

The Notary *news*



The North Carolina Department of
The Secretary of State, Elaine F. Marshall



Hello Notaries,

I hope you were able to make it the 2021 NC State Fair this year. It's been a great one!

I was there for the ribbon cutting on October 15th and even came back a few times to work the Secretary of State's booth in the Kerr Scott Building. I saw many of you there, and appreciate you stopping by to say HI.

I don't know about you, but I tried to enjoy as much of the different food items as possible. A lot of neat things are out at the fair, including North Carolina agricultural and food products. These and many other items are what make us proud to be North Carolinians.

And speaking of being proud, I want you to know that I'm proud of all our notaries and the work you do for our state. This has been another challenging year because we are still in the pandemic. But you all continue to move forward taking your role as a notary public seriously, despite roadblocks that have come along with COVID-19.

I do want to take time to acknowledge two holidays in *November: Veterans Day and Thanksgiving* - two occasions for gratitude. Veterans Day is a time to honor and acknowledge our great military men and women, while Thanksgiving is another way to stop and give thanks for our many blessings throughout the year.

As we head into the holiday season - a wonderful time of reflection and gratitude - let's continue to social distance and stay safe and healthy.

Elaine J. Marshall

If you have any questions for us, please reach out to the Department at notary@sosnc.gov. We are always happy to help.

Update on Remote Online Notarization

We wanted to update you briefly on the Remote Online Notarization legislation which is contained in [House Bill 776](#). The House passed its version of the bill many months ago. The Senate recently changed the bill to reflect its own version, but also included an amendment not related to remote notarization around government transparency of state employee records.

The legislation has now ended up in a conference committee and will be negotiated between the two chambers. We will keep you up-to-date on its progress.

In the meantime, the Temporary Emergency Video Notarization law remains in effect until December 31, 2021.



eNotary Classes Available at Community Colleges

Notaries, many of you have inquired about opportunities to become electronic notaries. Here's a list of the educational institutions in North Carolina currently offering eNotary classes:

AB Tech CC
Alamance CC
Beaufort CC
Blue Ridge CC
Brunswick CC
Cape Fear CC
Catawba Valley CC
Central Carolina CC
Central Piedmont CC

Coastal Carolina CC
Craven CC
Davidson County CC
Fayetteville CC
Forsyth Tech CC
Gaston CC
Guilford CC
Haywood CC
Johnston Tech CC

Lenoir CC
Mitchell CC
Pitt CC
Rockingham CC
Rowan Cabarrus CC
Southeastern CC
Southwest CC
Surry CC
Wake Tech CC
Wilkes Tech CC



Fast Five Q &A

Q: Question sent to us via email: Can I charge a fee to travel to a location to notarize an item?

No. G.S. 10B-31 states the **maximum** fees that may be charged by a notary for notarial acts are as follows:

- for acknowledgments, jurats, verifications or proofs, five dollars (\$5.00) per principal signature.
- for oaths or affirmations without a signature, five dollars (\$5.00) per person, except for an oath or affirmation administered to a credible witness to vouch for the identity of a principal or subscribing witness.

NC notaries are not allowed to charge for travel to and from a location to notarize a document.

18 NCAC 07B .0904(a)(b)(10) states: The Director may take disciplinary action against a notary for an offense relating to failure to meet the statutory requirements for a notarial act. Offenses relating to failure to meet the statutory requirements for a complete and lawful notarial act include: Charging a fee in excess of that which is set by law, including fees for mileage or travel.

Q: Another question that was emailed to us: When I was first commissioned, I lived and worked in Kannapolis, NC (Cabarrus County). I have since moved to Salisbury (Rowan County). I still work in Kannapolis

and use my privileges here at work. Do I need to change my commission status to Rowan County?

No, not at this time. All you need to do is notify the Department of your change of county. When it is time for your reappointment you will complete a new application listing your new county of residence where you will take your new oath of office. You will need to obtain a new seal at that time that reflects your new county and send your old seal to the Department for destruction.

Q: Another question from our email: I have been asked to notarize a marriage certificate for someone who is incarcerated. I am not able to verify his signature or identification. The prison says I am allowed to notarize the document, but I don't think I can. Please advise.

You are correct. Notaries are not authorized to complete marriage licenses. They are obtained from the Register of Deeds office and are executed by a member of the clergy, a magistrate or other individual who is authorized to perform marriages in North Carolina.

Q: From the Facebook Group: I was asked to notarize a car title. Do both the seller AND the buyer need to be present?

The answer to this question depends on the year the title was published. For most recent years, the seller is the only one who needs to be present as it is the seller's signature being notarized.

However if the title is an older one such as from 2005, both the buyer and the seller would need to be present. If you are unsure about what is required for a specific title, please refer the person to the DMV office for expert guidance.

When notarizing a car title please make sure that the following information has been completely filled out: the odometer reading, buyer's name and address, seller's signature, date of delivery, damage disclosure statement, and the completed notarization.

Q: From the Facebook Group: A person needs his title notarized. I told him that I will be happy to do it at no charge. He insists on tipping me \$20. Is it okay for me to accept tips?

Notaries are public servants called to serve the public in a fair and unbiased fashion. They are also statutorily obligated to protect the public's interest while providing protection against fraud and forgery. As such, notaries should avoid being in a potentially compromising situation where their impartiality could be called into question.

Accepting a tip for performing a notarial act - while not expressly illegal - can easily put the notary in a compromised position. Notaries should NOT accept more than the statutorily authorized fees and should politely decline the offer of a tip.

The Department cautions notaries against trying to circumvent the statutory limitations of the statutory fees by "routinely accepting tips" for services rendered. It is foolhardy to think that calling a fee by a different name will be a shield against certain disciplinary action.

The notary statute is silent on tips, but is clear on the fees a notary may charge.

Do you have a question that you'd like us to answer for the **Fast Five**? Please send in your tips, practice ideas, and questions for us at notarynews@sosnc.gov.



Get To "Know" our Notaries!

Notaries, we know you are doing great things all over North Carolina, and we want everyone else to know it too. Every month, we will feature our notaries (as long as we have submissions). We want to feature YOU!

We'll make it super easy. Just send us a picture of you, along with your name, where you are from, the number of years (or months) you have been a commissioned notary, and one fun fact that you want us to know about you.

Email us at notarynews@sosnc.gov.

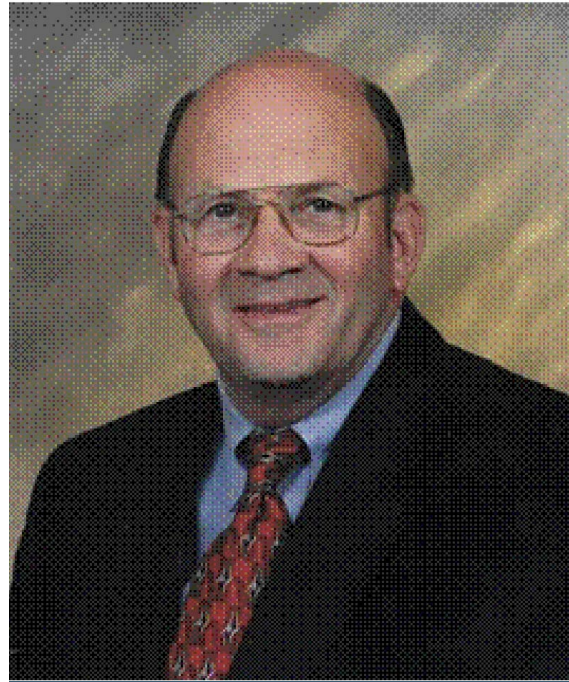




Sherri Mobley
Onslow County

*Sherri's been a notary
for more than 22 years.*

Sherri's fun fact is that she played the piano for several years in her home church as a teen and during her twenties.



Ira C. Fuller
Wake County

*Ira has been a
commissioned notary
for 42 years.*

Ira has served the town of Wendell as a police officer, police chief and town manager. He's also served on the Wendell Town Board of Commissioners and as Mayor Pro-Tem proudly serving the public for more than 40 years.



December 2021

**The Emergency Video Notarization
due date has been extended to
sunset on December 31st, 2021**

COVID-19 + Notaries

Sunset for Emergency Video Notarizations Has Been Extended:

The sunset date for conducting emergency video notarizations
is now December 31, 2021.

Register of Deeds Offices:

Notaries must contact the Register of Deeds Office in their county of residence about their hours of operation during the coronavirus pandemic. Some of these offices are accepting walk-ins while others are requiring appointments.



NC Notary Facebook Group

Have you joined our notary Facebook group yet?

The North Carolina Notary Network

Well, what are you waiting for? More than 9,793 notaries around the state are in the group. If you haven't joined yet, click the link and come on in!

The purpose of the group is to connect NC notaries as well as give notaries an opportunity to share information, tips and ideas with one another.

When answering questions for fellow notaries, we encourage sharing page numbers, statutes or even pictures of citations from the *2016 NC Notary Public Manual*.

Click [here](#) to join today!





Thanksgiving Family Traditions 2.0

Even as we're emerging from this pandemic, the Thanksgiving table still looks a little different. Some people will go ahead and gather in small numbers this year, while others will choose to opt out of the family and friends gathering for another year.

However you choose to safely celebrate this Season of Thanks, here are some fun ways to celebrate the holiday:

Use your Peloton in the morning, take a YouTube fitness class before dinner or walk after your meal - COVID 19 has prompted more and more people to find ways to lose or maintain a healthy weight and lifestyle. No one wants to forgo all of the yummy fixins' (and why should we) so make sure you continue your journey to get fit - even on this day!

Schedule your Family Facetime - Eat dinner together "virtually" with your friends and family. If that's too hectic, how about having pecan pie and coffee together "virtually" later that evening when things slow down.

Donate - If you are worried about volunteering safely on Thanksgiving Day, make a financial donation to your local foodbank, soup kitchen or shelter ahead of time. They will appreciate the funds to help others in need.

Support your local restaurant - If spending hours and hours preparing a Thanksgiving meal isn't appealing to you, let your fingers do the walking. Order a meal from your favorite local restaurant. They will appreciate the order, and you will appreciate the time off. Don't forget to order early as many establishments sell out quickly.

Spend quality time with yourself - The hectic holiday season is almost here! We all know what that means. Grab some "me-time" when you can over the holidays. Read. Take a nap. Write in your journal. Listen to your favorite podcast or music station. Binge watch TV. Try some new fun recipes in the kitchen. Do some small projects around the house.



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