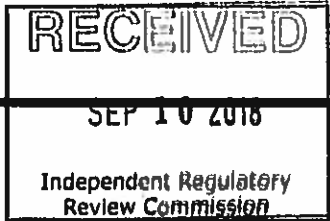


3212.



Brown, Martha

From: William Labkoff <wmlesq@verizon.net>
Sent: Tuesday, September 4, 2018 9:21 AM
To: Brown, Martha
Subject: Re: Revised Uniform Law on Notarial Acts proposed rulemaking
Attachments: Notices of Lost equipment.pdf

9/4/18

Dear Martha:

Here are my comments on the Revised Regs that were just published, starting with 2 editorial comments on the introduction pages.....

At Sec. 163,1 (at page 4 of 49) " The name of Bureau is proposed. . . " I would insert the word "the" between of and bureau)

At Subchapter F, the sentence "It also states the Department's policy on issuing authentications, which is to prefer to certify copies of documents" I don't see the word "authentication" in Section 167.65 nor in Sec. 167.2 (definitions) To me, the sentence is difficult to understand.

.....
Now to the regs...

167.16 (e) In Philadelphia, (and perhaps elsewhere in the state) the applicant is sent to the Prothy's office after taking the oath. I believe the Regulation should say the Recorder shall deliver the commission only after receiving proof that the appointee has signed the official register.

167.22 and 167.35 - referring to notice of lost stamp and journal.
(2) how can the notary be charged with knowing HOW the equipment was lost or stolen ? (Maybe if the notary witnessed the theft !)

(4) a statement that the notary doesn't possess the item. . . . if it was lost or stolen, doesn't that imply that the item isn't in the possession of the notary ?

(If the department insists on maintaining these 2 sections, I am attaching 2 proposed forms for use.- and I suggest that (g) be added to require notice on a Department form)

Sec. 167.31

I would add the requirement that this information be placed on the inside cover, or Page 1 of the journal

167.32....

I would change (g) to say "If the notary's current journal does not provide specific spaces for Sec. 319(c) entries, then a new journal must be obtained.

Sec. 167.52 (a)(2)

Bureaucratic double talk ! It would read better if it said: "unless the individual signs the record in the presence of the notary" the words "is signing" really means that the record hasn't yet been signed yet... Maybe I'm too picayune ..

167.71 (d)

I would add the words "or beneath" after the words "adjacent to". Although "adjacent" derives from the Latin "*adjacere*" (to lie near) it has come to mean immediately preceding or following. If the signature line is tight to the right edge of the paper, printing the name "adjacent to" the illegible signature becomes problematic.

AND finally, 167.81 the words "solution provider" are not defined in these regs, nor in RULONA. They appear in the Department's Website section on becoming an electronic notary. I think the regs should mention the electronic notary information on the Dept web site.

P.S. I noticed my previous comment on the Aug 2016 proposed regs concerning what a credible witness had to certified was accepted and removed.....(maybe others also picked up on it)

Again, thanks for your trials and tribulations incident to getting the Regs finally approved.

Sincerely,

Bill Labkoff
wmlesq@verizon.net

NOTIFICATION OF LOST NOTARY JOURNAL

Name of Notary: _____

Business Address _____

Notary I.D. _____

**To the Department of State:
complete applicable statement**

_____ **My Journal was lost on:** _____

_____ **My Journal was misplaced on:** _____

_____ **My Journal was stolen on:** _____

I discovered the above on: _____

I do not possess it and do not know who possesses it or where it is located.

If I regain possession of it, I shall notify the Department within ten (10) days of recovery, and the method of recovery.

Date of this Notice: _____

Signature of Notary Public

NOTIFICATION OF LOST NOTARY STAMPING DEVICE (SEAL)

Name of Notary: _____

Business Address _____

Notary I.D. _____

**To the Department of State:
complete applicable statement**

_____ **My stamping device was lost on:** _____

_____ **My Stamping device was misplaced on:** _____

_____ **My stamping device was stolen on:** _____

I discovered the above on: _____

I do not possess it and do not know who possesses it or where it is located

If I regain possession of it, I shall notify the Department within ten (10) days of recovery, and the method of recovery.

Date of this Notice: _____

Signature of Notary Public

Brown, Martha

From: William Labkoff <wmlesq@verizon.net>
Sent: Wednesday, September 5, 2018 9:36 AM
To: Brown, Martha
Subject: addition to my comments

At sec. 167.71(d) my addition to the comment is...at the end... I have no faith in 84,235 notaries being able to understand that if there is no room to the right side of their illegible scrawl, to print their name to the LEFT of their signature. That is why I suggest the "or below" addition.

Bill Labkoff
wmlesq@verizon.net