

State of Wisconsin \ Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE DAVID G. DEININGER
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

DATE: October 26, 2012

TO: Wisconsin County Clerks
Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Milwaukee County Election Commission

FROM: Nathaniel E. Robinson
Elections Division Administrator
Government Accountability Board

SUBJECT: Information on Expiration Date for Driver License / State ID and Curbside Voting
During In-Person Absentee

The Government Accountability Board (G.A.B.) Staff have received requests for information regarding the administrative processes for collecting the expiration date for a driver license/State ID and the applicability of curbside voting for in-person absentee voting. This correspondence provides guidance on both of these two topics.

Expiration Date for Driver License / State ID

The G.A.B. received a request for clarification indicating whether an expiration date as provided on the Voter Registration Application (GAB-131) is mandated and whether clerks should prohibit registration from voters without the expiration date. G.A.B. staff provides the following administrative processes that ensure voters that are unable to provide a Driver License/State ID expiration date are still allowed to register.

Background: State and Federal law requires determining if driver licenses are current and valid. To accommodate this requirement, the expiration date was added to the GAB-131 as a required field to assist in assessing whether the Department of Motor Vehicles (DMV) license or ID card is suspended, revoked or expired. If the license is suspended, revoked or expired, the applicant must provide the last four digits of their social security account number in addition to their DMV license number.

There are situations where voters may be unable to provide an expiration date. For example, the DMV does not produce driver licenses or state ID cards immediately upon request. Instead, the applicant is provided a receipt that is valid for 45 days, and the license or ID is mailed to the applicant. These DMV issued receipts do not indicate when the driver license/ID card expires. Further, there are voters that may register in the clerk's office or on Election Day that have memorized their driver license or state ID number. Note that registrants are not required to produce the product. Providing the number verbally is perfectly acceptable as long as the applicant does not use their memorized driver license or state ID number as proof of residence.

Administrative Process: The reason that the expiration date is required is to determine whether the product is current and valid and whether the last four digits of the social security account number are required. As voters may not have the expiration date with them at the time of registration, G.A.B. staff recommend that these limited cases are treated the following ways:

1. While election officials must determine whether the driver license is current and valid, the expiration date may not be the only way this can be determined. Staff recommends that election

officials ask voters that do not know their expiration date: *Is your driver license suspended, revoked or expired?*

2. Voters that respond that their license is not suspended, revoked or expired should be recorded by election officials as “voter affirmed” on the GAB-131 in the expiration date section.
3. Voters that respond that their license is suspended, revoked or expired (or voters who do not know) shall be required to provide the last four digits of their social security number. If the voter cannot or will not provide the last four digits of their social security number, the voter should not be allowed to register.
4. This information should also be recorded on the GAB-104 Inspectors’ Statement.

Curbside Voting During In-Person Absentee

G.A.B. Staff have determined that the curbside voting procedures normally employed only on Election Day should now include voting at the municipal clerk’s office during the in-person absentee time period.

Background: An elector who, as a result of disability, is unable to enter the polling place (or in-person absentee location) may elect to receive a ballot at the entrance of the polling place. Wis. Stat. § 6.82(1). The elector may receive assistance in marking the ballot, if required, from an election inspector, or from any other person of the voter’s choice (except the elector’s employer or an agent of the elector’s labor union).

Administrative Process:

1. The election inspectors announce at the in-person absentee voting location, “(State the elector’s name), who is unable to enter this room has asked to receive a curbside ballot. Does anyone object to the issuance of this ballot?” If an objection is made, the election official shall instruct the challenger to challenge the ballot at the polling place.
2. The clerk or a deputized election official shall initial the ballot and two deputized election officials shall take the ballot to the elector. If the voter requires assistance in marking the ballot, either one of the officials delivering the ballot to the voter or a person accompanying the voter may assist. A deputized election official must witness the ballot.
3. When the voter has completed the ballot, the deputized election officials return to the in-person absentee voting location and announce, “We have a ballot offered by (stating the elector’s name), an elector who, as a result of disability, is unable to enter the polling place without assistance.”
4. The election officials shall secure the absentee certificate envelope containing the ballot in the carrier envelope/container.
5. If assistance was provided, “assisted” is also noted on the absentee ballot log along with the name and address of the person providing assistance.
6. This incident should be recorded on the Absentee Ballot Log.

Please contact the G.A.B. HelpDesk if you have any question regarding this communication at (608) 261-2028 or gabhhelpdesk@wi.gov. Thank you.

cc: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Ross D. Hein
Elections Supervisor
Government Accountability Board