The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. This statement must be provided to anyone who gave comment about the proposed rulemaking.

The Department of Licensing appreciates your involvement in this rulemaking process. If you have any questions, please contact Damon Monroe, Agency Rules Coordinator, at (360) 902-3843 or email dmonroe@dol.wa.gov.

Concise Explanatory Statement
PL-140-005 (N/11/17)H
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Watching someone sign something on video, then later notarizing an emailed or faxed copy does not satisfy the requirements and standards of a remote notarization.

Recordkeeping & maintaining copies of the audio visual transaction: The remote notarization software that a notary will obtain to perform remote notarial acts becomes the property of the notary once it is purchased and its features include the ability to save the audio-visual recordings in compliance with WAC 308-30-330.

The maximum fees a notary can charge for remote notarial acts contained in WAC 308-30-220 (6) are consistent with other jurisdictions that allow for remote notarization. RCW 42.45.280 (9)(b) states: Before adopting, amending, or repealing a rule governing the performance of a notarial act with respect to a remotely located individual, the Department must consider: Standards, practices, and customs of other jurisdictions that have laws substantially similar to this section.

Changes made to the proposed WAC as a result of public comment:
There are no differences between the text of the proposed rules as published in the register and the text of the rule as adopted.