

1N-7.005 Online Notary Public and RON Service Provider Required Information.

(1) Online notary public.

(a) Within 30 day of the effective date of this rule, a currently registered online notary public shall provide the Florida Department of State the name of the online notary public's RON service providers, the effective dates during which the online notary public used each RON service provider, and, if applicable, the name of any secured repositories to which the online notary public may have delegated his or her duties pursuant to Section 117.245(4), F.S., from January 1, 2022, and thereafter.

(b) An individual registering as an online notary public, shall provide this information at the time of his or her registration.

(c) The online notary public shall submit this information on Form Number DS-DOC-50, titled "Online Notary Public: Required Information," Effective 02/2022, which form is hereby incorporated by reference and is available on the Department of State's website at <https://dos.myflorida.com/sunbiz/other-services/notaries/notary-forms/> or <http://www.flrules.org/Gateway/reference.asp?No=Ref-14032>.

(d) An online notary public that changes, adds, or removes a RON service provider or secured repository from the online notary public's use shall submit to the Department within 30 days of the change an amended Form DS-DOC-50 identifying the online notary public's updated RON service providers and, if applicable, secured repositories.

(2) RON service provider.

(a) Within 30 day of the effective date of this rule, and annually thereafter, a RON service provider shall provide the Florida Department of State, a self-certification form confirming that its audio-video communication technology and related processes, services software, data storage, or other services provided to online notaries public for the performance of online notarization satisfy the requirements of Chapter 117, F.S., and any rules promulgated by the Florida Department of State pursuant to Section 117.295, F.S.

(b) The RON service provider's self-certification is effective for a period of 1 year after the date the RON service provider files it with the Department.

(c) If applicable, the RON service provider shall, at the same time it files its self-certification, identify any secure repositories to which the RON service provider may have delegated its duties pursuant to Section 117.245(4), F.S., from January 1, 2022, and thereafter.

(d) The RON service provider shall submit this information on Form Number DS-DOC-51, titled "RON Service Provider: Self-Certification and Required Information," Effective 02/2022, which form is hereby incorporated by reference and is available on the Department of State's website at <https://dos.myflorida.com/sunbiz/other-services/notaries/notary-forms/> or <http://www.flrules.org/Gateway/reference.asp?No=Ref-14033>.

(e) A RON service provider that, pursuant to Section 117.245(4), F.S., delegates its duties to a secured repository after it has already filed its annual certification shall submit to the Department an amended Form DS-DOC-51 within 30 days after making such delegation.

(f) An entity that seeks to begin providing RON service provider functions after the effective date of this rule shall submit the information required by this section prior to providing RON service provider functions.

Rulemaking Authority 117.295 FS. Law Implemented 117.245, 117.295 FS. History--New 2-22-22.