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H.458

Introduced by Representative Pearson of Burlington

Referred to Committee on

Date:

Subject: Elections; voter registration; motor vehicle applications; automatic
registration

Statement of purpose of bill as introduced: This bill proposes to automatically
send a motor vehicle driver's license application to the Secretary of State for
voter registration purposes.

An act relating to automatic voter registration through motor vehicle
driver's license applications

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1. 17 V.S.A. § 2145a is amended to read:~~

~~§ 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR
VEHICLES~~

~~(a) An application for, or renewal of, a motor vehicle driver's license shall
serve as a simultaneous application to register to vote unless the applicant
declines to sign the voter registration portion of the application checks the box
on the application designating that he or she declines to use the application as a
voter registration application.~~

1 ~~(b)(1) The voter registration portion of the motor vehicle driver's license~~
2 application shall provide and request the following information; ~~required to be~~
3 ~~provided under section 2145 of this title and shall be in the form approved by~~
4 ~~the Secretary of State.~~

5 (A) The applicant's citizenship.

6 (B) The applicant's age.

7 (C) The applicant's place and date of birth.

8 (D) The applicant's town of legal residence.

9 (E) The applicant's street address or a description of the physical
10 location of the applicant's residence. The description must contain sufficient
11 information so that the town clerk can determine whether the applicant is a
12 resident of the town.

13 (F) The voter's oath and a space for a person administering the
14 voter's oath to another to execute the written notification required by section
15 2124 of this title. The oath shall be preceded by the following statement
16 "Every voter must take the voter's oath before voting for the first time in
17 Vermont. You can attest for yourself that you have taken the oath or you can
18 have any person over 18 attest that you have taken the oath."

19 (G) The applicant's e-mail address, which shall be optional to
20 provide.

1 ~~(2) The motor vehicle driver's license application shall provide the~~

2 following statements:

3 (A) "By signing and submitting this application you are authorizing
4 the Department of Motor Vehicles to transmit this application to the Secretary
5 of State for voter registration purposes. The office through which you
6 submitted this application will remain confidential and will be used only for
7 voter registration purposes."

8 (B) "YOU MAY DECLINE TO REGISTER. If you decline to
9 register, your failure to register will remain confidential and will be used only
10 for voter registration purposes."

11 (C) "Keep this receipt and take it to the polls when you go to vote.
12 This is proof you submitted an application before the deadline for registration."

13 * * *

14 (d)(1) The Department of Motor Vehicles shall transmit ~~voter registration~~
15 motor vehicle driver's license applications received under this section to the
16 Secretary of State not later than five days after the date the application was
17 accepted by the Department, or before the close of the checklist for a primary
18 or general election, whichever is sooner.

19 (2) The Department of Motor Vehicles shall not transmit motor vehicle
20 driver's license applications when the applicant has designated that he or she
21 declines to be registered.

1 ~~Sec. 3. 23 V.S.A. § 603(a)(4) is added to read:~~

2 ~~(4) Any new or renewal application form shall provide for and request~~
3 ~~the information required in 17 V.S.A. § 2145a.~~

4 Sec. 4. EFFECTIVE DATE

5 ~~This act shall take effect on passage~~

Sec. 1. 17 V.S.A. § 2145a is amended to read:

*§ 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR
VEHICLES*

*(a) An application for, or renewal of, a motor vehicle driver's license or
nondriver identification card shall serve as a simultaneous application to
register to vote unless the applicant declines to sign the voter registration
portion of the application checks the box on the application designating that he
or she declines to use the application as a voter registration application.*

*(b)(1) The voter registration portion of the A motor vehicle driver's license
or nondriver identification card application shall provide and request the
following information required to be provided under section 2145 of this
chapter and shall be in the form approved by the Secretary of State.:*

(A) The applicant's citizenship.

(B) The applicant's place and date of birth.

(C) The applicant's town of legal residence.

(D) The applicant's street address or a description of the physical location of the applicant's residence. The description must contain sufficient information so that the town clerk can determine whether the applicant is a resident of the town.

(E) The voter's oath.

(F) The applicant's e-mail address, which shall be optional to provide.

(2) A motor vehicle driver's license or nondriver identification card application shall provide the following statements:

(A) "By signing and submitting this application, you are authorizing the Department of Motor Vehicles to transmit this application to the Secretary of State for voter registration purposes. The office through which you submitted this application will remain confidential and will be used only for voter registration purposes."

(B) "YOU MAY DECLINE TO REGISTER. If you decline to register, your failure to register will remain confidential and will be used only for voter registration purposes."

(C) "In order to be registered to vote, you must: (1) be a U.S. citizen; (2) be a resident of Vermont; (3) have taken the voter's oath; and (4) be 18 years of age or older. Failure to decline to register is an attestation that you meet the requirements to vote."

(C) “In order to be registered to vote, you must: (1) be a U.S. citizen; (2) be a resident of Vermont; (3) have taken the voter’s oath; and (4) be 18 years of age or older. Any person meeting the requirements of (1)–(3) who will be 18 years of age on or before the date of a general election may register and vote in the primary election immediately preceding that general election. Failure to decline to register is an attestation that you meet the requirements to vote.”

(3) A motor vehicle driver’s license or nondriver identification card application shall provide the penalties provided by law for submission of a false voter registration application and shall require the signature of the applicant, under penalty of perjury.

* * *

(d)(1) The Department of Motor Vehicles shall transmit ~~voter registration~~ motor vehicle driver’s license and nondriver identification card applications received under this section to the Secretary of State not later than five days after the date the application was accepted by the Department, or before the date of any primary or general election, whichever is sooner.

(2) The Department of Motor Vehicles shall not transmit motor vehicle driver’s license and nondriver identification card applications when the applicant has designated that he or she declines to be registered.

* * *

Sec. 2. 17 V.S.A. § 2145 is amended to read:

§ 2145. APPLICATION FORMS

(a) The voter registration application shall be in the form approved by the Federal Election Commission or by the Secretary of State. The application form approved by the Secretary shall include:

** * **

(2) The voter's oath ~~and a space for a person administering the voter's oath to another to execute the written notification required by section 2124 of this title.~~

** * **

(4) The following statements:

(A) "If you were ~~provided with this form when you applied for, or renewed, a motor vehicle driver's license or were~~ provided with this application form by a voter registration agency, you may decline to register. If you decline to register, your failure to register will remain confidential and will be used only for voter registration purposes."

(B) "If you are submitting this application ~~in connection with a motor vehicle driver's license application, or renewal, or~~ through a voter registration agency, the office through which you submitted this application will remain confidential and will be used only for voter registration purposes."

~~(5) The following statement on applications provided by the Department of Motor Vehicles: "Keep this receipt and take it to the polls when you go to vote. This is proof you submitted an application for registration."~~
[Repealed.]

* * *

~~(f) A person who makes a false statement in completing a voter registration application form or the voter registration portion of an application for a motor vehicle driver's license or nondriver identification card knowing the statement to be false shall be subject to the penalties of perjury as provided in 13 V.S.A. § 2901, except that a person who is not eligible to register to vote and who otherwise completes the application accurately shall not be considered to have made a false statement under this subsection by his or her failure to opt out on a motor vehicle driver's license or nondriver identification card application under section 2145a of this title.~~

* * *

Sec. 3. 17 V.S.A. § 2124 is amended to read:

§ 2124. VOTER'S OATH OR AFFIRMATION; HOW ADMINISTERED;
APPLICATION

* * *

~~(b) A person who administers the voter's oath or affirmation to another shall forthwith sign the appropriate place on the application or sign some~~

~~other written notification giving the person's name and the date the oath or affirmation was administered. [Repealed.]~~

~~(c) At a minimum, the town clerk shall keep the completed applications for addition to the checklist, or an electronic copy thereof, through the end of the general election cycle that follows the one in which the application was received. If the written notification that a person has taken the oath or affirmation is submitted separately from the application, it shall be filed along with the application. The town clerk shall verify, upon request, that a voter has been given the oath or affirmation.~~

~~Sec. 4. 17 V.S.A. § 2144a is amended to read:~~

~~§ 2144a. REGISTRATION~~

~~A person who desires to register to vote may apply in any of the following ways:~~

~~(1) Simultaneously with his or her application for, or renewal of, a motor vehicle driver's license or nondriver identification card as provided in section 2145a of this chapter.~~

~~* * *~~

~~Sec. 5. 23 V.S.A. § 603(a)(4) is added to read:~~

~~(4) Any new or renewal application form shall provide for and request the information required in 17 V.S.A. § 2145a.~~

~~Sec. 6. EFFECTIVE DATE~~

This act shall take effect on July 1, 2017.