

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 105

Short Title: Motor Voter.

(Public)

Sponsors: Representatives Michaux; Bowman, Gottovi, H. Hunter, Luebke, Mavretic, and Warner.

Referred to: Courts, Justice, Constitutional Amendments & Referenda.

February 20, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR USE OF DRIVERS LICENSE APPLICATIONS AND APPLICATIONS FOR SPECIAL IDENTIFICATION CARDS AS APPLICATIONS FOR VOTER REGISTRATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-81 reads as rewritten:

"§ 163-81. Driver license examiners authorized to accept applications to register voters.

(a) Notwithstanding any other provision of law, the State Board of Elections is authorized to appoint as special registration commissioners duly appointed driver license examiners of the Division of Motor Vehicles.

The State Board of Elections may appoint such number of license examiners as it deems necessary as special registration commissioners, and the persons appointed shall serve at the pleasure of the State Board of Elections, and may be removed as a registration commissioner at any time for any reason satisfactory to the Board.

Before entering upon the duties of the office each special registration commissioner shall take the oath of office prescribed in Section 7 of Article VI of the North Carolina Constitution. drivers license examiners are ex officio special registration commissioners for the purpose of this section. No additional oath is required.

(b) Special registration commissioners appointed under this section are authorized to accept applications to register persons who are qualified for registration regardless of that person's voting precinct or county of residence in the State. The special registration commissioners appointed pursuant to this section shall possess those

1 ~~qualifications set forth in G.S. 163-41(b), and shall have the same authority to accept~~
2 ~~applications to register voters as is conferred upon registration officials in this Chapter.~~

3 (c) The Division of Motor Vehicles shall, pursuant to the rules ~~and regulations~~
4 adopted by the State Board of Elections, ~~afford a~~ modify its forms so that any eligible
5 person who applies for original issuance, renewal or correction of a driver's license or
6 special identification card issued under G.S. 20-37.7 may, on a detachable part of the
7 form, an opportunity to complete an application to register to vote or to update his
8 registration if the voter has changed his address or moved from one precinct to another
9 or from one county to another. Such application shall be under oath. The necessary
10 forms shall be prescribed by the State Board of Elections. All applications shall be
11 forwarded by the Department of Transportation to the appropriate county board of
12 elections. The form must ask for the previous voter registration address of the voter, if
13 any. If a previous address is listed, and it is not in the county of residence of the
14 applicant, the appropriate county board of elections shall treat the application as an
15 authorization to cancel the previous registration and also process it as such under the
16 procedures of G.S. 163-72.1(c) through (e).

17 Registration shall become effective as provided in G.S. 163-67(a).

18 (d) The State Board of Elections is authorized to promulgate rules ~~and regulations~~
19 necessary to implement the provisions of this section."

20 Sec. 2. G.S. 163-80 reads as rewritten:

21 **"§ 163-80. Officers authorized to register voters.**

22 (a) Only the following election officials shall be authorized to register voters:

- 23 (1) Any member of a county board of elections who has been duly
24 appointed pursuant to G.S. 163-22(c) and properly installed as required
25 by G.S. 163-30 and 163-31.
- 26 (2) The supervisor of elections of a county board of elections appointed
27 pursuant to the provisions of G.S. 163-35.
- 28 (3) Precinct registrars and judges of election appointed pursuant to the
29 provisions of G.S. 163-41.
- 30 (4) Special registration commissioners appointed pursuant to the authority
31 and limitation contained in G.S. 163-41(b) , or serving ex officio
32 pursuant to G.S. 163-81.
- 33 (5) Full-time and salaried deputy supervisors of elections employed by the
34 county board of elections and who work under the direct supervision
35 of the board's supervisor of elections appointed pursuant to the
36 provisions contained in G.S. 163-35.
- 37 (6) Local public library employees designated by the governing board of
38 such public library to be appointed by the county board of elections as
39 special library registration deputies. Appointment of such deputies is
40 mandatory for libraries covered by G.S. 153A-272; appointment is
41 optional for other libraries. Persons appointed under this subsection
42 shall be given the oath contained in G.S. 163-41(b), and shall be
43 authorized to accept applications to register on those days and during
44 those hours said special deputies are on duty with their respective

1 libraries. If, for good and valid reasons, the local public library director
2 shall request that the county board of elections appoint 'replacement'
3 special library registration deputies before the two-year term ends, the
4 county board of elections shall do so.

5 (7) Public high school employees appointed under this subdivision. A
6 local board of education may, but is not required to, designate high
7 school employees to be appointed by the county board of elections as
8 special high school registration commissioners. Only employees who
9 volunteer for this duty, and who are acceptable to the county board of
10 elections, may be designated by boards of education. A special high
11 school registration commissioner may register voters only while on
12 duty as a high school employee and only at times and under
13 arrangements approved by the local school board of education. A
14 person appointed under this subdivision shall take the oath prescribed
15 in G.S. 163-41(b).

16 (b) All election officials authorized to register voters under authority of this
17 section shall not be authorized to register voters who reside outside the boundaries of
18 their respective counties except in those specific instances involving municipalities
19 which lie within the boundaries of two or more counties and except as provided by G.S.
20 163-81. The State Board of Elections shall have authority to promulgate rules for the
21 processing of voters in such instances.

22 (c) All election officials authorized by this section to register voters shall register
23 any qualified voter without regard to political party affiliation and without
24 discrimination in any manner whatsoever.

25 (d) The State Board of Elections shall promulgate rules for the proper training of
26 those persons qualifying under this section as registrars."

27 Sec. 3. Section 1 of this act becomes effective with respect to all applications
28 for issuance, renewal, or correction of drivers licenses or special identification cards
29 issued by the Department of Transportation on or after January 1, 1992. Section 2 of
30 this act becomes effective January 1, 1992.