



# Wisconsin Elections Commission

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**DATE:** March 29, 2020

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

**FROM:** Meagan Wolfe, Administrator  
Wisconsin Elections Commission

**SUBJECT:** Curbside Voting, Drive-Through Voting and Outdoor Polling Places

Commission staff has received many inquiries from municipal clerks regarding the legality and feasibility of conducting voting on Election Day using only “curbside voting” as set forth in Wis. Stat. § 6.82(1), allowing individuals to “drive-through” vote or move polling places outside of the traditional building to allow for more social distancing for voters and inspectors. There has also been some confusion regarding the terminology being used to describe the voting options and polling place setup being proposed so the Commission provides this communication to address questions on those topics as planning continues for the April 7 election. We have also received questions as to how public health and social distancing procedures can be incorporated into the curbside and “drive-through” process and this document outlines recommended procedures to address public health concerns.

## 1. Curbside Voting

### What is “curbside voting?”

The Commission’s [Election Day Manual](#) (pgs. 66-67) provides recommended procedures for conducting curbside voting which are consistent with Wis. Stat. § 6.82(1). A voter who, as a result of a disability, is unable to enter the polling place may elect to receive a ballot at the entrance of the polling place. Election inspectors confirm with the voter that they are unable to enter the polling location and then accommodate the voter by observing the photo ID, having the voter complete a voter registration form and showing proof of residence (if necessary), and vote the ballot while still in the vehicle. To avoid removal of the pollbook from the polling location, the curbside voter is exempt from signing the pollbook. Instead, a notation is made on the pollbook indicating that the ballot was cast at the entrance of the polling location and that the person was exempt from signing. If there is no objection, the ballot is then placed in the tabulator or ballot box by the inspector and the incident is logged on the Inspectors’ Statement.

### Can “curbside voting” be the only voting method offered at a polling place on Election Day?

Commission staff believe the statutorily prescribed process for “curbside voting” under Wis. Stat. § 6.82(1) is reserved for voters that appear at the polls and make a specific request to vote from their vehicle because they are unable to enter the polling place because of a disability. “Curbside voting” should be offered by municipalities, just like any other election but it cannot be the only method of

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voting offered. An increase in usage of that process due to current COVID-19 situation could for the April 7 election. Additionally, health and safety precautions should be taken to ensure that voters requesting a curbside ballot and the inspectors that administer the process are safe. Municipal clerks should review curbside voting procedures with their inspectors in case an increase in requests materializes.

## 2. Drive-Through Voting

### **Can a municipality offer voters the opportunity to “drive-through” vote at a polling location?**

“Drive-through” voting, as it has been described by some municipal clerks would be different than curbside voting. Unlike curbside voting which has specific statutory procedures and exemptions (like signing the poll book), Commission staff believe drive-through voting would need to substantially meet the procedures normally reserved for voting in a traditional “brick and mortar” polling location. Many of the recommendations below would also apply to municipal clerks that are considering moving a polling location outside to an area with better ventilation or one that can provide more space.

If a municipality is considering offering “drive-through” voting for its voters, at a minimum, the Commission staff believe the following issues should be taken into consideration. Additionally, Commission staff would recommend that municipal clerks rehearse the drive-through process to work out any potential roadblocks or pinch points prior to Election Day.

#### Publicize Changes to Process

If a municipality choose to offer drive-through voting, publicizing this change for voters will be important. Municipal clerks should do their best to reach voters via direct mail, media, social media, municipal webpage and postings around the municipality to notify voters of the option to vote drive-through. Municipal clerks should publicize all of the voting options that will be offered at the polling location, and brief instructions on how those processes will work.

#### State Name and Address

Unless unable to state their name and address as permitted by law, the voter shall state their name and address, and the inspectors shall determine if the voter is on the pollbook and is eligible to receive a ballot. In a drive-through voting situation, a municipality will have to ensure that the inspectors and any observers are able to hear the voter, even if they remain in their vehicle. Appropriate health and safety measures must also be considered.

#### Photo ID Requirements

Voters utilizing drive-through voting are still required to present an acceptable photo ID prior to a ballot being issued. Inspectors need not handle the photo ID, but the inspectors must be able to determine that it is a valid ID under the law, the photo reasonably resembles the individual and the name is substantially the same as the name on the pollbook. The same process inspectors would use had the person presented to themselves at the pollbook table in a traditional polling location. In a drive-through voting situation, a process for inspectors to view and verify the photo ID against the pollbook will need to be established. Viewing the photo ID through the voter’s vehicle window may be recommended to minimize close face-to-face contact between the voter and the inspector. Additional health and safety measures must also be considered when establishing the view and verification process for photo ID.

### Election Day Registration Opportunity

If voting is going to occur via drive-through, municipal clerks should decide if Election Day Registration will also be offered using the same method. Similar to a traditional polling place setup, municipal clerks should decide if there are different drive-through lanes for already registered electors and electors that need to register/change name/change address.

Election Registration Officials conducting registration for voters should be mindful of the same health practices being practiced by officials verifying photo ID and having voters sign the pollbook.

### Pollbook

Unless unable to sign the pollbook due to a disability as permitted by law, the voter shall sign the poll book prior to receiving a ballot. A voter may use their own writing utensil to sign the pollbook or use a writing utensil provided by the municipality. Voters should be advised to only sign the pollbook, and not to unnecessarily touch other portions of the pollbook if possible. A process for frequently cleaning the utensils used to sign the book, or in the case of electronic pollbook, the device, should be established to limit exposure by individuals using shared writing utensils. If a municipality uses a “drive-through” option for voting, “curbside voting” would likely not be needed, as many voters would be voting from their vehicles, and not just those individuals that are unable to enter the polling place due to a disability. Other best health practices, like offering hand sanitizer (when available) to the voter before they sign the pollbook and vote their ballot should also be considered.

### Casting the Ballot/Ballot Security

Once a voter has completed the ballot, the municipal clerk should establish a process for how the voter will place the ballot into the tabulation equipment or ballot box while remaining in the car (if possible). The Commission recommends that inspectors assist voters in completing the process. Municipal clerks could provide a security sleeve that the voter may place the ballot in while the inspector transports the ballot (in view of the voter) to the tabulation equipment or ballot box. Commission staff would advise against a voter going station to station (ballot station, registration station, voting station, submission station) as voters may drive away with ballots without casting them. However, municipal clerks and voters will need to be flexible in how ballots make it from the voter to the tabulation equipment or ballot box.

### Observers

Municipal clerks should ensure that there is a reasonable opportunity for the public to observe the public aspects of the voting process. A designated observer area should be established and marked so members of the public can observe. Depending on the setup of the drive-through location, multiple observer locations may be necessary to enforce social distancing amongst observers while also allowing for observation of voter check-in and registration transactions.

### Accessibility

Drive-through voting should be accessible to all voters in the community, including individuals with disabilities. Required notices regarding the election must also be posted and visible for individuals utilizing the drive-through process, including any notices that are to be posted in alternative languages under federal law. ADA compliant accessible voting equipment must be available at all polling locations, regardless of the setup.

### Signage, Traffic Control, Line Management

To ensure proper flow of traffic in and out of the drive-through location, proper signage and traffic control measures to assist with voter line management needs to be considered. Proper traffic flow to minimize long lines of cars is important so as not to deter individuals from appearing at the location. Signs to notify voters where to stop and how to enter and leave the drive-through location should be clearly displayed.

### Alternatives to Drive-Through Voting

Individuals that are unable or unwilling to use the drive-through process should have the ability to vote using traditional methods in the polling location, or the location that may have been moved outdoors to complement the drive-through voting option. This would include the use of accessible voting equipment if requested.

## 3. Moving a Polling Location Outside

### **Can a municipality move its polling location outside?**

Commission staff believe that there is nothing that would prohibit a municipality from moving its polling place operations outside, as long as all legal requirements and procedures can be accomplished at the location outside despite it being outside. Moving the location outside could help with maintaining proper social distancing and ventilation for voters appearing at the polls and the inspectors administering the election.

The same considerations recommended above for drive-through voting may apply to an outdoor polling location, and municipal clerks should have a backup plan in case weather or other unforeseen events occur due to holding an election at an outdoor polling place.

## 4. Public Health Procedures

Regular curbside administrative procedures should be followed but social distancing standards (6 feet between people) should be used to ensure the health and safety of voters and poll workers. We understand that face to face interactions are required for this process, but they should be minimized by verifying information through a vehicle window and keeping interactions brief and limiting conversation to essential voting-related discussion. Here are some procedures that should be incorporated into any curbside or “drive-through” process developed for election day:

- Hand sanitizer or sanitizing spray should be offered to curbside or “drive-through” voters to clean their hands before they vote their ballot or fill out a voter registration form.
- If interactions are needed with a vehicle window rolled down, poll workers should remain six feet from the voter.
- Marking pens used by curbside or “drive-through” voters can be discarded or sanitized after each use.

- Poll workers should be close enough to verify the photo ID but do not have handle it. The photo ID can be verified through the glass of the rolled-up window.
- The ballot should be slid through a window that has been slightly rolled down or “cracked”.
- The voter can slide the ballot back through the “cracked” window into the privacy sleeve held by poll worker. Using a bucket or other method for the voter to drop the ballot into out a crack in the window while maintaining privacy was also suggested as an option.
- Poll workers should transport the voted ballot back from the voter into the voting area in a privacy sleeve, which can be discarded after several uses.
- Any clipboards, writing surfaces or other materials used for this process should be sanitized after each use.
- Touchscreen, or accessible, voting devices used during any “drive-through” voting should be cleaned using 70% isopropyl alcohol wipes on the screen, as per the manufacturer’s specifications.

Please contact us if you have any questions or concerns about curbside voting, drive-through voting or moving a polling location outdoors. Elections Commission Helpdesk: [elections@wi.gov](mailto:elections@wi.gov) or (608)261-2028