

**SUBCHAPTER 07J – REQUIREMENTS FOR TECHNOLOGY TO CONDUCT ELECTRONIC  
NOTARIZATION**

**SECTION .0100 – RESERVED FOR FUTURE CODIFICATION**

**SECTION .0200 – PROCESS FOR APPROVAL FOR AVEN TECHNOLOGY TO CONDUCT  
ELECTRONIC NOTARIZATION**

**18 NCAC 07J .0201      ELECTRONIC NOTARY SOLUTION PROVIDER APPLICATION**

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

- (1) Hardware and software specifications and requirements for the provider's electronic notarization system,
- (2) A description of the type(s) of technology used in the provider's electronic notarization system, and
- (3) A demonstration of how the technology is used to perform an electronic notarization.

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

*History Note: Authority G.S. 10B-125(b); 10B-126(d); 47-16.5; 47-16.7; 147-36; 15 USC 7002; Eff. January 1, 2007; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016; Transferred from 18 NCAC 07C .0501 Eff. June 1, 2023.*

**SECTION .0300 – RESERVED FOR FUTURE CODIFICATION**

**SECTION .0400 – IN-PERSON ELECTRONIC NOTARIZATION (AVEN) PROVIDER REQUIREMENTS**

**18 NCAC 07J .0401      RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07J .0402      CRITERIA FOR APPROVAL OF ELECTRONIC NOTARY SOLUTION PROVIDERS**

Each applicant and each approved electronic notary solution provider shall:

- (1) Provide a free and readily available viewer/reader so as to enable all parties relying on the electronically notarized record or document to view the electronic notary signature and the electronic notary seal without incurring any cost;
- (2) Comply with the laws, policies, and rules that govern North Carolina notaries;
- (3) Provide an electronic notarization system or solution that complies with the technical specifications of the rules and standards that govern electronic notarization processes and procedures in North Carolina;
- (4) Require such of the provider's principals or employees to take the mandatory electronic notary education course online and pass the required examination as is necessary to ensure the provider possesses sufficient familiarity with North Carolina's electronic notary laws and requirements;
- (5) Require notaries to present the NC Secretary of State's Electronic Notary Certificate to Perform Electronic Notary Acts prior to authorizing an electronic notary seal and signature;
- (6) Verify the authorization of a North Carolina notary to perform electronic notary acts by logging on to the Department's website and comparing the name, notary commission number and commission expiration date with the information on the Electronic Notary Certificate to Perform Electronic Notary Acts prior to authorizing an electronic notary seal and signature;
- (7) Provide prorated fees to align the usage and cost of the electronic notary system or solution with the commission term limit of the electronic notary purchasing the electronic notary seal and signature;

- (8) Suspend the use of any electronic notarization system or solution for any notary whose commission has been revoked or suspended by the North Carolina Secretary of State; and
- (9) Submit an exemplar of the electronic notary signature and the electronic notary seal to the Department for each electronic notary who subscribes to the provider's electronic notary solution.

*History Note:* Authority G.S. 10B-125(b); 10B-126(d); 47-16.5; 47-16.7; 147-36; 15 USC 7002;  
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#### **SECTION .0500 – RESERVED FOR FUTURE CODIFICATION**

#### **SECTION .0600 – CONTINUING OBLIGATIONS OF ELECTRONIC NOTARIZATION TECHNOLOGY PROVIDERS**

##### **18 NCAC 07J .0601 ELECTRONIC NOTARY SOLUTION PROVIDER CHANGES**

- (a) An electronic notary solution provider shall notify the Department within 45 days of changes, modifications or updates to information previously submitted to the Department.
- (b) An approved electronic notary solution provider shall obtain approval of the Department pursuant to the Act and this Subchapter before making available to North Carolina electronic notaries any updates or subsequent versions of the provider's electronic notarization system.

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