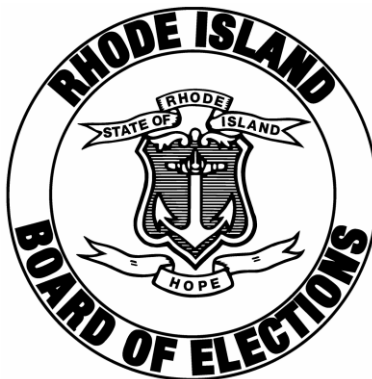




RULES AND REGULATIONS FOR VOTER REGISTRATION

As Amended:

03/25/2004
03/03/2008
08/26/2008
02/26/2010 (Emergency)
04/21/2010
11/08/2011
02/22/2012
09/14/2016

**Promulgated by order of
The Rhode Island State Board of Elections
Richard R. DuBois, Chair**

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

The Rhode Island Board of Elections hereby amends the rules and regulations relating to voter registration pursuant to and in accordance with R.I. Gen. Laws § 17-7-5(c) and § 17-9.1-1 et seq.

Said rules and regulations are adopted pursuant to the Administrative Procedures Act (R.I.G.L. § 42-35-1 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 registration requirements of both federal and state 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.

CVRS shall mean the Central Voter Registration System, which is a database maintained by the Office of the Secretary of State as a statewide voter registration and election history computer system.

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 an election, primary, or referendum.

Election Official shall include the Board of Elections and its designees, the Local Canvassing Authority and its designees, including but not limited to Moderators/Wardens, Clerks, and Supervisors

Government Agency shall mean any governmental agency of a city, town, state or the United States.

ID shall mean identification.

NVRA shall mean National Voter Registration Act.

Recognized Political Party shall mean a political party that has met the recognition requirements of Rhode Island General Law 17-1-2(9).

Secretary of State or Secretary shall mean the Office of the Secretary of State of Rhode Island.

State ID shall mean an identification card issued by the Rhode Island Department of Motor Vehicles.

Voter Identification Number (Voter ID number) shall mean the number assigned to each registered voter by the CVRS.

Voter Registration Agency shall mean an office designated by the State Board to perform voter registration activities. Offices so designated include: Board Of Elections, Office of the Secretary of State, local Boards of Canvassers, Division of Motor Vehicles, Department of Corrections, Department of Human Services, Department of Behavioral Healthcare, Developmental Disabilities & Hospitals, Department of Health Women, Infants and Children (WIC) program, United States armed forces (subject to procedures developed by the State Board in cooperation with the United States Department of Defense), offices in the state that provide state funded programs primarily engaged in providing services to persons with disabilities, in accordance with R.I.G.L. 17-9.1-8(a)(2), state or local government offices such as public libraries, public schools, offices of city and town clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, unemployment compensation offices, and offices not described in subdivision R.I.G.L. 17-9.1-8(a)(2) of this section that provide services to persons with disabilities, in accordance with R.I.G.L. 17-9.1-8(b)(1), federal and nongovernmental offices, with agreement of those offices, in accordance with R.I.G.L. 17-9.1-8(b)(2), and any other offices designated by the State Board.

Section 3. Voter Registration Process

Every person who is or may be qualified by the next Election Day to vote may register by any of the following methods:

- 1) By completing a Rhode Island voter registration form, as prescribed by the State Board at the Board of Elections, the office of the Secretary of State, local Boards of Canvassers, or any other Voter Registration Agency, either by In-Person, Third-Party, or by Mail, as set forth in Section 4 below,
- 2) By submitting an electronic voter registration application through the Secretary of State website, as prepared by the Secretary, or other electronic portal established and maintained by the Secretary for the purpose of accepting electronic voter registrations,

- 3) Through annual registrations at high schools, and vocational schools, as conducted under the supervision of the local boards of canvassers in accordance with R.I.G.L. § 17-9.1-4.1,
- 4) Through local registration agents appointed by the local boards of canvassers in accordance with R.I.G.L. § 17-9.1-5,
- 5) Through statewide registration agents appointed by the State Board,
- 6) By submitting an application at the Division of Motor Vehicles for a driver license or a renewal of the license,
- 7) At the time that a person is discharged from incarceration from the Department of Corrections in accordance with R.I.G.L. 17-9.1-8(a) and 17-9.2-1, *et seq.*, and
- 8) At any office in the state that provides public assistance.

Section 4. Voter Registration Form

Persons may register to vote in Rhode Island by completing a Rhode Island Voter Registration Form, in a format prescribed and authorized by the Board of Elections within these regulations; or a federal voter registration application prepared by the Federal Election Assistance Commission; or when casting a vote for president or vice president on election day, in accordance with R.I.G.L. 17-1-3; or submitting an application for a provisional ballot at the polling place on election day; or submitting an electronic application for voter registration through the Rhode Island Division of Motor Vehicles in accordance with R.I.G.L. 17-9.1-7; or submitting an electronic registration through the Secretary of State website or other electronic portal established and maintained by the Secretary for the purpose of accepting electronic voter registrations.

A. Registration Form

The State Board shall publish a Rhode Island Voter Registration Form and instructions that include:

1. Type of registration

The applicant shall check the purpose for the submission of the voter registration form including: new registration, address change, party change, or name change.

2. Declaration of “Citizenship”, “Residence” & “Age”

The applicant shall be required to check the appropriate boxes acknowledging that he/she:

- a) is a citizen of the United States and the State of Rhode Island;
- b) is at least 16 years of age (You must be 18 years of age to vote).

The applicant shall be informed if he/she answers “No” to either question.
The applicant shall not complete the form.

3. Rhode Island Driver’s License or State ID Card Number/Last 4 Digits of Social Security Number

The applicant shall provide his/her Rhode Island driver license number or Rhode Island State ID number. In the case of an applicant who has not been issued a current and valid Rhode Island driver license or a current and valid Rhode Island State ID, he/she shall provide the last 4 digits of his/her Social Security Number. **(Required only if the applicant is a first time registrant registering to vote as a mail or third party registrant.)**

4. Applicant’s Full Name

The applicant shall print his/her last name, first name and middle name (or initial).

5. Home Address (legal residence)

The applicant shall enter the full address of the city/town where he/she resides including the street address, apartment number, and zip code. A Post Office box shall not be considered a residence. Residents without a permanent address may register to vote from the address of the board of canvassers of their city/town or may provide a location to the board of canvassers of their city/town where they are commonly located.

6. Mailing Address (address where mail is received if different from #5. Home Address)

7. Date of Birth

8. Phone Number/E-Mail Address (optional)

9. Party Affiliation (if any)

An applicant may choose to register with a recognized political party in Rhode Island by checking the name of the recognized political party, or selecting “Other” and writing the name of the unlisted recognized political party on the line provided. An applicant who does not wish to register with a party shall check “Unaffiliated.” An applicant who leaves this item blank, or lists the name of a political party not recognized in the state will be registered as “Unaffiliated.” New forms with a listing of all recognized parties shall be used within 60 days of when a party achieves party recognition in the State of Rhode Island at the local boards of canvassers and on-line as soon as possible. The Board of Elections may not use outdated forms for more than 90 days from when a party achieves party recognition in the State of Rhode Island

10. Affirmation, Signature & Date

The applicant shall be required to sign his/her name (or make his/her mark) in ink

and shall enter the date the registration form was completed.

11. Previous Name

If an applicant is registered to vote and has since legally changed his/her name, the registrant's name, as recorded on their previous registration, shall be included here.

12. Previous Address

If an applicant was previously registered to vote from another address, then the previous address including the street number and name, city or town, state and zip code shall be entered here.

(Note: Nothing in these rules and regulations shall prevent a person from receiving assistance in the preparation or filing of a Voter Registration Form.)

B. Voter Registration Form Submission Categories

The manner in which voter registrations may be submitted and the effective date of registration shall be as follows:

- 1) **“In-Person” registrations** are those registrations that are delivered “in-person” by the applicant or are completed by the applicant at a Voter Registration Agency where election officials are available to assist registrants and receive the registration forms; or submitting an electronic in-person application for voter registration through the Rhode Island Division of Motor Vehicles in accordance with R.I.G.L. 17-9.1-7; or submitting an electronic application for voter registration through the Secretary of State in accordance with R.I.G.L. § 17-9.1-34. The effective date of registration shall be the date of submission of the completed registration form to the Voter Registration Agency, the Rhode Island Division of Motor Vehicles or the Secretary of State.
- 2) **“Third Party” registrations** are voter registrations that are delivered by someone other than the applicant to either the State Board or local board of canvassers, or downloaded from the Rhode Island Division of Motor Vehicles website in conjunction with an online driver license renewal. The effective date of registration shall be the date of submission by the “third party” of the completed registration form to the State Board or local board. **(First time ‘third party’ applicants registering to vote must meet the identification requirement in Section 4.)**

- 3) **“Mail” registrations** are those registrations mailed through the United States Postal Service or delivered by commercial carrier to the State Board or a local board of canvassers. The effective date of registration shall be the date the completed registration form is postmarked, however, if there is no postmark or the postmark is illegible and the registration form is received within 5 days of the registration deadline, then the application is effective on the last day to vote for that election. If there is no postmark or the postmark is illegible and the registration form is received more than 5 days after the registration deadline, then the effective date of registration is the date received by the State Board or local board. **(First time applicants registering to vote must meet the identification requirement in Section 4.)**
- 4) **Electronic registration of voters.** A person may register to vote or update existing voter registration information by electronically submitting the registration on the website for the Secretary of State or other electronic portal established by the Secretary for the purpose of receiving voter registrations. The electronic application shall contain all of the information required by Rhode Island law, including the criteria set forth under R.I.G.L. § 17-9.1-9 and this regulation, except that said application shall be accepted without signature when such signature may be obtained from another state agency, quasi-public agency, or municipality data base. In such circumstance, the Secretary shall verify that the applicant information is accurate by cross-referencing the information submitted with the data or information contained in a data base administered by a state agency, quasi-public agency, municipality or by the federal government or any other voter registration data base of any other state. The use of such information from any other data base shall be exclusively for the purpose of verifying the information submitted by an applicant and shall not be conveyed to or shared with any other governmental or non-governmental entity or person for any reason except for voter registration purposes or pursuant to a court order. The applicant shall expressly authorize the transmittal for voter registration purposes to the Secretary and the local boards of canvassers his or her signature that is on file with any state agency, quasi-public agency or municipality. The voter registrant shall also certify that all of the information submitted electronically to the Secretary is both true and correct as of the date of electronic

submission.

The Secretary's portal for voter registrations and any related form shall be available in any language required by either federal or state voting rights laws and shall comply with all requirements under Title II of the Americans With Disabilities Act, 42 U.S.C. §§ 12131-12165, and with the Web Content Accessibility Guidelines (WCAG) 2.0 Compliance Level AA.

C. Incomplete and/or Defective Registrations

Registrations that are determined to be incomplete or defective by the local board of canvassers shall be processed as follows:

1. A first-time mail registrant registering to vote, that does not contain a verifiable Rhode Island driver license number, a verifiable Rhode Island State ID number, or the last four digits of a verifiable Social Security Number shall be processed under the identification requirements promulgated in Section 4 and the local board shall notify the registrant of the deficiency within 7 days of the receipt of the registration.
2. Registrations that do not select a recognized political party in Rhode Island shall be processed as "Unaffiliated."
3. Registrations that fail to indicate a person is a U.S. Citizen, Rhode Island resident, fail to indicate he/she is at least 16 years of age, or do not contain the applicant's full name, address, date of birth, or signature shall not be accepted or processed and shall be returned to the applicant by the local board within 7 days of its receipt with notification of the reason the registration was not accepted. If the applicant fails to provide the missing information on or before the twentieth day before the next election, the registration shall be rejected and the applicant notified by the local board of the rejection within 7 days. If the applicant responds to the notice and corrects the defect within the required time-frame, the effective date of registration shall be the date the registration was initially submitted.

D. Currently Registered Voters

Notwithstanding the provisions and requirements of this section, election officials shall accept and process a registration form which has been signed and submitted by an individual who is currently a registered voter in Rhode Island and who is submitting the form for the purpose of changing his/her name and/or address or to change his/her political party affiliation.

E. Voter Affirmation Forms

A Voter Affirmation form (R.I.G.L. §17-9.1-16) completed and signed at the

polling place on Election Day by an individual who is at that time a registered voter within the city/town where the Voter Affirmation card is submitted, may be used for the purpose of changing his/her name and/or address.

F. Rhode Island Division of Motor Vehicle Change of Address Form

Any change of address form submitted to the Rhode Island Division of Motor Vehicles in accordance with Rhode Island state law for purposes of a state motor vehicle license or State ID shall serve as a notification of change of address for voter registration purposes for the registrant involved, unless the registrant states on the form that the change is not for voter registration purposes. Such change of address notification shall be transmitted by the Division of Motor Vehicles to the CVRS in accordance with RIGL 17-9.1-7.

Section 4. First-Time Mail or Third Party Registration Applicants In Rhode Island – Identification Requirements

The following are the acceptable forms of identification for first-time mail registration or third party voter registration applicants, which must be provided to the board of canvassers on or before the close of the polls on Election Day or at the polling place prior to voting. (Note: If registering in-person at a Voter Registration Agency no identification is required.)

A. Verified Identification:

The applicant provides his/her Rhode Island driver license number or Rhode Island State ID number. If the applicant has not been issued a Rhode Island driver's license or Rhode Island State ID, the last 4 digits of the applicant's Social Security Number shall be submitted. The Rhode Island driver license number, Rhode Island State ID number, or last 4 digits of the Social Security Number as provided on the voter registration form by an applicant registering to vote for the first-time in Rhode Island shall be entered into the statewide Central Voter Registration System ("CVRS") and verified through the database of the Rhode Island Division of Motor Vehicles (if the voter chooses to use this option at the polling place the voter shall vote a provisional ballot). If the applicant does not have a Rhode Island driver license number, Rhode Island State ID number or a Social Security Number, they shall provide one of the following;

B. Unverified Identification:

A copy of a current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. The acceptable forms of photo identification are:

- Rhode Island Driver's license;

- Rhode Island voter identification card;
- United States passport;
- Identification issued by a United States educational institution;
- United States military identification card;
- Identification card issued by the United States or the State of Rhode Island;
- Government issued medical card;
- Employee identification card;
- Identification card provided by a commercial establishment;
- Credit or debit card;
- Student identification card issued by a recognized United States educational institution;
- Health club identification card;
- Insurance plan identification card;
- Public housing identification card.

or a copy of one of the following documents, provided that the document includes the name and current address of the individual 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 pardon or discharge:

- Utility bill;
- Bank statement;
- Document issued by a government agency;
- Lease or rental statement;
- Student identification card or tuition statement or bill issued by a recognized United States educational institution;
- Insurance plan card

C. Confidentiality

To the extent permitted by law, all applicants' Rhode Island driver license numbers, Rhode Island State ID numbers, the last 4 digits of applicants' Social Security Numbers or photocopies of all such documents and any other documents submitted in conjunction with meeting the identification requirements for first-time voter registration applicants shall remain confidential and shall only be available to election officials solely for election purposes and shall not be part of the public record or available for public

inspection.

D. Declarations of Candidacy

Notwithstanding any other provisions of these rules and regulations, a person filing a declaration of candidacy whose application for voter registration is subject to the requirements of Section 4 shall be required to present the necessary identification to the appropriate local board prior to or at the time of filing said declaration.

Section 5. CVRS-issued Identification Numbers of Registered Voters

The CVRS shall assign a unique “voter identification number” to every registered voter that shall remain assigned to the voter while the voter resides in Rhode Island.

Section 6. 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 14th day of September, 2016 pursuant to the Administrative Procedures Act (R.I.G.L. 42-35-1, et sq.).

By Order of the Rhode Island Board of Elections

Richard R. DuBois, Chair

Date

Witnessed by

Robert Rapoza
Acting Executive Director

Date