

COVID-19 Notary Public FAQs – last updated April 15, 2021

Q: My notary commission is expiring soon. What should I do?

New and renewing notaries may still apply online at <https://www.notaries.pa.gov> or mail in the application. The Department of State encourages renewing notaries to complete the [3 hours of mandatory notary education](#) and reapply [online](#) before your current commission expires. If you fail to apply for renewal of your commission before its expiration date, you will be required to take the examination.

The Bureau of Elections and Notaries temporality stopped appointing notaries on March 11, 2020 and resumed notary appointments on May 15, 2020 (see below). The break in appointments was due to the availability and operations of the Bureau and Recorders of Deeds and Prothonotary offices for the recording of oath/bond/commission and official signature, respectively. The Department's notary exam vendor (Pearson VUE) closed all company-owned test centers in Pennsylvania on March 16, 2020. Pearson VUE began reopening test centers on May 11 and continues to operate test centers as permitted by local conditions (see below).

Q: Will the Department extend my commission expiration date?

No. Notary commission expiration dates have not been extended. A notary's commission expires by operation of law (four years after appointment). The Department of State does not have the unilateral authority to extend notary commission expiration dates. The notary should stop notarizing if their commission expires, regardless of where they are in the renewal process.

Q: Will the Department offer an extension to the 45-day period to record a notary's bond/oath/commission and to register the notary signature?

On May 6, 2020, the Governor approved an [extension of the 45 days](#) for appointed notaries to get sworn in and record the bond/oath/commission with the Recorder of Deeds and to register the notary signature with the Prothonotary, up to an additional 30 days. This extension will apply to all notaries whose 45 days expired on or after March 1, 2020 until the expiration of this waiver, regardless of whether the Recorder and Prothonotary offices were open or closed during the 45 days or on the 45th day.

Because notaries have varied appointment and commission expiration dates, the 30 days will calculate for each notary differently. If the county offices are open on the notary's 45th day, the notary will have an additional 30 days from their 45th day. If the relevant county offices are closed on the notary's 45th day, the notary will have an additional 30 days from when the relevant county offices reopen to record the bond/oath/commission with the Recorder of Deeds and to register the notary signature with the Prothonotary. The 45th day is stated on the notary appointment letter.

This additional 30 days will give notaries and Recorders and Prothonotary offices more time to process the backlog of notaries seeking to record their bond/commission/oath and signatures after each of these offices reopens or during times when these offices are partially open and limiting traffic.

This extension also applies to any subsequent or additional closures of county offices due to COVID-19.

If the relevant county offices are closed on a notary's 75th day (45 + 30 day extension), no further extension will be given. In this instance, the notary has until the next business day after reopening to record the bond/commission/oath. If the notary fails to do so, the notary is considered failed to be sworn, the notary's commission is null and void and the notary must reapply for appointment.

Q: How do I get sworn in and record my bond/oath/commission with the Recorder of Deeds and to register my signature with the Prothonotary when county offices may have limited hours or be closed?

Office closures differ from county to county. It is recommended that you contact the offices that are open and make appointments. We encourage appointed notaries to work with your county offices to find solutions. For example, if the Recorder's office is open, but the Prothonotary's is closed to notaries (but otherwise open for emergency cases under judicial order), perhaps the signature cards could be left at the Recorder's office. Signatures may be able to be faxed or emailed, if permitted by the Prothonotary's office, and followed up in person when the office is open to non-emergency cases again.

Also note that the notary oath of office is not required to be taken before the Recorder of Deeds – this is largely a matter of convenience and custom. A notary may take the oath of office before another official authorized to take oaths (any fellow notary public, judge, etc.), thereby eliminating the need to appear in the Recorder's office. Once a notary has taken the oath and it is properly indicated on the bond form (with county, notary signature, date, official's seal, signature and title completed), the Recorder may follow through with the recording process. Again, if there are closures of a Recorder's office to the public, the Department encourages other solutions that are acceptable to the Recorders and Prothonotaries, perhaps such as mailing original executed documents to the Recorders and a copy of their signature card to the Prothonotary.

Notaries MUST complete both the bond/oath/commission process and the signature registration process in order to have completed the appointment and commissioning process for the new commission. Failure to do so will make the notary public's commission null and void.

Q: What did the resumption of notary appointments on May 15 look like?

The Department worked through any backlog, appointing the notaries whose applications have been pending with the Department the longest. The process for receiving notary appointments has changed, due to system enhancements made by the Bureau immediately prior to the COVID-19 shutdown. These enhancements are designed to make the notary appointment and commissioning process more effective for the Department, our notary customers and Recorders of Deeds. The primary change for notary appointees will be how the appointees receive their appointment letter and bond. Instead of receiving the appointment letter and personalized bond by mail, notary appointees will now receive these items by email upon appointment. These emails will be sent daily, as notaries are appointed, and no longer by a weekly bulk mailing. This will enable notaries to utilize the full 45 days to obtain a bond and come to the Recorder of Deeds and Prothonotary offices to complete the commissioning process. Be sure to use an

email address on your application that you actually monitor, check your spam folder for emails from ra-notaries@pa.gov and add the ra-notaries@pa.gov email to your safe sender list.

The Department will no longer be mailing paper commissions to Recorders of Deeds on a weekly basis. All Recorders will be accessing notary commissions through the Partner Portal. Recorders will be printing notary commissions on commission paper supplied by the Department. Recorders also have the ability to upload notary bonds directly into the Department of State system once they are recorded, thereby updating the notary status from “appointed” to “commissioned” in real time.

Q: Will the Department offer an extension to the six-month Pearson VUE exam period?

Applicants whose exam authorization expired during the shutdown of the Pearson VUE test centers were reauthorized for at least another six months after the centers reopened. Pearson VUE began test center closures within the Commonwealth in mid-March. Thereafter, the Department worked with Pearson VUE to extend exam authorization expiration dates to December 31, 2020 for every Pennsylvania notary applicant whose exam-authorized status expired on or after March 1. A second extension was put into place in December 2020, such that any applicant whose exam authorization has expired or will expire between March 1, 2020 and June 29, 2021 will have until **June 30, 2021** to take and pass the notary public examination.

The best way for a candidate to find an open exam center is to log into their [Pearson VUE](#) account and search for a location/date/time. When candidates log into their Pearson VUE account, they will be able to search for an exam date/time and the exam centers that are open will populate in the search.

Pearson VUE has notified the Department that test centers are following strict hygienic, disinfectant, and safety procedures, and have social distancing measures in place. This means that exam sites are operating at limited capacity to honor social distancing and all operative state health orders. Candidates and test center employees will be required to wear face masks or face coverings while in testing centers and while taking exams.

Q: How do I operate my notary business in light of COVID-19?

Individual notaries and notary businesses are required to follow the applicable guidance for individuals and businesses from the Governor and the Secretary of Health. See [Governor’s Plan to Reopen Pennsylvania](#) and the Governor’s and Secretary of Health’s orders, including [COVID mitigation in Pennsylvania](#). Notaries may conduct in-person operations, so long as they strictly adhere to the requirements of all relevant guidance, including [Business and Building Safety Orders](#). If you feel that a notary public is practicing in violation of these laws and policies, please [file a complaint](#) with the Department.

Q: PennDOT has extended expiration dates for driver licenses and photo ID cards. May I accept an expired PA driver’s license for customer identification?

Not any more, unless it is a commercial driver license. There was a [waiver issued May 26, 2020](#). This waiver applied to PennDOT-issued non-commercial driver licenses and nondriver identification cards which expired from March 16, 2020 through August 31, 2020. PennDOT

extended the expiration date of these identity products until August 31, 2020. Therefore, a Pennsylvania notary public could have accepted PennDOT-issued IDs that expired between March 16 and August 31, 2020, as long as the notary indicated the actual issuance and expiration dates of the physical credential in their journal (as already required by law) and also noted in the journal “pursuant to COVID waiver approved 5/26/20.”

PennDOT has since extended the expiration of commercial driver licenses and commercial learner’s permits through December 31, 2020. Commercial driver licenses and commercial learner’s permits scheduled to expire from March 16, 2020, through December 31, 2020 are extended through December 31, 2020.

Please check the [PennDOT Coronavirus page](#) for the most current information on extension of all PennDOT credentials.

Q: Is an electronic notarization the same as remote notarization?

No, it is not. **Electronic notarization** (eNotarization) involves documents that are notarized in electronic form. The notary and customer both sign with an electronic signature, and both the notarial certificate and the notary seal are attached to or logically associated with the electronic record. Rather than a paper document and a rubber stamp notary seal, the notary digitally places his or her seal information into a document which exists as electronic data in a computer-readable form. However, eNotaries must still be in the physical presence of the customer.

With **remote online notarization** (RON), the legal requirement that the signer personally appear before the notary is met by the use of audio-visual electronic communication or technology. The important role that the notary plays when a statement is made in or a signature executed on a record now occurs remotely over the internet. Remote online notarization is also called remote notarization, webcam notarization, online notarization or virtual notarization.

Q: Can I be an electronic and/or remote notary in Pennsylvania?

Yes. Pennsylvania has had an eNotarization program since 2006. Remote notarization has been permitted in limited form only since the onset of the COVID-19 pandemic in March 2020. The website for all waiver/special orders is here: <https://www.dos.pa.gov/Pages/COVID-19-Waivers.aspx>. Remote notarization has expanded from the specific transactions mentioned in these waivers to be more general with [legislation enacted on April 20, 2020](#) and [permanent remote legislation enacted on October 29, 2020](#).

Before a commissioned Pennsylvania notary public performs any notarial act with respect to an electronic record or performs a remote notarization, the notary public must notify the Department of State that the notary public will be performing notarial acts with respect to electronic records or remotely. Once such notification is received and approved, the notary must identify each technology the notary public intends to use. There is more information [here](#) on the process to becoming an electronic or remote notary. The requirements for remote notarization are available [here](#). They include (as mentioned above) notification to the Department of State, use of approved communication technology, a modified notarial certificate and rules as to the location of the notary public and remotely located individual.

Q: Do electronic/remote notary applicants need to get verified by Recorders?

No. As of Monday, March 23, 2020, electronic/remote notary applicants no longer need to go to the Recorder's office to be verified. The steps now include: apply online to be an e-notary, then the Bureau of Elections and Notaries will approve or reject your application. If approved, you can then select your technology solution providers (vendors). More information about the electronic notary process (now used for remote notarization, too) can be found [here](#), including the steps to becoming an e-notary/remote notary.

In order to become an electronic or remote notary, your commission status must be "commissioned" and not "appointed." "Appointed" status means that the Department has not received your recorded bond. You can check your status on the Department's [notary public searchable database](#).

Q: What about notaries who are court reporters?

Pennsylvania notaries who are court reporters or stenographers and who are participating in criminal, civil and administrative proceedings may administer oaths and affirmations by video conference as part of those proceedings. Proceedings include depositions, arbitrations, and hearings that occur as part of any criminal, civil and administrative proceeding (see <https://www.dos.pa.gov/Documents/2020-03-21-Court-Reporters-Notaries-in-person.pdf>).

Because of the limited nature of these proceedings, where there are many safeguards in place to ensure the identity of the witness, court reporters do not need to apply and become remote notaries or use approved remote technology to administer oaths and affirmations remotely.

Q: As a remote notary in another state, can I notarize a document for a customer in Pennsylvania? Will this notarized document then be recognized in Pennsylvania court?

There are some states that allow virtual or remote notarization, such that the notary in that state may use a technology approved by that state to notarize for a customer that is somewhere else. Each state's rules and technology differ. Some states require that the customer be in the same state as the notary (just not in the same room). Some states don't have that rule.

A Pennsylvania customer may seek out a notary in another state who is legally able to remotely notarize for a person in another state. It is the opinion of the Pennsylvania Department of State that a document lawfully notarized pursuant to other state law is authorized to be relied upon and may be recorded/filed/utilized, as long as the end user accepts that document and has the technology to record/file/use the document, especially if it is electronic.

The customer should check with the end user of the document to see if the end user will accept the out of state remote notarization, prior to going this route.