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**Rules of  
Elected Officials  
Division 30—Secretary of State  
Chapter 110—Electronic Notarization**

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**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 110—Electronic Notarization**

**15 CSR 30-110.010 Electronic Notary Definitions**  
 (Rescinded February 28, 2021)

*AUTHORITY: section 486.275, RSMo 2016. Emergency rule filed Dec. 21, 2016, effective Dec. 31, 2016, expired June 28, 2017. Original rule filed Dec. 21, 2016, effective June 30, 2017. Rescinded: Filed Aug. 31, 2020, effective Feb. 28, 2021.*

**15 CSR 30-110.020 Electronic Signatures and Seals**  
 (Rescinded February 28, 2021)

*AUTHORITY: section 486.275, RSMo 2016. Emergency rule filed Dec. 21, 2016, effective Dec. 31, 2016, expired June 28, 2017. Original rule filed Dec. 21, 2016, effective June 30, 2017. Rescinded: Filed Aug. 31, 2020, effective Feb. 28, 2021.*

**15 CSR 30-110.030 Remote Online Notarization (RON) Approval**

*PURPOSE: This rule provides the process that vendors must go through to have their software approved for use by electronic notaries in Missouri.*

(1) Vendors wishing to have their software approved for use by electronic notaries in Missouri must make an application to do so to the Commission Unit. The information on the application must include:

- (A) Name of the vendor's company;
- (B) Name of the software to be used;
- (C) Name of contact to perform demonstration of software;
- (D) Contact information for customer inquiries; and
- (E) List of other states the software is approved in.

(2) Upon filing of an application, the Commission Unit will review the software for compliance.

(3) Each software requesting approval must undergo a live demonstration by the Commission Unit.

(4) Once the Commission Unit has determined the software meets compliance, a certificate of acceptability will be issued to the vendor.

(5) A list of all approved software will be published on the Missouri Secretary of State's (SOS) website.

*AUTHORITY: section 486.1110, RSMo Supp. 2020.\* Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expired March 13, 2021. Original rule filed Aug. 31, 2020, effective Feb. 28, 2021.*

*\*Original authority: 486.1110, RSMo 2020.*

**15 CSR 30-110.040 Remote Online Notarization (RON) Criteria**

*PURPOSE: This rule states the criteria that remote online notary (RON) must meet for use by electronic notaries in Missouri.*

(1) Remote online notary (RON) must meet the following RON Credential Analysis and Authentication to be approved for use in Missouri:

(A) The software must allow for at least two (2) types of the following authentications as described in section 110.050, RSMo:

- 1. Credential Analysis of Government Issued Identification;
- 2. Dynamic Knowledge-Based Authentication; and
- 3. Biometrics;

(B) The software must provide for a live session using audio-video communication integrated with electronic document processing as described in section 110.060, RSMo;

(C) The software must be able to capture the necessary details for the notary to keep an accurate record of the transaction as described in section 110.070, RSMo; and

(D) The software must provide an audit trail for each session as described in section 110.080, RSMo.

*AUTHORITY: section 486.1110, RSMo Supp. 2020.\* Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expired March 13, 2021. Original rule filed Aug. 31, 2020, effective Feb. 28, 2021.*

*\*Original authority: 486.1110, RSMo 2020.*

**15 CSR 30-110.050 Remote Online Notarization (RON) Credentials**

*PURPOSE: This rule sets out the credentials that remote online notary (RON) must meet for use by electronic notaries in Missouri.*

(1) Remote Online Notarization (RON) providers must use automated software processes to aid the notary in verifying each

principal's identity.

(2) The credential must pass an authenticity test, consistent with sound commercial practices that—

(A) Uses appropriate technology to confirm the integrity of visual, physical, or cryptographic security features;

(B) Uses appropriate technology to confirm that the credential is not fraudulent or inappropriately modified;

(C) Uses information held or published by the issuing source or authenticity source(s), as available, to confirm the validity of credential details; and

(D) Provides the output of the authenticity to the notary.

(3) The credentials analysis procedure must enable the notary to visually compare both of the following for consistency:

(A) The information and photo on the presented credential image; and

(B) The principal as viewed by the notary in real time through the audio/video system.

(4) Credentials must be a government issued document meeting the requirements of the state that issued the document, may be imaged, photographed, and video recorded under state and federal law, and can be subject to credential analysis.

(5) The credential image capture procedure must confirm that—

(A) The principal is in possession of that credential at the time of the notarial act;

(B) That the credential image submitted for analysis has not been manipulated; and

(C) The credential image matches the credential in the principal's possession.

(6) The following general principles should be considered in the context of image resolution:

(A) The captured image resolution should be sufficient for the service provider to perform credential analysis per the requirements above;

(B) The image resolution should be sufficient to enable visual inspection by the notary, including legible text and clarity of photographs, barcodes, and other credential features; and

(C) All images necessary to perform visual inspection and credential analysis must be captured - e.g. U.S. Passport requires identity page; state driver's license requires front and back.

(7) A Dynamic Knowledge-Based Authentication (KBA) procedure must meet the following



requirements:

(A) Each principal must answer questions and achieve a passing score from—

1. At least five (5) questions drawn from public or private data sources;
2. A minimum of five (5) possible answer choices per question;
3. At least four (4) of the five (5) questions answered correctly to pass (a passing score of eighty percent (80%)); and
4. All five (5) questions answered within two (2) minutes.

(B) Each principal must be provided a reasonable number of attempts per signing session.

1. If a principal fails their first quiz, they may attempt up to two (2) additional quizzes within forty-eight (48) hours from the first failure.

2. During any quiz retake a minimum of forty percent (40%), or two (2), of the prior questions must be replaced;

(C) The RON system provider must not include the KBA procedure as part of the video recording or as part of the system provided person-to-person video interaction between the notary and the signatory; and must not store the data or information presented in the KBA questions and answers. However, the output of the KBA assessment procedure must be provided to the notary.

(D) Biometric sensing technology includes, but is not limited to, facial, voice, and fingerprint recognition.

*AUTHORITY: section 486.1110, RSMo Supp. 2020.\* Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expired March 13, 2021. Original rule filed Aug. 31, 2020, effective Feb. 28, 2021.*

*\*Original authority: 486.1110, RSMo 2020.*

**15 CSR 30-110.060 Audio and Video Quality**

*PURPOSE: This rule sets out the requirements for audio/video quality used by electronic notaries in Missouri.*

(1) A reliable Remote Online Notarization (RON) operating model should consist of continuous, synchronous audio and video feeds with good clarity such that all participants can be clearly seen and understood at all times during the notarial act.

(2) Inherent in online audio/video technology is the presence of temporary surges or spikes in quantitative measures like bitrate and/or frequency of communications and no simple

technical limits are practical or prudent. Rather, a sounder approach to ensuring reliable real-time communications is to rely on the judgment of the notary to determine the adequacy of the communications and provide direction to terminate the session if those conditions are not met.

(3) The audio/video recording must include the person-to-person interaction required as part of the Notarial Act as defined by the state, must be logically associated to the electronic Audit Trail, and must be capable of being viewed and heard using broadly available audio/video players.

(4) Video capture of documents or credentials that contain non-public personal information during the RON is not required as part of these standards.

*AUTHORITY: section 486.1110, RSMo Supp. 2020.\* Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expired March 13, 2021. Original rule filed Aug. 31, 2020, effective Feb. 28, 2021.*

*\*Original authority: 486.1110, RSMo 2020.*

**15 CSR 30-110.070 Storage and Retention of Notarial Records**

*PURPOSE: This rule sets out the requirements for storage and retention of notarial records used by electronic notaries in Missouri.*

(1) Remote Online Notarization (RON) systems.

(A) RON must—

1. Facilitate the process of collecting the required notarial records;

2. Provide a method by which a notary can access and/or export the notarial records; and

3. Provide automated backup of the notarial records and audio/video recording to ensure redundancy.

(B) RON technology solution must employ data protection safeguards consistent with generally accepted information security standards.

(C) Retention of the audio/video recording and notarial records by either the notary or their designated third party, as directed by the notary, must adhere to the laws, directives, rules, and regulations of the state.

(2) A notary must retain an electronic journal and an audio-visual recording created under Chapter 486, RSMo in a computer or other

electronic storage device that protects the journal and recording against unauthorized access by password or cryptographic process.

(A) The recording must be created in an industry standard audio-visual file format and must not include images of any electronic record on which the remotely located individual executed an electronic signature.

(B) An electronic journal must be retained for at least ten (10) years after the last notarial act chronicled in the journal. An audio-visual recording must be retained for at least the ten (10) years after the recording is made.

(C) A notary must take reasonable steps to ensure that a backup of the electronic journal and audio-visual recording exists and is secure from unauthorized use.

*AUTHORITY: sections 486.1110 and 486.1195, RSMo Supp. 2020.\* Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expired March 13, 2021. Original rule filed Aug. 31, 2020, effective Feb. 28, 2021.*

*\*Original authority: 486.1110, RSMo 2020 and 486.1195, RSMo 2020.*

**15 CSR 30-110.080 Audit Trail**

*PURPOSE: This rule states the requirements for the remote online notarization (RON) audit trail for use by electronic notaries in Missouri.*

(1) Significant actions completed as part of a RON signing session should be recorded in an audit trail. Each entry in this audit trail should clearly indicate the action performed (e.g. addition of an electronic signature), the date/time of its performance (e.g., Coordinated Universal Time, 2018-08-21 01:14:22 UTC), the name of the party performing the action (e.g. John Doe), and the IP address of the party performing the action.

(2) Each document completed as part of a RON should be electronically signed and rendered Tamper-Evident.

*AUTHORITY: section 486.1110, RSMo Supp. 2020.\* Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expired March 13, 2021. Original rule filed Aug. 31, 2020, effective Feb. 28, 2021.*

*\*Original authority: 486.1110, RSMo 2020.*