

NC New Voting Law: Photo ID Requirements

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Voter Rights Coalition of Carteret County
A NonPartisan Organization

The nonpartisan Voter Rights Coalition of Carteret County is doing a series of educational pieces on North Carolina's new voting law. This article focuses on photo ID requirements that were modified this year and go into effect in 2016. For more information on the new law or about the Voter Rights Coalition, go to voterrightscoalition.org.

Getting ready to vote in important upcoming elections

In 2016, most voters will have to show one of the following photo IDs at the polls:

- North Carolina driver's license (current unless voter is over 70 or unless it has expired no more than four years before voter presents it)
- North Carolina special identification card issued by the Department of Motor Vehicles (current or has expired no more than four years before voter presents it)
- U.S. passport
- U.S. military identification card (current or issued within eight years of the date it is presented)
- Veteran's identification card (current or issued within eight years of the date it is presented)
- Tribal enrollment card issued by a federally recognized tribe or a tribe recognized by North Carolina and signed by an elected tribal official (current or with an issuance date within eight years of the date it is presented)
- A current driver's license or special identification card issued by another state, the District of Columbia or a territory of the United States (only if the voter registered within 90 days of the election)

For voters over the age of 70, any of the above will satisfy the photo ID requirement, even if expired, as long as it was current as of the voter's 70th birthday.

Photo IDs from work or school are not acceptable, including student photo IDs from North Carolina state colleges and universities.

Election officials present during early voting or poll judges on Election Day will be the determiners of whether the photo bears a reasonable resemblance to the voter. They will not require an exact name or address match. In cases where there is a question, the law states that poll workers "may consider information presented by the voter in addition to the photo identification and shall construe all evidence presented in a light most favorable to the voter." If they still decide not to accept the photo ID, the voter may cast a provisional ballot, and the Board of Elections later determines whether or not these provisional ballots can be counted.

Exceptions to the photo ID requirement include those with religious objections to having their picture taken and those with physical disabilities who opt to use curbside voting. These voters may use copies of a current utility bill, bank

statement, government check, paycheck or other government document showing the voter's name and address. However, other rules may apply to qualify for any of these exceptions. For example, those objecting to a photo ID on religious grounds must declare their objection at the time they register to vote or at the Board of Elections after registering but prior to voting. Exceptions will also be made for victims of a natural disaster that occurs within 60 days of an election.

Those opting to vote by absentee ballot are not required to present a photo ID, but are required to have one of the following forms of identification: NC driver's license number, learner's permit or provisional license number; number on the voter's special identification card for non-operators; or last four digits of his/her Social Security number.

Two other options have been provided by 2015 legislation for voters who cannot provide a photo ID. During early voting and before the deadline for absentee ballots, these voters can get absentee ballot request forms and submit their absentee ballots before Election Day. Otherwise, voters who cannot provide a photo ID at the polls based on a "reasonable impediment" may fill out a "reasonable impediment declaration form" and cast a provisional ballot. "Reasonable impediments" listed on the form will be lack of transportation, disability or illness, lack of birth certificate or other documents to obtain a photo ID, work schedule, family responsibilities, lost or stolen photo ID, photo ID applied for but not received by Election Day. If none of these reasons apply, the voter may check "Other" and write in the reason or "indicate that State or Federal law prohibits listing the impediment." Voters making a "reasonable impediment declaration" would also have to provide their date of birth or the last four digits of their Social Security number or show a voter registration card. They, then, would cast a provisional ballot, which the county Board of Elections reviews based on the law before counting.

The county Board of Elections may nullify the provisional ballot if the form does not contain the above-listed ID information or because there is reason "to believe the declaration is factually false, merely denigrated the photo identification requirement or made obviously nonsensical statements."

Those who want a valid photo ID to vote at the polls and do not have one can go to the Division of Motor Vehicles and get a special photo identification card free of charge, but must sign a declaration saying they do not have an alternate form of photo ID acceptable for voting in North Carolina. State Vital Records offices and the county Register of Deeds will provide free copies of an individual's birth certificate and marriage certificate to complete the application for special photo ID cards.

For more information, go to voterid.nc.gov or voterrightscoalition.org.



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