

May 2001

**EXECUTIVE OFFICE OF THE GOVERNOR
NOTARY SECTION
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Greetings Florida Notaries!

This month we will take a look at current acceptable forms of identification for use when notarizing a document.

Acceptable Identification When Notarizing

From Subsection 117.05(5) of the Florida Statutes

A notary public may not notarize a signature on a document unless he or she personally knows, or has satisfactory evidence, that the person whose signature is to be notarized is the individual who is described in and who is executing the instrument. A notary public shall certify in the certificate of acknowledgment or jurat the type of identification, either based on personal knowledge or other form of identification, upon which the notary public is relying.

Personally Known

"Personally known" means having an acquaintance, derived from association with the individual, which establishes the individual's identity with at least a reasonable certainty.

Satisfactory Evidence

"Satisfactory evidence" means the absence of any information, evidence, or other circumstances which would lead a reasonable person to believe that the person making the acknowledgment is not the person he or she claims to be, and any one of the following:

(1) Sworn Written Statement of a Credible Witness The sworn written statement of a credible witness personally known to the notary public that the person whose signature is to be notarized is personally known to the witness.

(2) Sworn Written Statement of Two Credible Witnesses The sworn written statement of two credible witnesses whose identities are proven to the notary public upon the presentation of satisfactory evidence that each of the following is true:

- a. The person whose signature is to be notarized is the person named in the document;
- b. The person whose signature is to be notarized is personally known to the witnesses;
- c. That it is the reasonable belief of the witnesses that the circumstances of the person whose signature is to be notarized are such that it would be very difficult or impossible for that person to obtain another form of identification;
- d. The person whose signature is to be notarized does not possess any of the identification documents specified in subparagraph 3.; and
- e. The witnesses do not have a financial interest in nor are parties to the underlying transaction.

(3) One of the following forms of identification:

- a. A Florida identification card or driver's license issued by the public agency authorized to issue driver's licenses;
- b. A passport issued by the Department of State of the United States;
- c. A passport issued by a foreign government if the document is stamped by the United States Immigration and Naturalization Service;

- d. A driver's license or an identification card issued by a public agency authorized to issue driver's licenses in a state other than Florida, a territory of the United States, or Canada or Mexico;
- e. An identification card issued by any branch of the armed forces of the United States;
- f. An inmate identification card issued on or after January 1, 1991, by the Florida Department of Corrections for an inmate who is in the custody of the department;
- g. An inmate identification card issued by the United States Department of Justice, Bureau of Prisons, for an inmate who is in the custody of the department;
- h. A sworn, written statement from a sworn law enforcement officer that the forms of identification for an inmate in an institution of confinement were confiscated upon confinement and that the person named in the document is the person whose signature is to be notarized; or
- i. An identification card issued by the United States Immigration and Naturalization Service.

Thank you for your time, until next month,

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