

**ANNOTATED CODE OF MARYLAND**

**COMMERCIAL LAW  
TITLE 21. MARYLAND UNIFORM ELECTRONIC TRANSACTIONS ACT**

**§ 21-110. Notarization and acknowledgment.**

If a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

**GENERAL PROVISIONS  
TITLE 4. PUBLIC INFORMATION ACT  
SUBTITLE 3. DENIALS OF INSPECTION  
PART III. REQUIRED DENIALS FOR SPECIFIC INFORMATION**

**§ 4-332 GENERAL PROVISIONS Information about notaries public.**

(a) In general. – Subject to subsections (b) through (e) of this section, a custodian shall deny inspection of the part of a public record that contains information about the application and commission of a person as a notary public.

(b) Required inspections. – A custodian shall allow inspection of the part of a public record that gives:

- (1) the name of the notary public;
- (2) the home address of the notary public;
- (3) the home and business telephone numbers of the notary public;
- (4) the issue and expiration dates of the notary public's commission;
- (5) the date the person took the oath of office as a notary public; or
- (6) the signature of the notary public.

(c) Inspection permissible for compelling public purpose. – A custodian may allow inspection of other information about a notary public if the custodian finds a compelling public purpose.

(d) Permissible denials. – A custodian may deny inspection of a record by a notary public or any other person in interest only to the extent that the inspection could:

- (1) interfere with a valid and proper law enforcement proceeding;
- (2) deprive another person of a right to a fair trial or an impartial adjudication;
- (3) constitute an unwarranted invasion of personal privacy;
- (4) disclose the identity of a confidential source;
- (5) disclose an investigative technique or procedure;
- (6) prejudice an investigation; or
- (7) endanger the life or physical safety of an individual.

(e) Required omission from list on request. – A custodian who sells lists of notaries public shall omit from the lists the name of any notary public, on written request of the notary public.

**REAL PROPERTY  
TITLE 3. RECORDATION  
SUBTITLE 7. MARYLAND UNIFORM REAL PROPERTY ELECTRONIC  
RECORDING ACT**

**§ 3-702.**

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(C) A requirement that a document or signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied if the electronic signature of the person authorized to perform that act and all other required information is attached to or logically associated with the document or signature.

**STATE GOVERNMENT  
TITLE 18. NOTARIES PUBLIC.**

**§ 18-101 STATE GOV'T Procedure for appointing, commissioning notary public.**

(a)(1) Residents of State. – Except as provided in paragraph (2) of this subsection, the Governor, on approval of the application by a Senator representing the senatorial district and subdistrict in which the applicant resides or on approval by any Senator if the senatorial office representing the senatorial district and subdistrict in which the applicant resides is vacant, may appoint and commission individuals as notaries public as provided in this title.

(2) (i) A Senator may delegate the Senator's authority to approve applicants under this subsection to the Secretary of State.

(ii) If a Senator has delegated approval authority under subparagraph (i) of this paragraph, the Governor may appoint and commission an individual as a notary public as provided in this title on approval of the application by the Secretary of State.

(b) Out-of-state individuals.

(1) The Governor, on approval of the application by the Secretary of State and a member of the Senate of Maryland, shall appoint and commission out-of-state individuals as notaries public as provided in this article.

(2) An out-of-state notary shall be deemed to have irrevocably appointed the Secretary of State as the notary's agent upon whom may be served any summons, subpoena, subpoena duces tecum, or other process.

**§ 18-102 STATE GOV'T Qualifications of notary public.**

Each individual appointed as a notary public shall:

(1) be at least 18 years old;

(2) be of good moral character and integrity;

(3) live or work in the State;

(4) if living in the State, be a resident of the senatorial district from which appointed;

and

(5) if living outside the State, be a resident of a state that allows Maryland residents working in that state to serve as notaries public in that state.

**§ 18-103 STATE GOV'T Application, renewal of appointment as notary public; fees.**

(a) Application. – (1) An application for original appointment as a notary public shall be made on forms prepared by the Secretary of State and shall be sworn to by the applicant.

(2)(i) Except as provided in subparagraph (ii) of this paragraph, an application by a resident of the State shall bear or be accompanied by the written approval of a Senator representing the senatorial district and subdistrict in which the applicant resides or, if that office is vacant, by any Senator's written approval.

(ii) If a Senator has delegated approval authority under § 18-101 of this subtitle, the application shall bear or be accompanied by the written approval of the Secretary of State.

(3) An application by an out-of-state individual shall bear or be accompanied by the written approval of a Maryland State Senator.

(4) Completed applications shall be filed with the Secretary of State.

(b) Notice of appointment. – When the appointment is made by the Governor, the Secretary of State shall notify the applicant.

(c) Term. – (1) The term of a notary public commission is 4 years.

(2) The Secretary of State shall adopt, by regulation, a staggered system for the expiration and renewal of notary public commissions.

(d) Renewal, revocation, and reinstatement. – (1) Notary public commissions may be renewed from term to term, and the Secretary of State shall issue an application of renewal to the notary public at or prior to the expiration of the term of the existing commission.

(2) On receiving of a satisfactory application of renewal from the notary, the Secretary shall issue a notice of renewal to the notary.

(3) Within 30 days after the issuance by the Secretary of State of a notice of appointment or renewal, the notary shall qualify before the appropriate clerk of the court and pay the fees prescribed in subsection(e) of this section.

(4) An out-of-state individual commissioned as a notary shall qualify before the clerk of the circuit court in any county or Baltimore City and pay the fees prescribed in subsection (e) of this section.

(5) The appointment and commission of any notary who fails to qualify and pay the fees within the time required under this subsection shall be revoked.

(6) If an appointment and commission is revoked under this subsection, the court clerk shall return the commission to the Secretary of State with a certification that the notary failed to qualify and pay the fees within the required time.

(7) The Secretary of State for good cause shown may reinstate the appointment and commission.

(e) Procedure and fees.

(1) At the time the notice of appointment or the notice of renewal is issued, the Secretary of State shall forward to the clerk of the circuit court of the county in which the notary resides or in the case of a notary who lives out-of-state, to the clerk of the circuit court in the county where the notary is to qualify, a commission signed by the Governor and Secretary of State under the great seal of the State.

(2) The clerk of the court shall deliver the commission to the notary upon qualification and payment of the prescribed fees by the notary.

(3) Each notary shall pay to the clerk:

(i) a fee of \$1 for qualifying the notary and registering the name, address, and commission expiration date of the notary; and

(ii) a fee of \$11 or a lesser amount as prescribed by the Secretary of State for the commission issued.

(4) The fee shall be paid by the clerk to the Treasury of the State.

(5) The Secretary of State may fix other reasonable fees as required for the processing of applications and the issuance and renewal of notarial commissions and may charge a reasonable fee not exceeding \$25 for checks returned for insufficient funds.

(6)(i) 1. Except as provided under subparagraph(ii) of this paragraph, if a payment of a fee under this section is made by a check or other negotiable instrument that is dishonored, the Commission shall be revoked by operation of law.

2. The revocation is effective beginning on the 60th day after the day on which the notice is sent in accordance with subparagraph(ii) of this paragraph.

(ii) When the Secretary of State receives notice that a check or other negotiable instrument, given by an applicant in payment of a fee under this section has been dishonored, the Secretary shall inform the applicant, by regular mail, sent to the last home address the applicant has given to the Secretary, that the Commission will be revoked by operation of law if within 60 days after the date of the notice the applicant fails to make payment of the fee and any late charge, or fails to provide evidence that the notice of dishonor was in error.

(iii) The removal of a notary public from office under this paragraph is not subject to the provisions applicable to removal under § 18-104 of this title.

(f) Forms. – The Secretary of State may prepare and adopt forms as required under this section, including the form of original and renewal applications, the form of commissions, and forms for renewal of commissions.

#### **§ 18-104 STATE GOV'T Removal, suspension of notary public.**

(a) In general. – (1) A notary public may be removed or suspended from office by the Governor for good cause either on the Governor's own initiative or on a request made to the Governor in writing by the senator who approved the appointment.

(2) After notice to the notary and the opportunity for a hearing before the Secretary of State or the Secretary of State's designee, the Secretary of State shall submit a recommendation to the Governor for action as the Governor determines to be required in the case.

(b) Delegation of authority to remove or suspend. – (1) The Governor may delegate to the Secretary of State or the Assistant Secretary of State or both the authority to remove or suspend a notary from office under this section.

(2) The Secretary of State or Assistant Secretary of State shall give the notary notice and an opportunity for a hearing as provided in subsection(a) of this section, but is not required to submit a recommendation to the Governor before acting under this subsection.

(c) Hearing is not contested case. – A hearing under this section is not a contested case under Title 10, Subtitle 2 of the State Government Article.

(d) Requirements for notice and hearing. – The notice and hearing opportunity under subsections(a) and (b) of this section is deemed satisfied if a letter informing the notary of the impending removal from office and hearing opportunity is mailed to the notary at the last address the notary has given to the Secretary of State, and the letter is returned to the Secretary of State by the United States Postal Service.

#### **§ 18-105 STATE GOV'T Power of notary public to administer oaths; evidence.**

(a) Administration of oaths. – A notary public shall have the power to administer oaths according to law in all matters and cases of a civil nature in which a justice of the peace might have administered an oath on or before July 4, 1971, and with the same effect.

(b) Certificate under seal as evidence. – A certificate under the notarial seal of a notary shall be sufficient evidence of the notary having administered the oath as notary public.

#### **§ 18-106 STATE GOV'T Powers of notary public relating to acknowledgements, protests, declarations.**

A notary public may:

(1) receive the proof or acknowledgment of all instruments of writing relating to

commerce or navigation and other writings as have been usually proved and acknowledged before notaries; and

(2) make protests and declarations and testify to the truth of the protests and declarations under the notary's notarial seal of office concerning all matters done by the notary in virtue of the notary's office.

**§ 18-107 STATE GOV'T Notary public to keep register of protests, other acts; certified copies of record.**

A notary public shall keep a fair register of all protests and other official acts done by the notary in virtue of the notary's office and shall, when required, give a certified copy of any record in the notary's office to any person applying for the record on payment of the usual fees for the certified copy by the person applying for it.

**§ 18-108 STATE GOV'T Notary seal or stamp: use, requirements.**

(a) In general. – A notary public shall provide a public notarial seal or stamp with which the notary shall authenticate the notary's acts, instruments, and attestations, on which seal or stamp shall be shown a device that the notary thinks proper and for legend shall have the name, surname, and office of the notary and the notary's place of residence, which shall be designated by the county of the notary's residence or if the notary is a resident of the City of Baltimore, by the City of Baltimore.

(b) Out-of-state notary. – If the notary is an out-of-state notary, the legend shall have the name, surname, office of the notary, and the county where the notary qualified.

(c) Inclusion of expiration date of commission. – Each notary shall include on each act, instrument, or attestation the expiration date of the notary's commission as a notary.

**§ 18-109 STATE GOV'T Scope of notary public's authority.**

A notary public may exercise all functions of the office of notary in any other county or city than the county or city for which the notary is appointed, with the same power and effect in all respects as if the same were exercised in the county or city for which the notary is appointed.

**§ 18-110 STATE GOV'T Form of protest mandated by Comptroller; issuance by notary public.**

It is unlawful for any notary public to sign and issue any protest except in the form prescribed by the Comptroller.

**§ 18-111 STATE GOV'T Prohibited acts of notary public.**

(a) Acknowledgments and protests allowed. – Subject to subsection(b) of this section, it is lawful for any notary public who is a stockholder, director, officer, or employee of a bank or other corporation to:

(1) take the acknowledgment of any party to any written instrument executed to or by the corporation, or to administer an oath to any other stockholder, director, officer, employee, or agent of the corporation; or

(2) protest for nonacceptance or nonpayment bills of exchange, drafts, checks, notes, and other negotiable instruments that may be owned or held for collection of the corporation.

(b) Acknowledgments and protests prohibited. – It is unlawful for any notary public to:

(1) take the acknowledgment of an instrument by or to a bank or other corporation of which the notary is a stockholder, director, officer, or employee if the notary is a party to

the instrument, either individually or as a representative of the corporation; or

(2) protest any negotiable instrument owned or held for collection by the corporation, where the notary is individually a party to the instrument.

**§ 18-112 STATE GOV'T Regulations governing fees, expenses of notary public.**

(a) Limits on fees. – The Secretary of State shall adopt regulations to establish fees, not to exceed \$4 for an original notarial act, and an appropriate lesser amount for the repetition of that original notarial act or to make a copy of the matter addressed by that original notarial act.

(b) Travel expenses and fees. – A notary public may charge 19 cents per mile, or a higher amount set by regulation of the Secretary of State, and a fee not to exceed \$5, as compensation for travel required for the performance of a notarial act.

**§ 18-113 STATE GOV'T Procedure when document does not contain notarial certificate.**

(a) In general. – If a document presented for notarization does not contain a notarial certificate reflecting the taking of an oath or acknowledgment, a notary may nevertheless witness the signing of the document in the notary's official capacity, in accordance with subsection (b) of this section.

(b) Witnessing requirements. – A notary acting as a witness in the notary's official capacity under subsection(a) of this section shall:

- (1) obtain satisfactory proof of the identity of the person signing the document;
- (2) observe the signing of the document;
- (3) date, sign, and seal or stamp the document; and
- (4) record the act in the notary's fair register.

**§ 18-114 STATE GOV'T Availability of public information from Secretary of State.**

(a) In general. – Subject to § 10-617(j) of this article, the Secretary of State may provide lists of public information in its records to those persons who request them if the Secretary of State approves of the purpose for which the information is requested.

(b) Fees. – (1) The Secretary of State shall charge a reasonable fee, not less than the cost of preparing the list, for any list furnished under this section.

(2) The Secretary of State may charge a reduced fee to persons requesting a list for governmental or not-for-profit purposes.

(c) Limited purpose. – A person furnished any information under this section may not distribute or otherwise use the information for any purpose other than that for which it was furnished.

(d) Restriction in disclosing for telephone solicitations. – The Secretary of State may not disclose information under this section for use in telephone solicitations as defined in § 10-611(h) of this article.

**ARTICLE 68. NOTARIES PUBLIC  
Repealed**

**ARTICLE 19. ACKNOWLEDGMENTS  
SUBTITLE 1. MARYLAND UNIFORM ACKNOWLEDGMENTS ACT**

**§ 19-101 STATE GOV'T. Acknowledgments – Manner and form.**

Any instrument may be acknowledged in the manner and form now provided by the laws of the State, or as provided by this subtitle.

**§ 19-102 STATE GOV'T Persons before whom acknowledgement may be made in State.**

The acknowledgment of any instrument may be made in the State before:

- (1) A judge of a court of record;
- (2) A clerk or deputy clerk of a court having a seal;
- (3) A notary public; or
- (4) A master in chancery.

**§ 19-103 STATE GOV'T Persons before whom acknowledgement may be made outside State.**

The acknowledgment of any instrument may be made outside the State but within another state and within the jurisdiction of the officer, before:

- (1) a clerk or deputy clerk of any federal court;
- (2) a clerk or deputy clerk of any court of record of any state or other jurisdiction; or
- (3) a notary public.

**§ 19-104 STATE GOV'T Persons before whom acknowledgement may be made outside United States.**

The acknowledgment of any instrument may be made outside the United States before:

- (1) an ambassador, minister, charge d'affaires, counselor to or secretary of a legation, consul general, consul, vice-consul, commercial attache, or consular agent of the United States accredited to the country where the acknowledgment is made;
- (2) a notary public of the country where the acknowledgment is made; or
- (3) a judge or clerk of a court of record of the country where the acknowledgment is made.

**§ 19-105 STATE GOV'T Requirements for taking acknowledgement.**

The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument.

**§ 19-106 STATE GOV'T Form of acknowledgement of married woman.**

An acknowledgment of a married woman may be made in the same form as though she were unmarried.

**§ 19-107 STATE GOV'T Forms of certificate for attachment to acknowledgement.**

An officer taking the acknowledgment shall endorse the acknowledgment or attach to the acknowledgment a certificate substantially in one of the following forms:

- (a) State of \_\_\_\_\_  
County of \_\_\_\_\_

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name \_\_\_\_\_ subscribed to the within instrument and acknowledged that \_\_\_\_\_ executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of officer.

(b) State of \_\_\_\_\_  
County of \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself to be the \_\_\_\_\_ of \_\_\_\_\_, a corporation, and that he, as such \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as \_\_\_\_\_

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of officer.

(c) State of \_\_\_\_\_  
County of \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for \_\_\_\_\_, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of officer.

(d) State of \_\_\_\_\_  
County of \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, of the State (county or city as the case may be) of \_\_\_\_\_, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of officer.

**§ 19-108 STATE GOV'T Completing certificate of acknowledging officer.**

The certificate of the acknowledging officer shall be completed by:

- (1) the signature of the officer;
- (2) the official seal of the officer, if the officer has one;
- (3) the title of the office of the officer; and
- (4) if the officer is a notary public, the date that the officer's commission expires.

**§ 19-109 STATE GOV'T Determining necessity to authenticate acknowledgement;**



**method of authentication.**

(a) *Within State or by officer of the United States.* — No authentication is necessary if the acknowledgment is:

- (1) taken within the State; or
- (2) made outside the United States by an officer of the United States.

(b) *In another state.* — (1) No authentication is necessary if the acknowledgment is taken outside of the State, but within another state.

(2)(i) The certificate may, however, be authenticated by a certificate as to the official character of the officer that took the acknowledgment.

(ii) If the officer that took the acknowledgment is a clerk or deputy clerk of a court, the authenticating certificate shall be executed by the presiding judge of the court.

(iii) If the officer that took the acknowledgment is a notary public, the authenticating certificate shall be executed by a clerk of a court of record of the county, parish, or district in which the acknowledgment is taken.

(iv) When the authenticating certificate bears the seal of the authenticating officer, the signature on the certificate may be a facsimile that is printed, stamped, photographed, or engraved on the certificate.

(c) *Outside the United States.* — If the acknowledgment is made outside the United States and by a notary public or a judge or clerk of a court of record of the country where the acknowledgment is made, the certificate shall be authenticated by:

(1) a certificate under the great seal of state of the country, affixed by the custodian of the seal, certifying as to the official character of the officer; or

(2) a certificate of a diplomatic, consular, or commercial officer of the United States accredited to that country, certifying as to the official character of the officer.

**§ 19-110 STATE GOV'T Effect of acknowledgement under law of another state.**

Notwithstanding any other provision of this subtitle, the acknowledgment of an instrument outside the State shall have the same effect as an acknowledgment in the manner and form required by the laws of the State for instruments executed within the State if the acknowledgment:

(1) was executed in another state, in compliance with the manner and form required by the laws of that state; and

(2) is verified by the official seal of the officer before whom the instrument was acknowledged.

**§ 19-111 STATE GOV'T Manner, form of acknowledgement for certain armed forces members and their families.**

(a) *Manner and form.* — In addition to the acknowledgment of instruments in the manner and form otherwise authorized under this subtitle, a person serving in or with the armed forces of the United States and the person's spouse or dependents may acknowledge an instrument:

(1) wherever located; and

(2) before any commissioned officer in active service of the armed forces of the United States with the rank of:

(i) second lieutenant or higher in the Army, Air Force, or Marine Corps; or

(ii) ensign or higher in the Navy or United States Coast Guard.

(b) *Failure to state place of execution or acknowledgment.* — The instrument may not

be rendered invalid by the failure to state in the instrument the place of execution or acknowledgment.

(c) *Certificate*. — No authentication of the officers' certificate of acknowledgment shall be required but the officer taking the acknowledgment shall endorse on or attach to the certificate of acknowledgment a certificate substantially in the following form:

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_ known to me (or \_\_\_\_\_ (Serial No.) (if any), satisfactorily proven) to be (serving in or with the armed forces of the United States) (the spouse of) (a dependent of) \_\_\_\_\_ a person serving in or with \_\_\_\_\_ (Serial No.) (if any), the armed forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that \_\_\_\_\_ he \_\_\_\_\_ executed the same for the purpose therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

\_\_\_\_\_  
Signature of officer.

\_\_\_\_\_  
Rank and Serial No. of Officer  
and Command to Which Attached.

**§ 19-112 STATE GOV'T Acknowledgements taken before June 1, 1941 unaffected.**  
An acknowledgment taken before June 1, 1941 may not be affected by this subtitle.

**§ 19-113 STATE GOV'T Construction of subtitle.**  
This subtitle shall be interpreted to make uniform the laws of the states that enact it.

**§ 19-114 STATE GOV'T Short title: "Maryland Uniform Acknowledgements Act".**  
This subtitle may be cited as the Maryland Uniform Acknowledgments Act.

## **CODE OF MARYLAND REGULATIONS**

### **TITLE 1 EXECUTIVE SUBTITLE 2 SECRETARY OF STATE CHAPTER 8 NOTARY PUBLIC FEES**

#### **01 Definitions.**

A. In this chapter, the following words have the meanings indicated.

B. Terms Defined.

(1) "Acknowledgment" means a declaration by an individual that he or she has executed an instrument for the purposes stated therein and, if the instrument is executed in a representative capacity, that the individual signed the instrument with proper authority, and executed it as the act of the person or entity represented and identified therein.

(2) "Affirmation" means a solemn statement of truth, made under penalty of perjury before a notary public.

(3) "Notarial act" means any act that a notary public of this State is authorized to perform, and includes taking an acknowledgment, administering an oath or affirmation, acting as an official witness to the execution of a document, and noting a protest of a negotiable instrument.

- (4) "Notarize" means to perform a notarial act with respect to a document.
- (5) "Notarization" means the act of notarizing.
- (6) "Oath" means a sworn solemn statement of truth made under penalty of perjury by an individual who believes in and appeals to a Divine Being to evidence the seriousness of the individual's actions or words.
- (7) "Original notarial act" means the completion of a single notarial act involving one document.

## **02 Original Notarial Acts for Documents.**

- A. Acknowledgment. To take an acknowledgment, a notary shall:
  - (1) Obtain satisfactory proof of identity of the individual signing the document;
  - (2) Observe the signing of the document;
  - (3) Take the spoken statement of the individual signing the document that the document is the individual's free act and deed;
  - (4) Complete and sign the notary certification of the document;
  - (5) Apply the notary seal to the document;
  - (6) Note the date the notary's commission expires on the document; and
  - (7) Record the notarization in the notary's register of official acts.
- B. Oath or Affirmation. To take an individual's oath or affirmation, a notary shall:
  - (1) Obtain satisfactory proof of the identity of the individual signing the document;
  - (2) Observe the signing of the document;
  - (3) Take the individual's spoken statement that the individual swears or affirms, under penalty of perjury, that the contents of the document are true, either on the individual's personal knowledge, or to the best of the individual's knowledge, information, and belief;
  - (4) Complete and sign the notary certification on the document;
  - (5) Apply the notary seal to the document;
  - (6) Note the date the notary's commission expires on the document; and
  - (7) Record the notarization in the notary's register of official acts.
- C. Notary as Official Witness. To act as an official witness, a notary shall:
  - (1) Obtain satisfactory proof of the identity of the individual signing the document;
  - (2) Observe the signing of the document;
  - (3) Date, sign, and seal or stamp the document;
  - (4) Note the date the notary's commission expires on the document; and
  - (5) Record the notarization in the notary's register of official acts.

## **03 Fees.**

- A. A notary public may demand and receive a fee of \$4 for the performance of an original notarial act.
- B. When a notary public is requested to notarize more than one copy of the same document, where the copy or copies have been signed at the same time by the same person or persons, the notary may demand and receive \$2 for notarizing each signature on the original or first copy of the document, and may demand and receive \$1 for each signature on each additional copy of the same document.
- C. When a notary public is requested to make reproductions of a notarized document or an entry in the notary's register of official acts by photocopying or other means, the notary may demand and receive not more than \$1 for each copy furnished.
- D. A notary public may demand and receive reimbursement at the prevailing rate for mileage established by the Internal Revenue Service for business travel and a fee not to

exceed \$5 for travel if required for the performance of a notarial act.

E. A notary public may charge \$2 for certifying a copy of a record in the notary's register of official acts.

**04 Processing Fee.**

Each application for an original or renewal appointment as a notary public shall be accompanied by a processing fee of \$9, payable to the Secretary of State.

October 8, 1984 (11:20 Md. R. 1740)

Regulation .01B amended effective October 3, 1988 (15:20 Md. R. 2333)

Regulation .02B amended effective March 25, 1985 (12:6 Md. R. 593)

Regulation .04 adopted effective July 1, 1989 (16:12 Md. R. 1332)

Regulation .04 amended and Regulations .05 and .06 adopted as an emergency provision effective July 25, 1989 (16:16 Md. R. 1733); adopted permanently effective October 16, 1989 (16:20 Md. R. 2179)

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Chapter revised effective December 11, 2000 (27:24 Md. R. 2198)

Regulation .03A amended effective April 1, 2014 (41:6 Md. R. 377)

Regulation .03D amended effective August 13, 2018 (45:16 Md. R. 774)

Regulation .03E amended effective January 2, 2006 (32:26 Md. R. 1995)

Regulation .04 amended effective March 1, 2003 (29:26 Md. R. 2027); August 29, 2016 (43:17 Md. R. 952)