

VERMONT OFFICE OF PROFESSIONAL REGULATION (OPR)
NOTARIES PUBLIC
FREQUENTLY ASKED QUESTIONS

I was appointed as a notary public before December 1, 2018. How long is my commission valid for?

If you have a commission as a notary public received prior to December 1, 2018, that commission shall remain in effect until February 10, 2019.

However, applications for a new commission to continue providing notary public services after the new law becomes effective must be filed by January 31, 2019. This means your previous commission and new commission may have a period where they overlap.

I became licensed as a notary public with OPR on or after December 1, 2018. How long is my license valid?

If you have a commission as a notary public received on or after December 1, 2018, that commission will remain in effect until January 31, 2021 and will need to be renewed every two (2) years thereafter.

I am used to renewing at a county clerk's office. Where do I renew now?

Under the new law, notaries public must apply for a new license through the Office of Professional Regulation rather than renew their old notary public commission. All applications for a new notary public commission will need to be submitted online with the Office of Professional Regulation by January 31, 2019. Town and county clerks and other agencies are no longer accepting notary public commission renewals.

What if I want to apply right away for a notary and walk in with an application to a county clerk?

If an assistant judge issues a notary public commission at this time, that commission will expire on February 10, 2019. The office recommends that you wait to apply for a notary public commission through the Office of Professional Regulation (which will remain in effect until January 31, 2021) until OPR's application becomes available mid-December to avoid paying for two application fees.

Can I register a new account prior to the application becoming available?

Yes, only register if you have not applied for a license with our office before. Upon doing so please retain your user id, password and security questions you entered when creating a new account. If you have applied for a license through our office before, you should use your log-in information for that license.

I want to apply for a notary public commission through OPR. What do I do?

1. You will need to create an account (if you have not already) on OPR's online licensing system or log into an existing account. Click [here](#) to access OPR's online licensing system. Do not create an additional account if you already have one.
2. Once logged in, click *Apply for Individual License* and complete the online application. You will be asked to answer questions within the application and to upload a copy of your signed and notarized [Oath of Office](#). To complete the application, you will need to pay a \$15.00 fee with a debit card, credit card or ACH (savings or checking account).
3. OPR will notify you by email if there are additional items required for your application. You may check your application status online for more information.
4. You will be notified by email once your application is approved. Your commission is available for printing through your online licensing account.

What are the requirements for having an official stamp?

Refer to the [Notaries Public Official Stamps](#) page for further information. **Please be aware that your new commission number will be different from your current commission number. You should wait to order your stamp until your Notary Public license is approved by the Office and your new commission number is issued.**

My employer always paid for my notary renewal. How does this work now?

Each applicant needs to create their own account and apply for their own license. Businesses can provide you the payment details or you can submit your receipt to the business for reimbursement.

How do I complete a name change?

When you apply you will be required to apply with your current legal name. If the name change happens after you have submitted an application you can use the update profile feature on your dashboard.

Will I need to take an examination to become a Notary?

For applications received prior to February 1, 2021, no examination is required. Initial applicants submitting an application on or after February 1, 2021 will need to pass an examination based on the statutes, rules, and ethics relevant to notarial acts.

What information do I need for my notary public application?

To complete your notary public application, you will need to provide some basic contact information, e.g., your address and phone number, and your place of employment and job title, answer some questions and upload a signed and notarized [Oath of Office](#) form. The application contains questions regarding criminal history and compliance with state and federal laws, including questions about outstanding taxes, court judgments, or restitution or child support orders and any disciplinary action taken against a professional license.

Once the application is completed, you need to pay a \$15.00 fee. The application must be completed online at <https://www.sec.state.vt.us/professional-regulation/online-licensing.aspx>.

I have been convicted of a crime. Do I need to report this to OPR?

Yes. If applying for a license with OPR for *the first time*, you must report all convictions, required documentation is a detailed written explanation from you, the applicant, and certified court documents.

All convictions that happen while you hold a notary public commission must be reported to the office within 30 days. When renewing your notary public commission, you must again report all convictions which have happened since your last OPR renewal on your notary public renewal application.

A conviction will not necessarily prevent you from obtaining a notary public commission. OPR follows due process when considering convictions and licensure.

Can I have an out-of-state notary public notarize my official oath form?

OPR recommends that oaths be notarized by a notary public holding a Vermont commission. Current notary public commissions do not expire until February 10, 2019 so notaries public holding a current commission can notarize official oath forms.

Can a Notary Public notarize a spouse's signature?

A notary public may not notarize a spouse's signature. Additionally, a notary public may not notarize a document in which the notary public or his/her spouse has a direct beneficial interest, such as a financial, oath or real estate interest.

When will I renew my notary public license?

A notary public commission is now effective on a fixed two year cycle. In January of odd years, notaries public will need to renew their commissions if they wish to continue to perform notarial acts. The first renewal deadline for notary public commissions will be

January 31, 2021. Notaries public who wish to continue to perform notarial acts are then required to renew their commissions every 2 years thereafter.

Will I have to complete continuing education?

Yes. You will be required to complete two (2) hours of continuing education prior to submitting your online commission renewal application, which is due by January 31, 2021 and every two years thereafter.

What is the CE requirement? Where can I take CE, etc.?

Notaries public are not required to complete any CE for this February 1, 2019 application cycle. The new law requires notaries public to complete two hours of CE prior to renewing their commission in **2021**. CE requirements are still being developed in the rule making process. Please check the website frequently for additional information.

How will I know what is acceptable CE?

Continuing education requirements will be outlined in the Administrative Rule and a list of approved Continuing Education will be available on the OPR website. More information will be made available regarding Continuing Education courses soon. Please watch the OPR website for updates.

What do I do with my CE certificates of completion?

Licensees are responsible for maintaining their CE certificate of completion records. You will be asked to upload your course completion certificate(s) with your online renewal application, which is due by January 31, 2021 and every two years thereafter.

Will my continuing education be subject to an audit?

Yes. 30 days after the renewal period ends, OPR will conduct an audit of continuing education. A percentage of licensees are chosen. OPR will review the continuing education information uploaded at renewal.

What happens if I do not renew my license on time?

If you do not complete your renewal by midnight of the day your commission expires, late penalties will apply per 3 V.S.A §127(d)(1). You will receive three (3) courtesy email notifications when it is time to renew. These notifications will be sent to the email address you have provided to OPR. You are required to keep your email address up to date in the online system. It is solely your responsibility to know the date your

commission expires and to renew on time if you intend to continue practicing as a notary public.

Note: The first renewal for notaries public will be in January, 2021. The first courtesy reminder is usually sent six weeks prior to the deadline.

Will training opportunities be offered by the Office?

OPR does not provide training on how to be a notary public. However, information will be provided on the OPR website regarding continuing education requirements.

I hold more than one license. Can one continuing education course count towards multiple licenses?

Yes. As long as the continuing education course is approved and meets the continuing education requirement of each license.

What are the current exemptions?

The following table outlines exemptions by job title. The online application will ask you to identify if you fall into one of these categories, which you will attest to at the end of the application.

If you are exempt from the examination, continuing education, or other non-fee requirements of the notary public law, you may only provide notary public services within the course and scope of your employment duties. You may not provide notary public services outside of work. Please note this does not apply to attorneys.

Those professions listed below as exempt from the application fee requirement are exempt from the fees even when performing notary public services outside the course and scope of official employment duties.

If your job does not fall within one of the exemptions described in the chart below, you must comply with all application, fee, continuing education, examination and other requirements of the notary public law to obtain a notary public commission.

<u>Employment Role</u>	<u>Application</u>	<u>Fee</u>	<u>Continuing Education</u>	<u>Exam</u>
A Judge, Assistant Judge, clerk, county clerk or other court staff, as designated by the Court Administrator	Required	EXEMPT	EXEMPT	EXEMPT

Other persons employed by the Judiciary who have <i>not</i> been designated by the Court Administrator, including Superior Court clerks, court operations managers, Probate registers, case managers, docket clerks, and after-hours relief from abuse contract employees	Required	Required	EXEMPT	EXEMPT
- State's Attorneys, their deputies, and their staff - Assistant Attorneys General, public defenders, and their staff	Required	EXEMPT	EXEMPT	EXEMPT
Justices of the Peace, Town Clerks, and their assistants	Required	EXEMPT	Required	Required
State Police officers, municipal police officers, fish and game wardens, sheriffs and deputy sheriffs, motor vehicle inspectors, employees of the Department of Corrections, and employees of the Department for Children and Families	Required	EXEMPT	EXEMPT	EXEMPT
Other law enforcement officers certified under 20 V.S.A. Chapter 151, and noncertified constables	Required	Required	EXEMPT	EXEMPT
Other persons, <u>not</u> listed in the rows above, who are <u>employed by</u> (i) a Vermont law enforcement agency, (ii) the Department of Public Safety, (iii) the Department of Fish and Wildlife,	Required	Required	EXEMPT	EXEMPT

(iv) the Department of Motor Vehicles, (v) the Department of Liquor Control, (vi) the State's Attorneys' offices, and/or (vii) a Sheriff				
Attorneys (other than those listed above)	Required	Required	EXEMPT	EXEMPT

Important Notes:

OPR's main form of communicating with you is email. Once you have submitted your application with OPR, it is important to keep your email updated. (Please be sure to check your spam folder and add OPR to your safe senders list.)

Please allow 3-5 business days for application processing and 1-3 business days to respond to phone calls and emails.

The most up to date information on your license and/or application is available to you at any time through your [online licensing account](#).

When accessing the online licensing system, please be sure you are on a laptop or desktop computer using Internet Explorer or Google Chrome. Our system is not compatible with smartphones or tablets at this time.

The Office of Professional Regulation does not accept paper applications. If you do not have access to a computer, OPR offers a computer kiosk at its Montpelier office. Your employer or your local library may offer similar resources.

