platform provider's electronic notary solution shall enable an electronic notary public to comply with 18
5 NCAC 07F .0710 and .0815 by permitting the electronic notary to:

- 6 (1) view the electronic signature and seal after application; and
7 (2) delete and reapply the electronic signature and seal before committal.

8
9 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
10 *134.21; 10B-134.23;*
11 *Eff. July 1, 2025.*

1 18 NCAC 07J .0706 is adopted with changes as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0706 ELECTRONIC SIGNATURE AND SEAL CHANGES**

4 If an IPEN or platform provider's electronic notary solution receives a ~~commission certificate and~~ registration
5 certificate reflecting a change in an electronic notary public's name, county, or expiration date, the provider shall:

- 6 (1) use the Department's notary public database to:
- 7 (a) verify that the electronic notary's information has changed as shown on the certificate; and
- 8 (b) verify that the electronic notary continues to be in active status with the Department;
- 9 (2) generate a new electronic seal reflecting the changed information;
- 10 (3) obtain an updated handwritten signature from the electronic notary in compliance with Rule
11 .1201(5) or .1410(5) of this Subchapter, as applicable, if the notary's name has changed;
- 12 (4) provide exemplars of the updated signature and seal to the Department; and
- 13 (5) reconfirm the Department's receipt of the exemplars.

14
15 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
16 *134.21; 10B-134.23;*
17 *Eff. July 1, 2025.*

1 18 NCAC 07J .0801 is adopted with changes as published in 39:13 NCR 846 as follows:

2
3 **SECTION .0800 – ELECTRONIC JOURNAL STANDARDS**
4

5 **18 NCAC 07J .0801 ELECTRONIC JOURNAL REQUIRED**

6 An IPEN or platform provider's electronic notary solution shall provide an electronic journal in which an electronic
7 notary can record all completed and ~~cancelled~~ canceled electronic notarial transactions.

8
9 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
10 *134.21; 10B-134.23;*
11 *Eff. July 1, 2025.*

1 18 NCAC 07J .0802 is adopted as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0802 COMPLIANCE WITH JOURNAL RULES**

4 An IPEN or platform provider shall design its electronic journals in a way that enables an electronic notary public to
5 comply with the journal rules in this Chapter.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0803 is adopted as published in 39:13 NCR 846 as follows:

2
3 **18 NCAC 07J .0803 JOURNAL ENTRY FOR EACH NOTARIAL TRANSACTION**

4 An IPEN or platform provider shall design its electronic journals to require a single journal entry for each:

5 (1) notarial act;

6 (2) canceled notarial act; and

7 (3) supplemental journal entry.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;

11 Eff. July 1, 2025.

1 18 NCAC 07J .0804 is adopted with changes as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0805~~ **18 NCAC 07J .0804** CLASSIFICATION OF JOURNAL ENTRIES

4 An IPEN solution or platform provider shall design its electronic journals to enable ~~an electronic~~ a notary public to
5 classify each journal entry as:

- 6 (1) a completed notarial act;
7 (2) a ~~cancelled~~ canceled notarial transaction; or
8 (3) a supplemental journal entry.

9
10 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
11 *134.21; 10B-134.23;*
12 *Eff. July 1, 2025.*

1 18 NCAC 07J .0805 is adopted as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0806~~ **18 NCAC 07J .0805** MINIMUM LENGTH OF NOTES FIELD

4 An IPEN solution or platform provider shall design its electronic journals to provide a notes field:

5 (1) that allows a notary to enter observations about a notarial transaction; and

6 (2) that accommodates at least 3,000 characters.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .0806 is adopted as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0807~~ **18 NCAC 07J .0806** JOURNAL DATA VALIDATION

4 An IPEN or platform provider shall design its electronic journal to allow a notary public to review, amend, or confirm
5 information in all fields contained within a journal entry before committing it.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0807 is adopted as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0808.~~ **18 NCAC 07J .0807** COMMITTED JOURNAL ENTRY AMENDMENTS
4 PROHIBITED

5 An IPEN or platform provider shall design its electronic journal to prohibit amendment of an electronic journal entry
6 after it is committed by the notary public.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;
10 Eff. July 1, 2025.

1 18 NCAC 07J .0808 is adopted as published in 39:13 NCR 847 as follows:

2
3 **18 NCAC 07J .0809 ~~18 NCAC 07J .0808~~ PRINTING OF ELECTRONIC JOURNAL INFORMATION**

4 An IPEN or platform provider shall design its electronic journal to permit the notary public to print a tangible and
5 legible copy of each journal entry selected by the notary.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0809 is adopted as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0810~~ **18 NCAC 07J .0809** JOURNAL SEARCH

4 An IPEN or platform provider shall ensure that its electronic journal can be searched based on the information entered
5 by a notary public in any field in the journal.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0810 is adopted with changes as published in 39:13 NCR 847 as follows:

2
3 **~~18 NCAC 07J .0811~~ 18 NCAC 07J .0810 SEGREGATION OF ENTRIES**

4 An IPEN or platform provider shall ensure that entries in its electronic journals can be ~~designated separately~~ annotated
5 and distinguished from other entries. Note: An example of separate ~~designation~~ and distinguishing annotation would
6 be flagging entries subject to a litigation hold.

7
8 *History Note:* Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;
10 *Eff. July 1, 2025.*

1 18 NCAC 07J .0811 is adopted as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0812~~ **18 NCAC 07J .0811** NOTARY ACCESS TO JOURNAL

4 During the contract period in which a notary public has use of an IPEN or platform provider's electronic journal, the
5 provider shall make the entries and journal:

- 6 (1) viewable by the notary;
7 (2) printable by the notary;
8 (3) available for download; and
9 (4) available for transfer to a custodian.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0812 is adopted as published in 39:13 NCR 847 as follows:

2
3 ~~18 NCAC 07J .0813~~ **18 NCAC 07J .0812** **TERMINATION OF RELATIONSHIP WITH NOTARY**

4 An IPEN or platform provider shall do the following upon the termination of its relationship with a notary public:

5 (1) within 45 days, transfer the notary's electronic journal to a custodian; and

6 (2) delete the electronic journal entries and journal after transfer to a custodian unless retention is
7 permitted pursuant to law or the rules in this Subchapter.

8 Note: For purposes of this rule, termination of relationship means:

9 (1) termination of a contract between the provider and a notary or the notary's employer; or

10 (2) restriction, suspension, or termination of the provider's authorization by the Department or a court
11 of general jurisdiction.

12
13 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
14 134.21; 10B-134.23;

15 Eff. July 1, 2025.

1 18 NCAC 07J .0813 is adopted as published in 39:13 NCR 847-848 as follows:

2
3 ~~18 NCAC 07J .0814~~ **18 NCAC 07J .0813** **SUPPLEMENTAL JOURNAL ENTRIES**

4 An IPEN or platform provider's electronic journal shall allow a notary public to record one or more supplemental
5 journal entries pursuant to 18 NCAC 07I .0308.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0901 is adopted as published in 39:13 NCR 848 as follows:
2

3 **SECTION .0900 – COMMUNICATION TECHNOLOGY STANDARDS**
4

5 **18 NCAC 07J .0901 ACCESS LIMITED**

6 A platform provider shall limit participation in a notarial session to individuals authorized to have access by:

7 (1) the notary public who will perform the notarial acts;

8 (2) the principals in the notarial transaction; and

9 (3) other parties authorized by the notary or principals.
10

11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;

13 Eff. July 1, 2025.

1 18 NCAC 07J .0902 is adopted as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0902 VIEW OF DOCUMENT**

4 The communication technology shall allow an electronic notary public to view the application of the principal's
5 signature to any document being notarized.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .0903 is adopted as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0903 VIDEO STANDARDS**

4 A platform provider's communication technology shall enable:

5 (1) comparison by the notary of a remotely located principal's facial features with the credential that
6 was used for credential analysis;

7 (2) visual communication between the notary, principals, and any additional participants, including
8 interpreters and transliterators, for the duration of the notarial transaction; and

9 (3) the remotely located principal for whom CART captioning is being provided and the speaker to see
10 the CART captions.

11 Note: Visual communication includes American Sign Language and cued speech.

12
13 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
14 134.21; 10B-134.23;

15 Eff. July 1, 2025.

1 18 NCAC 07J .0904 is adopted with changes as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0904 VIDEO CUSTOMIZATION STANDARD**

4 A platform provider's communication technology shall include a feature ~~that:~~ that

5 (1)——allows each participant to lock the size and position of a priority video window; and

6 (2)——can be located easily by a participant in a notarial transaction.

7
8 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
9 *134.21; 10B-134.23;*

10 *Eff. July 1, 2025.*

1 18 NCAC 07J .0905 is adopted as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0905 AUDIO STANDARDS**

4 A platform provider's communication technology shall support audio interactions between all participants in a notarial
5 transaction that:

6 (1) provide live audio transmission for the duration of the notarial transaction;

7 (2) provide clarity and volume so that all participants can hear the audio; and

8 (3) synchronize the audio with the video transmission, except as permitted pursuant to 18 NCAC 07H
9 .0405.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0906 is adopted as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0906 WRITTEN COMMUNICATION STANDARD**

4 A platform provider's communication technology shall support:

5 (1) live transmission of on-screen text communication between all participants in a notarial transaction;

6 (2) CART captioning pursuant to Rule .0903 of this Section; and

7 (3) customization by each participant of all text outputs generated by the participants of:

8 (a) the contrast between the text and background;

9 (b) the size of the text; and

10 (c) the text font.

11
12 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
13 134.21; 10B-134.23;

14 Eff. July 1, 2025.

1 18 NCAC 07J .0907 is adopted as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0907 RECORDING CAPABILITY**

4 A platform provider's communication technology shall:

5 (1) permit recording of a remote electronic notarial session; and

6 (2) provide the electronic notary public with the controls to:

7 (a) initiate a communication technology recording;

8 (b) conclude a communication technology recording; and

9 (c) allow creation of a session record in accordance with the rules in this Subchapter.

10
11 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
12 134.21; 10B-134.23;
13 Eff. July 1, 2025.

1 18 NCAC 07J .0908 is adopted with changes as published in 39:13 NCR 848 as follows:

2
3 **18 NCAC 07J .0908 RECORDING CONTENT**

4 A platform provider's communication technology ~~shall:~~ shall

5 (1) preserve all audio, visual, and written content as it occurred or was presented during the notarial
6 ~~session; and~~ session.

7 ~~(2) exclude or blur the document being notarized.~~

8
9 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
10 *134.21; 10B-134.23;*
11 *Eff. July 1, 2025.*

1 18 NCAC 07J .0909 is adopted as published in 39:13 NCR 849 as follows:

2
3 **18 NCAC 07J .0909 RECORDING METADATA**

4 A platform provider's communication technology shall associate metadata to a communication technology recording
5 documenting:

6 (1) the format of the recording; and

7 (2) the length of the recording.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .0910 is adopted as published in 39:13 NCR 849 as follows:

2
3 **18 NCAC 07J .0910 RECORDING OF REMOTE JUDICIAL ACTIONS OR PROCEEDINGS**

4 Any recording of a remote judicial action or proceeding authorized by G.S. 10B-134.9(d) shall be exempted from the
5 rules of this Subchapter.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1001 is adopted as published in 39:13 NCR 849 as follows:
2

3 **SECTION .1000 – DEPOSITORY SERVICES STANDARDS**
4

5 **18 NCAC 07J .1001 DEPOSITORY REQUIREMENTS**

6 Except as noted, the rules in this Section apply to the depositories of IPEN solution providers and platform providers.
7

8 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
9 *134.21; 10B-134.23;*

10 *Eff. July 1, 2025.*

1 18 NCAC 07J .1002 is adopted as published in 39:13 NCR 849 as follows:

2
3 **18 NCAC 07J .1002 SESSION RECORD CREATION**

4 (a) A session record shall be created at the end of a notarial session and include:

5 (1) all journal entries made in the session;

6 (2) any communication technology recording made of the session; and

7 (3) metadata as required by Rule .1017 of this Section.

8 (b) A session record shall be created for a traditional notary public using a platform depository's services only if the
9 traditional notary:

10 (1) administers an oath or affirmation pursuant to G.S. 10B-134.9(d);

11 (2) chooses to make an entry in the provider's electronic journal; and

12 (3) designates a custodian.

13 (c) A session record shall be created for each supplemental journal entry.

14
15 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
16 134.21; 10B-134.23;
17 Eff. July 1, 2025.

1 18 NCAC 07J .1003 is adopted with changes as published in 39:13 NCR 849 as follows:

2
3 **18 NCAC 07J .1003 SESSION RECORD DIGITAL SIGNATURE**

4 A depository shall digitally sign each session ~~record created using an Organizational Validation certificate issued to~~
5 ~~it by a trusted certificate authority.~~ record.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1004 is adopted as published in 39:13 NCR 849 as follows:

2
3 **18 NCAC 07J .1004 SESSION RECORD PRESUMPTION**

4 The Department shall consider a session record to be the presumptive record of a notarial act if the session record:

5 (1) is unmodified and intact; and

6 (2) documents the circumstances of each notarial act occurring within the session.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .1005 is adopted with changes as published in 39:13 NCR 849 as follows:

2
3 **18 NCAC 07J .1005 SESSION IDENTIFIER**

4 A depository shall establish a session identifier for each notarial session or supplemental journal entry by
5 concatenating the following numbers, with no separation or punctuation:

- 6 (1) the four-digit identifying number assigned to the authorized depository by the Department;
7 (2) the 12 digit commission number of the notary public who performs notarial acts during the session,
8 padded with leading zeros as necessary;
9 (3) the eight-digit date on which the session occurred, comprised of the following numbers in the order
10 listed:
11 (a) the four-digit calendar year;
12 (b) the two-digit month; and
13 (c) the two-digit day; and
14 (4) a ~~seven-digit~~ seven-digit sequential session number that is assigned by the depository and that:
15 (a) begins with number 0000001 on the first day of the calendar year; and
16 (b) ends with the last sequential number for sessions in that same calendar year.

17
18 *History Note:* *Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
19 *134.21; 10B-134.23;*
20 *Eff. July 1, 2025.*

1 18 NCAC 07J .1006 is adopted with changes as published in 39:13 NCR 849-850 as follows:

2
3 **18 NCAC 07J .1006 SEARCHABLE SESSION RECORD FIELDS**

4 A depository shall make session records searchable and identifiable by the following fields:

- 5 (1) the session identifier required pursuant to Rule .1005 of this Section;
- 6 (2) the commission name of the notary public;
- 7 (3) the county of the notary's commission;
- 8 ~~(4) the number of notarial acts performed as entered by the notary public;~~
- 9 ~~(5)~~(4) the names of the remotely located principals as they appear on the credentials presented for
- 10 credential analysis;
- 11 ~~(6)~~(5) the time ~~of day~~ when the session ended;
- 12 ~~(7)~~(6) whether the session was performed in the conduct of the business of a notary's employer;
- 13 ~~(8)~~(7) the name of the employer, if applicable;
- 14 ~~(9)~~(8) the types of notarial acts, or cancellation of the session; and
- 15 ~~(10)~~(9) whether the electronic notarial act was:
- 16 (a) an electronic notarial act; or
- 17 (b) a remote electronic notarial act:
- 18 (i) pursuant to G.S. 10B-134.9(d) for which no electronic journal entry is made; or
- 19 (ii) other remote electronic notarial act pursuant to Article 4A of Chapter 10B of the
- 20 General Statutes; or
- 21 ~~(11)~~(10) whether the session record is for a supplemental journal entry.
- 22

23 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-

24 134.21; 10B-134.23;

25 Eff. July 1, 2025.

1 18 NCAC 07J .1007 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1007 SESSION RECORD UNCHANGED**

4 A depository shall ensure that there are no changes to a session record held in its depository from the time the record
5 is created until transfer to a custodian.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1008 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1008 STORAGE LOCATIONS**

4 A depository shall maintain copies of each session record and session record log in two or more geographically
5 separated data facilities.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1009 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1009 TIME LIMIT FOR TRANSFER FROM DEPOSITORY**

4 A depository shall transfer a session record to a custodian selected by a notary public on the earliest of:

5 (1) a time agreed to by the notary;

6 (2) no later than 10 days from receipt of a written transfer request from the notary;

7 (3) one year from the date the session concluded; or

8 (4) the expiration of the provider's contract with the notary.

9
10 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
11 134.21; 10B-134.23;
12 Eff. July 1, 2025.

1 18 NCAC 07J .1010 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1010 EXCEEDANCE OF STORAGE TIME LIMIT**

4 A depository that is unable to comply with Rule .1009 of this Section shall:

5 (1) notify the Department upon discovering the inability; and

6 (2) comply with the rules for custodians in Section .2000 of this Subchapter.

7
8 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
9 134.21; 10B-134.23;

10 Eff. July 1, 2025.

1 18 NCAC 07J .1011 is adopted with changes as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1011 DELETION OF SESSION RECORD**

4 A depository shall securely delete a session record from its depository within 45 days of receiving a confirmation
5 receipt from the electronic notary public's designated transferee custodian.

6
7 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
8 *134.21; 10B-134.23;*
9 *Eff. July 1, 2025.*

1 18 NCAC 07J .1012 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1012 VALIDATION BEFORE DELETION**

4 A depository shall not delete a session record until it receives the transferee custodian's receipt confirming that the
5 record has been:

6 (1) received; and

7 (2) validated.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .1013 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1013 NOTARY ACCESS TO SESSION RECORD FROM DEPOSITORY**

4 A depository shall allow a notary public to view, copy, print, and download any of the notary's session records in the
5 possession of the depository at any time and at no cost.

6 Note: This rule shall not apply to planned service outages for which notice is provided pursuant to Rule .0205 of this
7 Subchapter.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .1014 is adopted as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1014 DEPOSITORY CONTINUITY OF SERVICES**

4 A depository shall not discontinue operation of its depository until all session records and session record logs are
5 transferred to the custodians designated by the notaries public.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1015 is adopted with changes as published in 39:13 NCR 850 as follows:

2
3 **18 NCAC 07J .1015 JOURNAL ENTRY IDENTIFIER**

4 A depository shall establish a journal entry identifier for each journal entry by concatenating the following numbers
5 in order:

6 (1) the session identifier; and

7 (2) a ~~three-digit~~ four-digit number representing the sequential number of the journal entry within the
8 session record.

9
10 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
11 *134.21; 10B-134.23;*
12 *Eff. July 1, 2025.*

1 18 NCAC 07J .1016 is adopted as published in 39:13 NCR 850-851 as follows:

2
3 **18 NCAC 07J .1016 SESSION RECORD LOG FOR WHICH THERE IS NO ELECTRONIC JOURNAL**
4 **ENTRY**

5 If a traditional notary public administers an oath or affirmation pursuant to G.S. 10B-134.9(d) and chooses not to make
6 an electronic journal entry, the platform depository shall create a session record log entry of the oaths or affirmations
7 administered during the session.

8
9 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
10 134.21; 10B-134.23;
11 Eff. July 1, 2025.

1 18 NCAC 07J .1017 is adopted with changes as published in 39:13 NCR 851 as follows:

2
3 **18 NCAC 07J .1017 REQUIRED METADATA**

4 After the notary public has committed the session record and before the depository digitally signs the PDF/A of the
5 session record, the depository shall add the following metadata:

- 6 (1) the session identifier;
- 7 (2) the notary public's name as shown on the notary's commission certificate;
- 8 (3) the sum of:
- 9 (a) the platform's count of the number of notarial acts for which the notary's electronic seal
10 was applied with the notary's signature; and
- 11 (b) the notary's count of the number of ~~notarial acts performed, as applicable;~~ oaths or
12 affirmations administered without a principal signature;
- 13 (4) the date and time the session record was created and sealed by the depository;
- 14 (5) a list of the types of notarial acts performed; and
- 15 (6) whether the notarial acts performed were:
- 16 (a) electronic notarial acts;
- 17 (b) remote electronic notarial acts pursuant to G.S. 10B-134.9(d) for which no electronic
18 journal entry is made; or
- 19 (c) other remote electronic notarial acts.

20
21 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
22 *134.21; 10B-134.23;*
23 *Eff. July 1, 2025.*

1 18 NCAC 07J .1018 is adopted as published in 39:13 NCR 851 as follows:

2
3 **18 NCAC 07J .1018 SESSION RECORD LOG**

4 A depository shall establish a session record log for each session as required by Rule .1019 of this Section.

5
6 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
7 134.21; 10B-134.23;
8 Eff. July 1, 2025.

1 18 NCAC 07J .1019 is adopted with changes as published in 39:13 NCR 851 as follows:

2
3 **18 NCAC 07J .1019 CONTENTS OF SESSION RECORD LOG**

4 A session record log shall include:

- 5 (1) the session record identifier;
- 6 (2) the time and date that the session:
 - 7 (a) started; and
 - 8 (b) ended;
- 9 (3) whether a session record was created;
- 10 (4) the name of the notary public exactly as it appears on the notary's commission certificate;
- 11 (5) whether the notarial act was performed for the notary's employer, and the name of the employer, if
- 12 applicable;
- 13 (6) the types of notarial acts performed during the notarial session as defined in G.S. 10B-3(11);
- 14 (7) whether the ~~electronic~~ notarial act was:
 - 15 (a) an electronic notarial act; or
 - 16 (b) a remote electronic notarial act:
 - 17 (i) pursuant to G.S. 10B-134.9(d) for which no electronic journal entry is made; or
 - 18 (ii) other remote electronic notarial act pursuant to Article 4A of Chapter 10B of the
 - 19 General Statutes;
- 20 (8) the IP address of the device used by the notary in the notarial transaction;
- 21 (9) for each principal in the notarial transaction:
 - 22 (a) the principal's name as it appears on the credentials presented for credential analysis;
 - 23 (b) the IP address of the primary device used by the principal to enter the communication
 - 24 technology of a platform used in the notarial transaction; and
 - 25 (c) the principal's location:
 - 26 (i) as determined by geolocation, if available; or
 - 27 (ii) as entered by the notary if self-attestation is used as the means of verifying the
 - 28 principal's location;
- 29 (10) the notary's count of the ~~notarial acts performed during the notarial session;~~ oaths or affirmations
- 30 administered by the notary without principal signatures;
- 31 (11) the platform's count of the number of notarial acts ~~performed during the notarial session;~~ for which
- 32 the notary's electronic signature or seal were applied;
- 33 (12) whether the platform facilitated payment to the notary, and if applicable:
 - 34 (a) the name of the person making the payment;
 - 35 (b) the method of payment:
 - 36 (i) ACH;
 - 37 (ii) credit card; or

- 1 (iii) other electronic method;
2 (c) the name of the financial institution; and
3 (d) the last four digits of the account number used; and
4 (13) the date on which the session record was deleted.
5

6 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
7 *134.21; 10B-134.23;*
8 *Eff. July 1, 2025.*

1 18 NCAC 07J .1020 is adopted with changes as published in 39:13 NCR 851-852 as follows:

2
3 **18 NCAC 07J .1020 ENTRY TO DEPARTMENT DATABASE**

4 A depository shall update the Department's database at the conclusion of each notarial session with the following
5 information:

- 6 (1) the session identifier;
7 (2) the date and time that:
8 (a) the session began; and
9 (b) the session ended;
10 (3) whether a session record was created;
11 (4) the IP address of the device used by the notary in the notarial transaction;
12 (5) whether the electronic notarial act was:
13 (a) an electronic notarial act; or
14 (b) a remote electronic notarial act:
15 (i) pursuant to G.S. 10B-134.9(d) for which no electronic journal entry is made; or
16 (ii) other remote electronic notarial act pursuant to Article 4A of Chapter 10B of the
17 General Statutes;
18 (6) the principal names as they appear on the credentials presented for credential analysis; and
19 (7) the ~~notary's~~ count of notarial acts performed during the ~~session~~; and session as described in Rule
20 .1017(3) of this Subchapter.
21 ~~(8) the platform's count of notarial acts performed during the session.~~

22
23 *History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-*
24 *134.21; 10B-134.23;*
25 *Eff. July 1, 2025.*

1 18 NCAC 07J .1021 is adopted as published in 39:13 NCR 852 as follows:

2
3 **18 NCAC 07J .1021 RETENTION OF SESSION RECORD LOG BY DEPOSITORY**

4 Each session record log shall be retained by the depository for no less than 15 years from the date of the session record
5 log creation.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1022 is adopted as published in 39:13 NCR 852 as follows:

2
3 **18 NCAC 07J .1022 TRANSFER OF SESSION RECORD LOG**

4 A depository shall transfer to a custodian a copy of a session record log together with any associated session record.

5 A depository shall not be required to transfer a copy of a session record log to a custodial notary public.

6
7 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
8 134.21; 10B-134.23;
9 Eff. July 1, 2025.

1 18 NCAC 07J .1023 is adopted as published in 39:13 NCR 852 as follows:

2
3 **18 NCAC 07J .1023 ENTRY IN DEPARTMENT'S DATABASE BY TRANSFEROR**

4 Upon validation pursuant to Rule .1012 of this Section, a transferor shall update the Department's database with the
5 following information:

6 (1) the session identifier;

7 (2) the four-digit identifying number assigned to the technology provider making the entry into the
8 Department's database;

9 (3) the four-digit identifying number assigned to the transferor;

10 (4) for the transferee;

11 (a) the four-digit identifying number assigned to the transferee; or

12 (b) the custodial notary public's commission number, if applicable; and

13 (5) the date and time of the transfer.

14
15 History Note: Authority G.S. 10B-4; 10B-106; 10B-125(b); 10B-126; 10B-134.15; 10B-134.17; 10B-134.19; 10B-
16 134.21; 10B-134.23;
17 Eff. July 1, 2025.