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MARYLAND ALERT NO. 2020-09

TO: MARYLAND AGENTS, APPROVED ATTORNEYS, OFFICERS & EXAMINERS
FROM: MARYLAND COUNSEL
DATE: March 30, 2020
SUBJECT: Emergency Exemptions to Remote Online Notarization Procedures - Update

THIS ALERT SUPPLEMENTS ALERT 2020-07
ALL REQUIREMENTS CONTAINED IN ALERT 2020-07 REMAIN IN PLACE

Governor Hogan issued Executive Order Number 20-03-30-04 today to allow the use of Remote Online Notarization (RON) by Maryland notaries on an emergency basis. The Executive Order is attached for your review.

The Secretary of State has issued temporary guidance with regard to implementation of the RON Executive Order. This guidance is also attached for your review. Please note that the Secretary of State's guidance contains the following requirements:

YOU MUST DO THESE THINGS TO PERFORM A REMOTE NOTARIZATION:

- You must be a current notary in good standing.
- You must notify the Office of the Secretary of State of your intent to use remote notarizations
- You must identify the communications technology vendor you will use and confirm that the vendor allow you to, in real time, (1) view the remotely located individual and (2) compare for consistency the information and photos presented as identification credentials.
- For each notarial act conducted remotely, you must create and retain an audio-visual recording of the performance of the notarial act.
- For each notarial act conducted remotely, you must note on the notarial certification and in your notary log or journal that the notarial act was performed for a remotely located individual using communications technology.
- You may NOT charge more than \$4 for each remote online notarial act using communication technology, which is the same fee that may be charged when performing an in person notarial act.

The Secretary of State's guidance also requires compliance with a number of steps before you begin to perform remote notarizations. Details and forms can be found here:

<https://sos.maryland.gov/Documents/RemoteNotaryWaiver.pdf>

NOTE: THIS ALERT DOES NOT SUPERCEDE THE GUIDANCE PUBLISHED IN ALERT 2020-07. ALL GUIDANCE CONTAINED IN ALERT 2020-07 AND ALL GUIDANCE CONTAINED IN THIS ALERT MUST BE FOLLOWED IN ORDER TO INSURE TITLES WHERE RON IS USED.

Please make certain that this Notice and communications are disseminated to your staff.

Thank you for your attention to this matter and please do not hesitate to contact your local underwriting counsel if you should have any questions.

Thank you for letting us be your premier provider of title insurance products in Maryland.



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