

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-010 (~~(Size and form of notary seal or stamp.)~~) **Authority.** ((A notary seal shall be one and five eighths inches minimum in diameter. If a notary stamp is used the following requirements shall apply:

(1) ~~The type shall be a minimum of 8 point type.~~

(2) ~~The stamp shall be minimum one and five eighths inches in diameter. If a rectangular stamp is used the minimum dimensions shall be one inch wide by one and five eighths inches long.~~

(3) ~~The imprint shall be affixed with indelible ink only.~~

(4) ~~The face of any notary stamp shall contain permanently affixed letters and numerals and shall not be preprinted.~~

(5) ~~The use of the Washington state seal on the notary stamp or seal is prohibited.~~

(6) ~~A vendor may not provide a notarial seal, or stamp, either inking or embossing, to a person claiming to be a notary, unless the person presents a photo copy of the person's Notary Certificate.~~

(7) ~~A notary applying for a seal or stamp as a result of a name change shall present a copy to the vendor of the certificate evidencing the notary's name change from the director.)~~ This chapter implements the revised uniform law on notarial acts, chapter 42.45 RCW.

AMENDATORY SECTION (Amending WSR 06-20-061, filed 9/29/06, effective 11/1/06)

WAC 308-30-020 (~~(What fees may a notary public charge?)~~) **Definitions.** ((1) ~~The maximum fees a notary may charge for notarial acts are:~~

NOTARIAL ACT	FEE
Witnessing or attesting a signature	\$10.00
Taking acknowledgement or verification upon oath or affirmation	\$10.00
Certifying or attesting a copy	\$10.00
Receiving or noting a protest of a negotiable instrument	\$10.00
Being present at demand, tender, or deposit, and noting the same	\$10.00
Administering an oath or affirmation	\$10.00
Certifying that an event has occurred or an act has been performed	\$10.00

(2) ~~A notary public need not charge for notarial acts. A notary who chooses to charge for notarial acts shall conspicuously display in their place of business, or present to each customer outside their business, an English language schedule of fees for notarial acts. No part of the displayed notarial fee schedule may be printed in smaller than 10 point type.~~

(3) ~~A notary may charge actual costs of copying any instrument or record.~~

~~(4) A notary may charge a travel fee when traveling to perform a notarial act if:~~

~~(a) The notary and the person requesting the notarial act agree upon the travel fee in advance of the travel; and~~

~~(b) The notary explains to the person requesting the notarial act that the travel fee is in addition to the notarial fee in subsection (1) of this section and is not required by law.)) Words and terms used in these rules have the same meaning as in the Revised Uniform Law on Notarial Acts, RCW 42.45.010.~~

"Appear personally" means being in the same physical location as another individual and close enough to see, hear, communicate with, and exchange tangible identification credentials with that individual.

"Commission" is equivalent to the term "license" as defined in RCW 18.235.010(6).

"Department" means the Washington state department of licensing.

"Director" means the director of the department of licensing or the director's designee.

"Electronic journal" means a chronological record of notarizations maintained by a notary public in an electronic format in compliance with these rules.

"Electronic notarial acts" means notarizations or notarial acts with respect to electronic records.

"Electronic notarial certificate" means the part of, or attachment to, an electronic record that is completed by the notary public, contains the information required under RCW 42.45.130 and the notary's official stamp, bears that notary's electronic signature, and states the facts attested to by the notary in a notarization performed on an electronic record.

"Enroll" and "enrollment" mean a process for registering a notary public with a technology provider to access and use a tamper-evident technology in order to perform electronic notarial acts.

"Principal" means:

(a) An individual whose electronic signature is notarized; or

(b) An individual, other than a witness required for an electronic notarial act, taking an oath or affirmation from the notary public.

"Sole control" means at all times being in the direct physical custody of the notary public or safeguarded by the notary with a password or other secure means of authentication.

"Tamper-evident technology" means a set of applications, programs, hardware, software, or other technologies designed to enable a notary public to perform electronic notarial acts and to display evidence of any changes made to an electronic record.

"Technology provider" means an individual or entity that offers the services of a tamper-evident technology for electronic notarial acts.

"Venue" means the state and county where the notary public is physically located while performing a notarial act.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-030 (~~Applications for appointment as notary public.~~) Application process for notary public commission. (~~Applications for appointment as notary public may be obtained from the de-~~

partment of licensing. Every application submitted for appointment as a notary public must be accompanied by the required surety bond and the prescribed fee and shall in all ways comply with the requirements of chapter 42.44 RCW.) (1) To apply for a notary public commission, an applicant who meets the requirements of RCW 42.45.200(2) shall submit an application on forms provided by the department. The application shall include:

(a) Evidence of a ten thousand dollar surety bond, signed by the notary public, that conforms to RCW 42.45.200(4);

(b) Payment of the prescribed fee; and

(c) A signed and notarized oath of office.

(2) As part of a notary public commission application, an applicant shall provide both their legal name and their commission name. The applicant's commission name must contain their surname, and at least the initials of the applicant's first and middle name.

(3) To apply for an electronic records notary public endorsement, an applicant who meets the requirements of RCW 42.45.200(7) shall submit an electronic records notary public application on forms provided by the department and pay the prescribed fee.

(4) An applicant may only apply for an electronic records notary public endorsement if:

(a) They currently hold an active notary public commission; or

(b) They are applying for a notary public commission and an electronic records notary public endorsement simultaneously.

(5) An individual applying for an electronic records notary public endorsement must inform the department within thirty days of applying of the tamper-evident technology provider that they have enrolled with before they perform their first electronic notarial act.

(6) A notary public shall reapply with the department for each commission term before performing notarial acts.

(7) A notary public may elect not to apply for an electronic records notary public endorsement.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-040 (~~(Resignation or revocation of notary appointment.)~~) Approval or denial of application. ((Voluntary resignation by a notary public shall be submitted in writing to the department of licensing. If a notary public voluntarily resigns his or her notary appointment or if the notary appointment is revoked, suspended or restricted, the notary public must mail or deliver his or her notary stamp or seal to the department of licensing. No voluntary resignation of a notary appointment shall be effective until the notary seal or stamp is mailed or delivered to the notary section.)) (1) Upon the applicant's fulfillment of the requirements for a notary public commission or an electronic records notary public endorsement, the department shall approve the application and issue the commission or endorsement.

(2) If the department receives an incomplete or invalid application, the department shall hold the application for thirty calendar days to allow the applicant to cure any defects. After the thirty day period, the application shall be canceled and any application fees forfeited.

(3) An applicant may not perform any notarial acts before receiving a notary public commission from the department.

(4) A notary public may not perform any electronic notarial acts before receiving an electronic records notary public endorsement from the department.

(5) The department may deny a commission or endorsement application if the applicant fails to comply with these rules or does not meet the requirements for licensure.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

~~WAC 308-30-050 ((Replacement of lost or stolen notary seals or stamps.))~~ Term of commission. ((When a notary seal or stamp is lost or stolen the department of licensing is to be notified by certified mail. The notice must set forth the fact that the notary seal or stamp has been lost or stolen and be signed by the notary public. The notary public may then obtain a replacement notary seal or stamp. The new notary seal or stamp must contain some variance from the original seal or stamp. If the lost or stolen notary seal or stamp is found or recovered after a replacement has been obtained the original seal or stamp shall be surrendered to the department of licensing.)) (1) The term of a notary public commission shall expire on the expiration date of the notary public's surety bond, no more than four years after their commission date.

(2) Unless terminated pursuant to WAC 308-30-270, an electronic records notary public endorsement is valid from the date the endorsement is issued by the department, and continues as long as the notary public's current commission remains valid.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

~~WAC 308-30-060 ((Department to be notified of change of name or address.))~~ Application fees. ((When a notary public changes his or her name or address, the department of licensing must be notified in writing of such name and/or address change. The notification of name change must be accompanied by a bond rider from the bonding company amending the notary bond, and the prescribed fee for a name change which provides a duplicate notary certificate showing the new name. There is no charge for an address change.)) The following fees shall be charged by the department:

<u>Title of Fee</u>	<u>Fee</u>
<u>Application for notary public commission</u>	<u>\$30.00</u>
<u>Application for electronic records notary public endorsement</u>	<u>\$15.00</u>
<u>Renewal of notary public commission</u>	<u>\$30.00</u>
<u>Renewal of electronic records notary public endorsement</u>	<u>\$15.00</u>

<u>Title of Fee</u>	<u>Fee</u>
<u>Duplicate certificate of commission (including name change)</u>	<u>\$15.00</u>

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-070 (~~((Requests for evidence of authenticity.))~~) **Size and form of official seal or stamp.** (~~((Requests for evidences of authenticity of notarial commission must be in writing, accompanied by the prescribed fee, the original document, and mailed to the department of licensing.))~~) An official seal or stamp shall conform to the following requirements:

(1) The seal or stamp shall include the following information:

(a) The words "notary public";

(b) The words "state of Washington";

(c) The notary public's name as commissioned;

(d) The notary public's commission expiration date; and

(e) The notary public's commission number.

(2) The type on this seal or stamp shall be a minimum of 8 point type.

(3) The seal or stamp shall conform to the following physical requirements:

(a) The seal or stamp shall be minimum one and five-eighths inches diameter if circular, or one inch wide by one and five-eighths inches long if rectangular;

(b) The face of the seal or stamp shall be permanently affixed; and

(c) If the stamp is affixed to a tangible record, it shall be applied in permanent ink and shall be capable of being photocopied.

(4) The seal or stamp shall not contain the Washington state seal.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-080 (~~((Appeals of denials and revocations of notary appointments.))~~) **Acquiring official seal or stamp.** (~~((Notices of appeals of denials and revocations of notary appointments must be in writing and mailed or delivered to the department of licensing. The written notification of appeal must be received by the department within twenty days of the date of denial or revocation or the right to appeal is waived. When the notification of appeal is mailed, the post-marked date will be accepted as the date of receipt by the department of licensing. Procedures on appeal will be as provided in the Administrative Procedure Act, chapter 34.05 RCW, and rules adopted thereunder.))~~) (1) A notary public shall procure an official seal or stamp only after receiving a certificate evidencing the notary public's commission from the department, and shall provide a copy of this certifi-

cate to their chosen seal or stamp vendor as part of procuring the stamp.

(2) A notary public with a commission in effect on July 1, 2018, may continue to use their notarial seal until the commission's date of expiration. A notary public who procures an official seal or stamp after July 1, 2018, is subject to and shall comply with the rules in WAC 308-30-070.

(3) The stamp a notary public acquires is the exclusive property of the notary public, and shall not be surrendered to an employer upon termination of employment, regardless of whether the employer paid for the seal or for the notary's bond or appointment fees.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-090 ((Forms.)) Replacement of lost or stolen official seal or stamp. ~~((1) The forms in RCW 42.44.100 are only suggested certificates with the sufficient information included. These forms may be used; however, when a specific form is required by a specific statute, the required form shall be used.~~

~~(2) A nonattorney notary may complete notarial certificates, and may not assist another person in drafting, completing, selecting, or understanding a document or transaction requiring a notarial act. This does not preclude a notary who is duly qualified in a particular profession from giving advice relating to matters in that professional field.)~~ (1) When an official seal or stamp is lost or stolen the notary public shall notify the department in writing within ten business days of discovering the seal or stamp was lost or stolen.

(2) The notary public may not obtain a replacement official seal or stamp until they have properly notified the department that the original was lost or stolen.

(3) A replacement official seal or stamp must contain some variance from the original seal or stamp.

(4) If the lost or stolen official seal or stamp is found or recovered after a replacement has been obtained, the original seal or stamp shall be destroyed.

AMENDATORY SECTION (Amending WSR 05-12-047, filed 5/26/05, effective 6/26/05)

WAC 308-30-100 ((Fees.)) Notary signature. ~~((The following fees shall be charged by the director of the department of licensing:~~

Title of Fee	Fee
Application for notary appointment	\$30.00
Renewal of notary appointment	30.00
Duplicate certificate of appointment (including change of name)	15.00
Evidence of verification of notarial commission	15.00

Title of Fee	Fee
Apostille	15.00))

In addition to the requirements listed in RCW 42.45.130, a notary public signing the notarial certificate of a completed notarial act shall sign the notarial certificate using the exact name that appears on the notary's certificate of commission and their seal or stamp.

NEW SECTION

WAC 308-30-110 Requirements for notarial acts. (1) In performing a notarial act, the notary public shall be physically within the geographic borders of the state of Washington.

(2) A notarial officer who certifies that an event has occurred or an act has been performed shall determine, from personal knowledge or satisfactory evidence, that the occurrence or performance took place.

(3) Electronic notarial acts shall conform to the requirements listed in these rules and RCW 42.45.040 on signing parties appearing before the notary.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-120 ((Notary signature.)) Authorized electronic notarial acts. ((Upon completion of a notarial act, the notary must sign the notary certification using his/her name exactly as it appears on the notary certificate of appointment and the stamp or seal. The notary's name must be legibly printed or stamped directly below their signature.)) A notary public who has received an electronic records notary public endorsement from the department may perform the following electronic notarial acts:

- (1) Taking an acknowledgment;
- (2) Taking a verification on oath or affirmation;
- (3) Witnessing or attesting a signature;
- (4) Certifying or attesting a copy;
- (5) Certifying that an event has occurred or an act has been performed; and
- (6) Noting a protest of a negotiable instrument, if the notary public is:
 - (a) Licensed to practice law in the state of Washington;
 - (b) Acting under the authority of an attorney who is licensed to practice law in this or another state; or
 - (c) Acting under the authority of a financial institution regulated by this state, another state, or the federal government.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-130 (~~((Expired stamp or seal.))~~) **Requirements for technologies and technology providers.** (~~((The use of a stamp or seal with an expired date is prohibited.))~~) A tamper-evident technology shall comply with these rules:

(1) A technology provider shall enroll only notaries public who have been issued an electronic records notary public endorsement pursuant to WAC 308-30-030.

(2) A technology provider shall take reasonable steps to ensure that a notary public who has enrolled to use the technology has the knowledge to use it to perform electronic notarial acts in compliance with these rules.

(3) A tamper-evident technology shall require access to the system by a password or other secure means of authentication.

(4) A tamper-evident technology shall enable a notary public to affix the notary's electronic signature and seal or stamp in a manner that attributes such signature and seal or stamp to the notary.

(5) A technology provider shall provide prorated fees to align the usage and cost of the tamper-evident technology with the term limit of the notary public electronic records notary public endorsement.

(6) A technology provider shall suspend the use of any tamper-evident technology for any notary public whose endorsement has been revoked, suspended, or canceled by the state of Washington or the notary public.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-140 (~~((Notification of legal actions.))~~) **Refusal of requests to use system.** (~~((The notary must notify the department of licensing of any conviction against him or her of official misconduct, and/or civil or criminal charges. Notification must be submitted within thirty days of such happening.))~~) In addition to the reasons listed in RCW 42.45.060, a notary public shall refuse a request to:

(1) Use a tamper-evident technology that the notary does not know how to operate; or

(2) Perform an electronic notarial act if the notary has a reasonable belief that a tamper-evident technology does not meet the requirements set forth in these rules.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-150 (~~((Continuous qualification required.))~~) **Completion of electronic notarial certificate.** (~~((A notary public must continue to meet the requirements of RCW 42.44.020 (1)(b) or (c) throughout the term of appointment. A notary who fails to meet any one or more of the aforementioned requirements shall resign, or the director shall insti-~~

~~tute hearings to determine if the requirements have been met by the notary.))~~ (1) For every electronic notarial act, a notary public shall complete an electronic notarial certificate that complies with the requirements of these rules, RCW 42.45.130 and 42.45.140.

(2) An electronic notarial certificate shall be completed at the time of notarization and in the physical presence of the principal.

AMENDATORY SECTION (Amending WSR 93-05-009, filed 2/5/93, effective 3/8/93)

WAC 308-30-160 ((Testimonials.)) Certification of electronic notarial acts. ~~((A notary may not endorse or promote any service, contest, or other offering if the notary's seal or title is used in the endorsement or promotional statement.))~~ A notary public shall sign each electronic notarial certificate with an electronic signature that complies with WAC 308-30-170 and authenticate an electronic notarial act with an official stamp that complies with WAC 380-30-180.

AMENDATORY SECTION (Amending WSR 97-10-052, filed 5/1/97, effective 6/1/97)

WAC 308-30-170 ((Application of brief adjudicative proceedings.)) Electronic notarial signature. ~~((The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482, for the categories of matters set forth below. Brief adjudicative proceedings will be limited to a determination of one or more of the following issues:~~

~~(1) Whether an applicant for an appointment meets the minimum criteria for an appointment as a notary public in this state and the department proposes to deny the application;~~

~~(2) Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department; and~~

~~(3) Whether an appointment holder requesting renewal has submitted all required information and whether an appointment holder meets minimum criteria for renewal.))~~ (1) A notary public shall use a tamper-evident technology that complies with WAC 308-30-130 of these rules to produce the notary's electronic signature in a manner that is capable of independent verification.

(2) A notary public shall take reasonable steps to ensure that no other individual may possess or access a tamper-evident technology used to produce the notary's electronic signature.

(3) A notary public shall keep in the sole control of the notary all or any part of a tamper-evident technology whose exclusive purpose is to perform electronic notarial acts.

(4) For the purposes of this section, "capable of independent verification" means that any interested individual may confirm through the department that a notary public who signed an electronic record in an official capacity had authority at that time to perform electronic notarial acts.

AMENDATORY SECTION (Amending WSR 97-10-052, filed 5/1/97, effective 6/1/97)

WAC 308-30-180 (~~((Preliminary record in brief adjudicative proceedings.))~~) Electronic notarial stamp. (~~((1) The preliminary record with respect to an application for appointment or reappointment shall consist of:~~

~~(a) The application for appointment or reappointment and all associated documents;~~

~~(b) All documents relied upon by the director in proposing to deny the appointment or reappointment; and~~

~~(c) All correspondence between the applicant for appointment or reappointment and the director regarding the application.~~

~~(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:~~

~~(a) The previously issued final order or agreement;~~

~~(b) All reports or other documents submitted by, or at the direction of, the appointment holder, in full or partial fulfillment of the terms of the final order or agreement;~~

~~(c) All correspondence between the appointment holder and the director regarding compliance with the final order or agreement; and~~

~~(d) All documents relied upon by the director showing that the appointment holder has failed to comply with the previously issued final order or agreement.))~~ (1) An electronic stamp may be used to authenticate an electronic notarial act if the electronic notarial certificate conforms to the rules set forth in RCW 42.45.130 and

42.45.140.

(2) An electronic stamp of a notary public used to authenticate an electronic notarial act shall conform to RCW 42.45.150 and WAC 308-30-070.

(3) The electronic stamp of a notary public shall be a digital image that appears in the likeness or representation of a traditional physical notary public official stamp meeting the requirements of RCW 42.45.150 and WAC 308-30-070.

(4) The tamper-evident technology used to create a notary public's electronic stamp shall not be used for any purpose other than performing electronic notarial acts under chapter 42.45 RCW and these rules.

(5) Only the notary public to whom the tamper-evident technology is registered shall generate an official stamp.

AMENDATORY SECTION (Amending WSR 97-10-052, filed 5/1/97, effective 6/1/97)

WAC 308-30-190 (~~((Conduct of brief adjudicative proceedings.))~~) Journal of notarial acts required. (~~((1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall not have personally participated in the decision which resulted in the request for a brief adjudicative proceeding.~~

~~))~~

~~(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.~~

~~(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.~~

~~(4) No witnesses may appear to testify.~~

~~(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ department expertise as a basis for the decision.~~

~~(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.))~~

(1) A notary public shall record each notarial act in a journal at the time of notarization in compliance with RCW 42.45.180 and these rules.

(2) If a notary public performs notarial acts involving different statements or documents for the same individual on the same date, the notary public may record a single entry in the journal for all of the statements or documents. The entry shall include the number of statements or documents notarized and shall otherwise conform to RCW 42.45.180 and these rules.

(3) The fact that the notary public's employer or contractor keeps a record of notarial acts shall not relieve the notary of the duties required by these rules.

NEW SECTION

WAC 308-30-200 Format of journals of notarial acts. (1) A tangible notarial journal shall:

(a) Be a permanent, bound book with numbered pages; and

(b) Have the capacity to record for each notarial act:

(i) The information required by RCW 42.45.180(4);

(ii) A description of the notary public's method of identifying the principal; and

(iii) The principal's signature, or the signature of an authorized party in compliance with RCW 42.45.070.

(2) If a notary public keeps an electronic journal pursuant to RCW 42.45.180(3), the electronic journal shall:

(a) Be maintained only in addition to the tangible journal;

(b) Have the capacity to record the information required for a tangible notarial journal;

(c) Enable access by a password or other secure means of authentication;

(d) Be tamper-evident;

(e) Create a duplicate record of the journal as a backup; and

(f) Be capable of providing tangible or electronic copies of any entry made in the journal.

(3) A notary public's journal is the exclusive property of the notary public, and shall not be surrendered to an employer upon demand or termination, whether the employer paid for the journal or the notary's bond or application fees.

NEW SECTION

WAC 308-30-210 Disposition of journal. (1) Ten years after the performance of the last notarial act chronicled in a tangible journal, the journal is to be destroyed by shredding or other destruction that leaves any entry in the journal illegible.

(2) Ten years after the performance of the last notarial act chronicled in an electronic journal, the journal is to be destroyed by deleting any remaining records pertaining to the electronic journal and deleting any remaining tamper-evident technology in the notary's possession.

(3) The personal representative or guardian of a notary public shall follow RCW 42.45.180(6) related to the disposition of the notary public's journals upon the death or adjudication of incompetency of the notary public.

(4) Nothing in this section shall require a notary to dispose of their notarial journal or journals if doing so would be in conflict with the law of another jurisdiction that requires a notary to keep their journal for a longer period of time.

(5) The notary public, or the notary's personal representative, shall provide access instructions to the department for any electronic journal maintained or stored by the notary, upon commission resignation, revocation, or expiration without renewal, or upon the death or adjudicated incompetence of the notary.

NEW SECTION

WAC 308-30-220 Fees for notarial acts. (1) The maximum fees a notary may charge for notarial acts are:

Notarial Act	Fee
Witnessing or attesting a signature	\$10.00
Taking an acknowledgment or a verification upon oath or affirmation	\$10.00
Certifying or attesting a copy	\$10.00
Administering an oath or affirmation	\$10.00
Certifying that an event has occurred or an act has been performed	\$10.00

(2) A notary public need not charge for notarial acts.

(3) A notary public may not charge fees for receiving or noting a protest of a negotiable instrument.

(4) A notary public may additionally charge the actual costs of copying any instrument or record.

(5) A notary public may charge a travel fee when traveling to perform a notarial act if:

(a) The notary public and the individual requesting the notarial act agree upon the travel fee in advance of the travel; and

(b) The notary public explains to the individual requesting the notarial act that the travel fee is in addition to the notarial fee in subsection (1) of this section and is not required by law.

NEW SECTION

WAC 308-30-230 Testimonials. A notary may not endorse or promote any service, contest, or other offering if the notary's seal or title is used in the endorsement or promotional statement.

NEW SECTION

WAC 308-30-240 Forms. (1) The forms in RCW 42.45.140 are examples of certificates with the sufficient information included. When a specific form is required by another statute of this state, the required form shall be used.

(2) A nonattorney notary may not assist another person in drafting, completing, selecting, or understanding a document or transaction requiring a notarial act. This does not preclude a notary who is duly qualified in a particular profession from giving advice relating to matters in that professional field.

NEW SECTION

WAC 308-30-250 Change of name or address. (1) When a notary public changes his or her name or address, the department of licensing must be notified of such change on forms prescribed by the department.

(2) A name change notification must be accompanied by a bond rider from the bonding company amending the notary bond, and the prescribed fee for a name change which provides a duplicate notary certificate showing the new name. There is no charge for an address change and a new certificate is not issued.

(3) A notary that submits a name change notification shall continue to use their original notary stamp or seal and their original name and signature until they receive a new commission certificate and seal or stamp with the new information.

NEW SECTION

WAC 308-30-260 Evidence of authenticity. Requests for evidence of authenticity should be addressed to the Washington office of the secretary of state, corporations and charities division.

NEW SECTION

WAC 308-30-270 Termination or suspension of commission or endorsement. (1) The department may take action against the commission and/or endorsement of a notary public who fails to comply with these

rules as provided in RCW 42.45.210, 42.45.270, and chapter 18.235 RCW. Any restriction, suspension, or revocation of a notary public's commission will automatically have the same effect on any endorsement the notary public holds.

(2) A notary public may terminate their notary public commission and/or electronic records endorsement by notifying the department of this intent in writing and disposing of all or any part of a tamper-evident technology in the notary's control whose purpose was to perform electronic notarizations.

(3) A notary public may terminate the electronic records notary public endorsement and maintain the underlying notary public commission.

(4) A notary public whose commission is terminated or expired, either by the notary or the department, shall disable their official stamp by destroying, defacing, damaging, or securing the device against use. The notary shall maintain their notarial journals for ten years as required by RCW 42.45.180 and WAC 308-30-210.

NEW SECTION

WAC 308-30-280 Change of application information. If any of the information submitted on a notary public's commission or endorsement applications pursuant to WAC 308-30-030 changes, the notary public shall report this change to the department in writing within fifteen days.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 308-30-005 Mailing address.
- WAC 308-30-155 Satisfactory evidence of identity.