



RULES AND REGULATIONS FOR VOTER IDENTIFICATION

**Promulgated by order of
The Rhode Island State Board of Elections
Frank J. Rego, Chairman**

RULES & REGULATIONS FOR VOTER IDENTIFICATION ADOPTED BY THE RHODE ISLAND BOARD OF ELECTIONS

The Rhode Island Board of Elections hereby proposes rules and regulations relating to voter identification pursuant to and in accordance with R.I. Gen. Laws §§17-7 et seq. and 17-19 et seq., due to the enactment of Rhode Island General Law §17-19-24.2 effective January 1, 2012

Said rules and regulations are adopted pursuant to the Administrative Procedures Act (R.I.G.L. §42-35 et seq.) and are available for public inspection at the offices of the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island.

Section 1. Purpose

These rules and regulations are adopted by the Board of Elections for the purpose of implementing the voter identification (Voter ID”) requirements of R.I. Gen. Law §17-19-24.2 and to address those voter identification issues not otherwise specifically referred to in the Rhode Island General laws.

Section 2. Definitions

Board of Canvassers or Local Board shall mean the Board of Canvassers in a city or town.

Board of Elections or State Board shall mean the Rhode Island Board of Elections.

Current and Valid shall mean the document has not expired by its terms prior to the date it is presented.

Election Day shall mean any time the polls are open for the conduct of a primary, general or special election, or referendum.

ID shall mean identification.

Non-Photo ID is further described in Section 3(B) below, and shall mean a current and valid document without a photograph of the person to whom the document was issued

Photo ID is further defined in Section 3(A) below, and shall mean a current and valid document that includes a photograph of the voter.

Proof of identity shall mean current and valid identification

RI shall mean the State of Rhode Island.

Voter identification card shall mean a voter identification issued by the Rhode Island Secretary of State.

Section 3. Proof of Identity

Any person claiming to be a registered and eligible voter who desires to vote on Election Day shall provide proof of identity. Acceptable proof of identity is as follows:

A. Photo Identification

Voters presenting themselves to vote at the polling place shall present to polling place election officials a current and valid document listed below, that includes a photograph of the person to whom the document was issued:

- 1) Rhode Island Driver's license;
- 2) Rhode Island voter identification card
- 3) United States passport;
- 4) Identification issued by a United States educational institution;
- 5) United States military identification card;
- 6) Identification card issued by the United States or the State of Rhode Island;
- 7) Government issued medical card;
- 8) Employee identification card;
- 9) Identification card provided by a commercial establishment;
- 10) Credit or debit card;
- 11) Health club identification card;
- 12) Insurance plan identification card;
- 13) Public housing identification card.

B. Non-Photo Identification

On any Election Day held before January 1, 2014, a voter need not present a Photo ID and, instead may present a Non-Photo ID. Such identification must include the name and address that matches the pollbook of the Voter presenting it, and is dated since the date of the last general election, unless the document is intended to be of a permanent nature such as a birth certificate, social security card or a government issued medical card, then only a name is required. Such valid Non-Photo ID documents include:

- 1) Birth certificate;
- 2) Social Security card;
- 3) Government issued medical card;
- 4) Utility bill;
- 5) Bank statement;
- 6) Document issued by a government agency;
- 7) Lease or rental statement;

- 8) Student identification;
- 9) Tuition statement or bill;
- 10) Insurance plan card;

C. Failure to present current and valid identification

Up to and including January 1, 2014, if a person claiming to be a registered and eligible voter does not present a valid Photo ID or Non-Photo ID to the polling place official on Election Day, in accordance with either Section 3(A) or (B) above, said person shall be provided a provisional ballot pursuant to RIGL 17-19-24.2. The local board shall determine the validity of the provisional ballot pursuant to RIGL 17-19-24.3 and regulations established by this board governing provisional ballots.

For any Election Day that occurs after January 1, 2014, if a person claiming to be a registered and eligible voter does not present a valid Photo ID to the polling place official, in accordance with Section 3(A 1 through 7) above, said person shall be provided with a provisional ballot, pursuant to RIGL 17-19-24.2. The local board shall determine the validity of the provisional ballot pursuant to RIGL 17-19-24.3 and rules & regulations established by this board governing provisional ballots.

D. First time mail or third party voter registration applicants in Rhode Island – identification requirements.

In accordance with the Help America Vote Act of 2002 (“HAVA”), first-time mail or third-party voter registrations applicants must present the current and valid identification types as required under HAVA and rules & regulations governing voter registration established by this board in addition to RIGL 17-19-24.2.

Section 4. Implementation

The Board of Elections may promulgate procedures and forms necessary to implement the within rules and regulations required under the Rhode Island General Laws.

These rules and regulations were adopted at a meeting of the State Board of Elections held on the Twenty-second day of February, 2012 pursuant to the Administrative Procedures Act (R.I.G.L. 42-35-1, et sq.).

By Order of the Rhode Island Board of Elections

Frank J. Rego, Chairman

Date

Witnessed by

Robert Kando, Executive Director

Date