

Temporary-Rules-Technical-Changes-April-2019

1 08 NCAC 17 .0107 is adopted under temporary procedures as follows:

3 **08 NCAC 17 .0107 VOTER PHOTO IDENTIFICATION CARD**

4 (a) Request. A voter may request a voter photo identification card free of charge in person at the county board of
5 elections office, or at another location in the county prior to the start of the one-stop early voting period if approved
6 by a majority of the county board of elections, in the county where the voter is registered to vote. The request shall
7 be made on a form prescribed by the State Board of Elections Office and available on the State Board website and in
8 the county board of elections office or another location designated by the county board of elections. The form shall
9 include prompts for the voter's full name, voter's date of birth, the last four digits of the voter's Social Security
10 number, the voter's signature or mark, and the date of request. If the required information provided by the voter
11 matches the information on the voter registration on file with the county board of elections, the county board of
12 elections shall issue the card. The county board of elections shall not refuse to issue a card because the voter
13 registration does not contain the last four digits of the voter's Social Security number or complete date of birth. If the
14 voter registration does not contain the last four digits of the voter's Social Security number or complete date of birth,
15 the form shall serve as an update to the voter's voter registration record. ~~[The request may be made at the county~~
16 ~~board of elections office or at any other location in the county, including a one-stop early voting site, if the location is~~
17 ~~designated by an affirmative vote of the county board.]~~

18 (b) Issuance. Once the county board of elections determines it shall issue the voter photo identification card, it shall
19 take a photograph of the voter. If the face of the voter is covered, the county board of elections shall give the voter
20 the opportunity to remove the covering but shall not require removal. If the voter declines to remove the covering,
21 the county board of elections shall inform the voter that a voter photo identification card cannot be produced while
22 the voter's face is covered and shall inform the voter of the ability to vote provisionally due to religious objection to
23 being photographed pursuant to G.S. 163A-1145.1(d)(1).

24 (c) Simultaneous registration and request. A voter may register to vote and request a voter photo identification card
25 simultaneously in person at the county board of elections office. ~~[office or other approved location in the county where~~
26 ~~the voter seeks to register to vote.]~~ The county board of elections shall ~~[immediately]~~ process the voter registration
27 form as soon as it is received and, if the voter appears eligible to vote based on the voter registration form, the county
28 board of elections shall process the voter registration, assign a voter registration number to the voter, and issue a voter
29 photo identification card to the voter. ~~[For the purposes of this Rule, "immediately" means without any delay.]~~ A
30 voter who is not registered to vote in the county may apply to register to vote and request a voter photo identification
31 card at another location in the county. The registration shall be processed at the county board of elections office,
32 which shall mail the voter photo identification card to the voter if it makes a tentative determination that the applicant
33 is qualified to vote pursuant to G.S. 163A-867.

34 (d) Timing of issuance. Voter photo identification cards shall be issued at any time, except during the time period
35 between the end of one-stop voting for a primary or election as provided in G.S. 163A-1300 and the end of Election
36 Day for each primary and election. A county board of election shall process a request for voter photo identification
37 at the time it is received and ~~[immediately]~~ shall issue the card to the voter. If, due to the photo identification card

1 being requested a location other than the county board of elections office or equipment, software, or other issues, the
2 county board of elections cannot produce the photo identification card at the time the request is received, the county
3 board of elections shall mail the photo identification card to the voter as soon as the issue is resolved.

4 (e) Replacement card. If a registered voter loses or defaces the voter's photo identification card, the registered voter
5 may obtain a duplicate card without charge from his or her county board of elections upon request in person, by
6 telephone, or by mail. Cards may not be requested by any other method, including e-mail. A request in person or by
7 mail shall be made on a form required in Paragraph (a) of this Rule. In making the request, the voter shall provide the
8 voter's name and the voter's date of birth or last four digits of the voter's Social Security number. If the information
9 provided by the voter matches the information on file with the county board of elections, the county board of elections
10 shall issue the replacement card. If the request is by telephone or mail, the county board of elections shall mail the
11 card to the mailing address in the voter's voter registration file. A voter may request a new photo identification card
12 in accordance with Paragraph (a) if the voter believes the photo does not reflect a change in the voter's appearance.

13 (f) Name change. If a registered voter has a change of name and has updated his or her voter registration to reflect the
14 new name, the registered voter may request and obtain a replacement card from the registered voter's county board of
15 elections by providing the registered voter's current name, date of birth birth, and the last four digits of the registered
16 voter's Social Security number in person, by telephone, or by mail. Cards may not be requested by any other method,
17 including e-mail. A request in person or by mail shall be made on a form required in Paragraph (a) of this Rule. If
18 the information provided by the voter matches the information on file with the county board of elections, the county
19 board of elections shall issue the replacement card. If the request is by telephone or mail, the county board of elections
20 shall mail the card to the mailing address on the voter's voter registration file. The voter may use the form required in
21 [subsection]Paragraph (a) of this Rule to update the name on his or her voter registration record and shall include [if
22 the form includes] the voter's former name and current name, date of birth, the last four digits of the voter's Social
23 Security number, and the voter's signature or mark.

24 (g) Content and design of card. The Executive Director of the State Board shall prescribe the design of the card. A
25 voter photo identification card shall contain only the following information unique to the voter:

- 26 (1) A photograph of the voter;
- 27 (2) The voter's full name;
- 28 (3) The voter's voter registration number; and
- 29 (4) Expiration date.

30 The card may also contain a barcode including any of the information listed in this Paragraph. Voter photo
31 identification cards [must]shall contain the following disclaimer: "Expiration of this voter photo identification card
32 does not automatically result in the voter's voter registration becoming inactive."

33 [(h) Photograph of voter not a public record. A photograph of a voter created pursuant to G.S. 163A-869.1 and this
34 Rule may be viewed by the public but may not be copied or reproduced except by election officials for election
35 administration purposes. Any such copy or reproduction is not a public record under Chapter 132 of the General
36 Statutes.]

1 ~~(i)~~ (h) Validity. A voter photo identification card shall be valid statewide for voting purposes. The photo
2 identification card shall serve as proof of the voter's identity, not proof that the person is a registered voter.

3 (i) Assistance. A voter may receive assistance in completing the form required in this Rule but the voter shall sign or
4 place his or her mark on the request form.

5 (j) Form retention. The county board of elections shall upload the form required by this Rule into the statewide
6 computerized voter registration system, and the uploaded document shall serve as the official record of the form for
7 records retention purposes.

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9 *Authority G.S. 163A-741; 163A-869.1(d); S.L 2018-144 § 1.1.(b).*

10 Temporary Adoption Eff. April 29, 2019