

## **Important Information for North Carolina Voters Who Registered at a DMV**

*Residents Who Attempted to Register to Vote or Update their Registration Information at the Division of Motor Vehicles Since the Summer of 2015 Will be Able to Vote in this November's General Election*

### **Background**

In 2015, voting rights advocates and North Carolina voters informed North Carolina that Division of Motor Vehicle ("DMV") offices across the state were routinely failing to transmit voter registration information to the boards of election. As a result, voters across the state who believed they had registered to vote or updated their registration information through the DMV would turn up to the polls only to learn that their names were not on the registration rolls. A lawsuit was filed to correct these problems.<sup>1</sup>

On October 27, 2016, a North Carolina District Court entered a preliminary injunction that will ensure that voters who attempted to register or update their information through DMV in the past year will be able to have their ballots counted in **the November 2016 General Election**. **IF YOU BELIEVE YOU REGISTERED AT A DMV BUT THE POLL WORKERS SAY YOU ARE NOT ON THE LIST, PLEASE ASK FOR A PROVISIONAL BALLOT AND TELL THEM YOU REGISTERED AT THE DMV!**

### **Which Voters Are Covered Under the Court's Order?**

If a voter shows up to the polls and learns that their name does not appear on the registration rolls, the voter will be able to cast a provisional ballot on Election Day\* that counts if:

- The voter meets the qualifications to vote in North Carolina;
- The voter attests that they requested to register to vote or update their voter registration information at a North Carolina DMV office **between the summer of 2015 and October 14, 2016** (the voter registration deadline);
- The **DMV confirms that the individual engaged, during that timeframe, in a transaction where voter registration services should have been offered** (i.e., by applying for, renewing, or changing the address on a state-issued driver's license or identification card); and
- The **DMV cannot prove that the voter declined the opportunity to vote by producing a declination form** that was signed by the voter.

\* North Carolina has early voting up until Election Day. Therefore, during the early voting period, voters who were not registered as a result of DMV error do not need to use the provisional ballot process because they can register and vote at the same time during the early voting period.

### **The Provisional Ballot Process**

On Election Day, poll workers have been instructed to ask any voter who does not appear on the voting list if they have registered to vote or changed their address at DMV. If voters respond with a "yes" they will receive both a provisional ballot application and a yellow sheet of paper on which they must attest that they engaged in a voter registration transaction at the DMV. These yellow sheets will be used to identify and prioritize review of the ballots covered under the District Court's October 27th order.

A description of the provisional ballot process is available at [http://www.demos.org/sites/default/files/publications/Numbered\\_Memo\\_2016-22.pdf](http://www.demos.org/sites/default/files/publications/Numbered_Memo_2016-22.pdf).

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<sup>1</sup> The case addressing these issues was brought on behalf of three organizations (Democracy North Carolina, Action NC, and the North Carolina A. Philip Randolph Institute) and three North Carolina voters. The Plaintiffs are represented by Demos, Project Vote, the Lawyers' Committee for Civil Rights Under Law, the Southern Coalition for Social Justice, and Morrison Foerster. *See Action NC, et al. v. Strach, et al.*, 1:15-cv-1063 (M.D.N.C.).