

## **CHAPTER 5 VOTER REGISTRATION**

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## **500 GENERAL REQUIREMENTS AND QUALIFICATIONS**

500.1 No person shall be registered to vote in the District of Columbia unless the following occurs:

- (a) He or she meets the qualifications as a qualified elector as defined by D.C. Code § 1-1001.02(2) (2006 Repl.);
- (b) He or she executes an application to register to vote by signature or mark (unless prevented by physical disability) on a form approved by the Board or by the Federal Election Commission attesting that he or she meets the requirements as a qualified elector; and
- (c) The Board approves his or her registration application as provided in D.C. Code § 1-1001.07(e)(1) (2006 Repl.).

500.2 For purposes of this section, the term "qualified elector" means a citizen of the United States:

- (a) Who resides or is domiciled in the District and who does not claim voting residence or the right to vote in any other state or territory;
- (b) Who is, or will be, eighteen (18) years old by the date of the next election; and
- (c) Who has not been adjudged mentally incompetent by a court of competent jurisdiction.

500.3 Any person in the District of Columbia who meets the requirements of § 500.2 but has been convicted of a crime in the United States which is a felony in the District of Columbia, may be a qualified elector, if not incarcerated.

500.4 An applicant shall provide the following information on the voter registration form:

- (a) Applicant's complete name;
- (b) Applicant's current residence address, which address is the applicant's fixed residence address in the District;
- (c) Applicant's date of birth;
- (d) Applicant's original signature;
- (e) Applicant's political party affiliation, if any (optional); and

(f) Applicant's driver's license number in the case of an applicant who has been issued a current and valid driver's license or the last 4 digits of the applicant's social security number in the case of an applicant who has not. If an applicant for voter registration has not been issued a current and valid drivers license or a social security number, the Board shall assign the applicant's unique identifier which shall serve to identify the applicant for voter registration purposes.

**Source:** Final Rulemaking published at 48 D.C. Reg. 11722 (December 28, 2001) and amended at 50 D.C. Reg. 11073 (December 26, 2003).

500.5 An applicant designating a mailing address on the Mail-In Registration Form for official communications shall submit a signed statement specifying that the registration address indicated on the Mail-In Registration Form constitutes the voter's fixed residence in the District.

**Source:** Final Rulemaking published at 48 D.C. Reg. 11722 (December 28, 2001) and amended at 50 DCR 11073 (December 26, 2003).

500.6 The information provided to the Board by the voter, as that voter's fixed residence, shall be sufficiently precise to enable the Board to assign to the voter, the appropriate ward, precinct, Advisory Neighborhood Commission, Single-Member District and school district.

**Source:** Final Rulemaking published at 48 D.C. Reg. 11722 (December 28, 2001) and amended at 50 D.C. Reg. 11073 (December 26, 2003).

500.7 Any applicant who provides on the Mail-In Registration Form a registration address to which mail cannot be delivered by the U.S. Postal Service shall additionally provide to the Board a designated mailing address, to facilitate the administrative communication required by law.

500.8 If an applicant for voter registration fails to properly complete the mail voter registration form, the Board's registrar shall notify the applicant of the failure and provide the applicant with the opportunity to complete the form in a timely manner to allow for the completion of the registration form prior to the next election.

**Source:** Final Rulemaking published at 48 D.C. Reg. 11722 (December 28, 2001) and amended at 50 D.C. Reg. 11071 (December 26, 2003).

500.9 Any applicant utilizing these procedures shall be subject to the same criminal sanctions pursuant to D.C. Code § 1-1001.14(a) (2006 Repl.), for fraudulently attempting to register to vote that apply to all applicants.

500.10 The term "registered qualified elector" means a registered voter who resides at the address listed on the Board's records.

500.11 The term "qualified registered elector" means a registered voter who resides at the address listed on the Board's records.

500.12 The term "duly registered voter" means a registered voter who resides at the address listed on the Board's records.

**AUTHORITY:** Unless otherwise noted, the authority for this chapter is section 5 of the District of Columbia Election Act, 69 Stat. 700, ch. 862, § 5, D.C. Code § 1-1001.05(a)(14) (2006 Repl.).

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078-80 (March 1, 1996).

## **501 FEDERAL APPLICANTS: DOMESTIC**

501.1 A person who is absent from the District shall qualify as a federal elector, to vote in federal elections conducted in the District of Columbia, under the provisions of the Voting Rights Act of 1965, as set forth in § 501.2.

501.2 For purposes of this section, a "qualified federal elector" is a citizen of the United States residing outside of the District of Columbia who meets the following requirements:

- (a) Resided or was domiciled in the District of Columbia who has moved into another state or territory and does not meet the voter registration residency requirements of that state or territory;
- (b) Is or shall be eighteen (18) years old by the date of the next election;
- (c) Has not been adjudged mentally incompetent; and
- (d) Is not incarcerated for conviction of a felony.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1080 (March 1, 1996).

## **502 FEDERAL APPLICANTS: OVERSEAS**

502.1 A person who is outside of the United States shall qualify as an overseas elector under the provisions of the Uniformed and Overseas Citizens Voting Rights Act of 1986, to vote in federal elections conducted in the District of Columbia, as set forth in § 502.2.

502.2 For the purposes of this section, a "qualified overseas elector" is a citizen of the United States residing outside of the United States who meets the following requirements:

(a) Resided or was domiciled in the District of Columbia immediately prior to departure from the United States and does not claim voting residence or the right to vote in any other state or territory, although he or she may not now qualify as a resident of the District of Columbia;

(b) Has a valid passport or card of identification and registration issued under the authority of the Secretary of State;

(c) Is or will be eighteen (18) years by the date of the next election;

(d) Has not been adjudged mentally incompetent by a court of competent jurisdiction; and

(e) Is not incarcerated for conviction of a felony.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1080-81 (March 1, 1996).

## **503 FEDERAL APPLICANTS: GENERAL**

503.1 A qualified elector who is absent from the District may obtain from the federal government a Federal Government Post Card Application (FPCA) for an absentee ballot.

503.2 An elector qualified to use the FPCA shall be one of the following:

(a) A member of the Armed Forces while in active service or a spouse or dependent of a member;

(b) A member of the Merchant Marine or a spouse or dependent of a member;

(c) A citizen of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia or a spouse or dependent who resides with or accompanies the citizen; or

(d) A citizen of the United States qualified to vote in a Federal election pursuant to the Uniformed and Overseas Citizens Voting Rights Act of 1986.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1081 (March 1, 1996).

## **504 GENERAL OFFICE HOURS**

504.1 A qualified elector may appear in person at the office of the Board to complete and sign a voter registration application between the hours of 8:30 a.m. and 4:45 p.m., Monday through Friday.

504.2 The Executive Director, or his or her designee, may expand the weekly hours, and may specify other days on which the Board may accept voter registration applications, based on the level of registration activity.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1081 (March 1, 1996).

## **505 HANDICAPPED AND SHUT-IN VOTER REGISTRATION**

505.1 An applicant for voter registration who is unable to sign or to make a mark on the registration form, due to a disability, may apply with the assistance of another person; provided, that the registration application is accompanied with a signed affidavit from the person assisting the applicant which states the following:

- (a) That he or she has provided assistance to the applicant;
- (b) That the applicant is unable to sign the registration form or to make a mark in the space provided for his or her signature;
- (c) That he or she has read or explained the information contained in the application and the voter declaration to the applicant, if the applicant cannot read the information; and
- (d) That he or she has read or explained the penalties for providing false information on the registration application, if the applicant cannot read the information.

505.2 If the applicant is unable to sign his or her name, the applicant may place his or her mark in the space provided for his or her signature and have that mark witnessed by the person assisting by having the witness also sign the Mail-In Registration Form.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1082 (March 1, 1996).

## **506 VOTER REGISTRATION APPLICATION DISTRIBUTION AGENCIES**

506.1 A qualified elector may obtain a voter registration form from a voter registration application distribution agency.

506.2 A voter registration application distribution agency is an agency of the District of Columbia government in whose office or offices mail registration applications are made available for general distribution to the public.

506.3 Voter registration application distribution agencies shall include the District of Columbia Public Library, the D.C. Fire and Emergency Medical Services Department,

the Metropolitan Police Department, and any other executive agency the Mayor shall designate in writing.

506.4 Each application distribution agency shall request and the Board shall provide sufficient quantities of mail voter registration applications for distribution to the public.

506.5 The forms shall be placed in each office or substation of the agency in an accessible location in clear view.

506.6 Nothing in this subsection shall be deemed to require or permit employees of an application distribution agency to accept completed forms for delivery to the Board or to provide assistance in completing a form.

506.7 The chief officer of each agency shall ensure that each office or substation of the agency has an adequate supply of voter registration forms for distribution to the public.

506.8 No employee in a distribution agency shall do the following:

- (a) Display any political preference or party allegiance; or
- (b) Seek to influence an applicant's political preference or party registration.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1082-83 (March 1, 1996).

## **507 REGISTRATION THROUGH THE BUREAU OF MOTOR VEHICLE SERVICES**

507.1 The Bureau of Motor Vehicles Services (BMVS) and the Board of Elections and Ethics shall jointly develop an application form that shall allow an applicant who wishes to register to vote to do so by the use of a single form that contains the necessary information required for the issuance, renewal, or correction of the applicant's driver's permit or non-driver's identification card in any motor vehicle services office.

507.2 Completion of the voter registration portion of the application form shall not be a requirement of an individual's application for a driver's permit or non-driver's identification card.

507.3 Each application form shall automatically serve as an application to register to vote in the District of Columbia, unless the applicant fails to sign the voter registration portion of the form.

507.4 An application for voter registration shall not be accepted by the Board unless it contains the original signature of the applicant.

507.5 Each application form shall be considered as updating any previous voter registration by an applicant who is already listed as a registered voter, or whose name appears on the inactive list of registered voters, unless a voter indicates that a change of address is not for voter registration purposes.

507.6 Upon the receipt of an application form or a notice of change of address, the Bureau of Motor Vehicle Services (BMVS) shall in a consistent manner indicate the date of its receipt on the portion of the form used by the Board for voter registration and registration update purposes.

507.7 An application to register to vote or to update information on an existing voter registration shall be considered received by the Board on the date that it was accepted by the Bureau of Motor Vehicle Services (BMVS).

507.8 The Bureau of Motor Vehicle Services (BMVS) shall transmit each voter registration form not later than ten (10) days after the date of acceptance by the Bureau of Motor Vehicle Services (BMVS), except that if a voter registration application is accepted within five (5) days before the last day for registration to vote in an election, the application shall be transmitted to the Board not later than five (5) days after the date of its acceptance.

507.9 The Chief Administrative Officer of the Bureau of Motor Vehicles Services (BMVS) shall do the following:

(a) Ensure that each agency site is supplied with an adequate number of combined Motor Vehicles/Voter Registration Forms; and

(b) Submit in writing and answer any questions as the chief administrative officer of the Board of Elections or the Board may prescribe that relate to the administration and enforcement of the National Voter Registration Act of 1993 and of the National Voter Registration Act Conforming Amendment Act of 1994.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1083-84 (March 1, 1996).

## **508 VOTER REGISTRATION AGENCIES**

508.1 A voter registration agency is any agency of the District of Columbia government that provides public assistance or that provides District of Columbia funded programs primarily engaged in providing services to persons with disabilities.

508.2 The District of Columbia Department of Recreation and the District of Columbia Office on Aging are designated as voter registration agencies.

508.3 The Mayor of the District of Columbia may designate any other executive branch agency of the District of Columbia government as a voter registration agency by filing written notice of the designation with the Board.



**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1084 (March 1, 1996).

## **509 REGISTRATION THROUGH VOTER REGISTRATION AGENCIES**

509.1 Each voter registration agency shall do the following:

(a) Distribute a voter registration application with each application for service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance, unless the applicant, in writing, declines to register to vote;

(b) Provide to each applicant for service or assistance, recertification or renewal, or change of address, information regarding voter registration, pursuant to D.C. Code § 1-1001.07(d)(3) (2006 Repl.);

(c) Provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as provided by the office with regard to the completion of its own form, unless the applicant refuses such assistance;

(d) Indicate on each form, in a consistent manner, the date of acceptance by the voter registration agency; and

(e) Accept completed forms and forward the forms to the Board of Elections and Ethics not later than ten (10) days after its acceptance by the agency, except that if a voter registration is accepted at a voter registration office within five (5) days before the deadline for voter registration in any election, the application shall be transmitted by the agency to the Board not later than five (5) days after the date of acceptance.

509.2 If a voter registration agency provides services to a person with a disability at the person's home, the agency shall provide the services required in § 509.1 at the person's home.

509.3 The voter registration application provided by each voter registration agency must be approved by the Board.

509.4 Each voter registration application form shall be considered as updating any previous voter registration by an applicant who is already listed as a registered voter, or whose name appears on the inactive list of registered voters.

509.5 If the applicant declines to register to vote, the declination shall be in duplicate as follows:

(a) The original copy of the declination is provided by the agency to the applicant; and

(b) The duplicate copy of the declination is retained by the voter registration agency.

509.6 The duplicate copy of the declination shall be retained by the voter registration agency for a period of at least twenty-two (22) months.

509.7 The Board shall ensure that the identity of the voter registration agency through which any particular individual is registered to vote is not disclosed to the public.

509.8 The chief officer of each voter registration agency shall do the following:

(a) Ensure that each agency office, site, or substation contains an adequate number of voter registration forms and relate materials necessary to carry out the requirements of D.C. Code § 1-1001.07(d) (2006 Repl.);

(b) Ensure that each agency office, site, or substation conforms to the requirements of D.C. Code § 1-1001.07(d) (2006 Repl.);

(c) Ensure that each employee at each agency office, site, or substation is adequately trained to carry out the requirements of D.C. Code § 1-1001.07(d) (2006 Repl.);

(d) Ensure that voter registration forms are transmitted timely to the Board of Elections, pursuant to D.C. Code § 1-1001.07(d)(8) (2006 Repl.), or if no voter registration forms are received during that time period, provide written notice of such to the Board of Elections;

(e) Report, at the request of the chief administrative officer of the Board, the number of citizens at each site who decline to register to vote pursuant to D.C. Code § 1-1001.07(d) (2006 Repl.); and

(f) Submit in writing and answer any questions as the chief administrative officer of the Board of Elections or the Board may prescribe that relate to the administration and enforcement of the National Voter Registration Act of 1993 and of the National Voter Registration Act Conforming Amendment Act of 1994.

509.9 No person who provides a voter registration service at a District of Columbia government agency, including the Bureau of Motor Vehicles Services, shall do the following:

(a) Seek to influence an applicant's political preference or party registration;

(b) Display any political preference or party allegiance;

(c) Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

(d) Make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

**SOURCE:** Amendments of Final Rulemaking published at 43 D.C. Reg. 1078, 1084-86 (March 1, 1996).

## **510 VOTER REGISTRATION PROCESSING**

510.1 The voter registry shall be open during reasonable business hours; except that the registry shall not be open during the thirty (30) day period that immediately precedes any primary, general, or District-wide special election.

510.2 The registry for a ward, Advisory Neighborhood Commission, Single-Member District or school district shall not be open during the thirty (30) day period that immediately precedes the date of a special election for that ward or Single-Member District or school district.

510.3 The Board may close the registry on Saturdays, Sundays, and holidays; except that, if the deadline for voter registration in any election shall fall on a Saturday, Sunday, or holiday, the deadline shall extend to the next business day.

510.4 The Board shall process mailed voter registration applications and registration update notifications received postmarked by not later than the thirtieth (30th) day preceding any election and timely completed non-postmarked voter registration applications and registration update notifications mailed and received not later than the twenty-third (23rd) day preceding any election.

510.5 Voter registration applications and update notifications considered received during the thirty (30) days that immediately precede and include the date of the election shall be held and processed after the registry reopens.

510.6 An application for voter registration, or a notice of a change of name, address, or party, which is filed at a voter registration agency (including the Bureau of Motor Vehicles Services), is considered to be received by the Board on the date that it is filed at the voter registration agency.

510.7 An application for voter registration, or a notice of change of name, address, or party, which is delivered by mail and postmarked by the United States Postal Service is considered received by the Board on the date of the postmark.

510.8 An application for voter registration, or a notice of change of name, address, or party, is otherwise considered to be received by the Board upon acknowledgement of receipt by an agency date-stamp.

510.9 Individuals who have not previously voted in a federal election in the District and who register to vote by mail shall present, either at the time of registration, at the polling place, or when voting by mail, either a copy of a current and valid photo identification, a copy of a current utility bill, bank statement, government check, paycheck or other documentation that shows the name and address of the voter.

**SOURCE:** Final Rulemaking published at 48 D.C. Reg. 11722 (December 28, 2001) and as amended at 50 D.C. Reg. 11074 (December 26, 2003).

510.10 Subsection 510.9 shall not apply to:

(a) Individuals whose registration application includes either a driver's license number or at least the last 4 digits of his or her social security number and with respect to whom the Board has been able to match the provided information with an existing identification record bearing the same number, name and date of birth as provided in such registration application; and

(b) Individuals entitled to vote otherwise than in person under Federal law.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1086-87 (March 1, 1996). Amendments of Final Rulemaking published at 50 D.C. Reg. 11074, (December 26, 2003).

## **511 PROCESSING OF NEW VOTER REGISTRATIONS**

511.1 Within nineteen (19) calendar days after the receipt of a registration application form, the Board shall mail a non-forwardable voter registration notification to the applicant advising him or her of the acceptance or rejection of the registration application by its chief voter registration official.

511.2 If the application is rejected, the notification shall include the reason or reasons for the rejection and shall inform the voter of his or her right to appeal the rejection pursuant to D.C. Code § 1-1001.07(f) (2006 Repl.).

511.3 In the event that the notification advising the applicant of acceptance of his or her voter registration is returned to the Board as undeliverable, the Board shall mail the notice provided in D.C. Code § 1-1001.07 (j)(1)(B) (2006 Repl.).

511.4 The registration shall be effective on the date the Board determines that the applicant is a qualified elector and eligible to register to vote in the District of Columbia.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1087 (March 1, 1996).

## **512 CHANGES IN REGISTRATION: NAME**

512.1 A registered voter shall notify the Board, in writing, within thirty (30) days, of a name change due to marriage, divorce or by order of a court.

512.2 The effective date of any change of name, for voter registration purposes, shall be the date that the notice of change is received by the Board, except that no change of name shall be effective if postmarked or received during the thirty (30) day period that immediately precedes an election.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1087-88 (March 1, 1996).

## **513 CHANGES IN REGISTRATION: ADDRESS**

513.1 A registered voter who moves from the address at which he or she is registered to vote shall notify the Board, in writing, of the current residence address in accordance with the following procedure:

- (a) By completing a change of address on a Mail-In Voter Registration Form;
- (b) By filing a change of address by letter or postal card;
- (c) By filing a change of address through the Bureau of Motor Vehicles Services or a voter registration agency pursuant to D.C. Code § 1-1001.07(d) (2006 Repl.);
- (d) By filing a change of address on election day at the polling place serving the current residence pursuant to D.C. Code § 1-1001.07(i)(4)(A) (2006 Repl.); or
- (e) By completing any other form prescribed for this purpose by the Board.

513.2 The effective date of a change of address shall be the date that the change is considered to be received by the Board, except that no change of address shall be effective if it is postmarked or considered to be received by the Board during the thirty (30) day period that immediately precedes the date of any election.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1088 (March 1, 1996).

## **514 CHANGES IN REGISTRATION: POLITICAL PARTY**

514.1 A registered voter may declare or change his or her party affiliation, in writing, in accordance with the following procedure:

- (a) By completing a change of party on a Mail-In Voter Registration Form;
- (b) By letter or postal card;

(c) By filing a change of address through the Bureau of Motor Vehicles Services or a voter registration agency pursuant to D.C. Code § 1-1001.07(d) (2006 Repl.); or

(d) By completing any other form prescribed for this purpose by the Board.

514.2 The effective date of any declaration of party or change of party affiliation shall be the date that the notice is considered to be received by the Board; except that, no declaration of political party or change of party affiliation shall be effective if postmarked or considered received during the thirty (30) day period that immediately precedes any election.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1088-89 (March 1, 1996).

## **515 SYSTEMATIC VOTER ROLL MAINTENANCE PROGRAM: BIENNIAL MAIL CANVASS**

515.1 In January of each odd-numbered year, the Board shall confirm the residence address of each registered voter who did not confirm his or her address through the voting process or file a change of address at the polls in the preceding general election by mailing a first class non-forwardable canvass postcard to the residence address listed on the Board's records.

515.2 If the Postal Service returns the postcard and provides a new address for the registrant that is within the District of Columbia, the Board shall change the address on its records accordingly and then mail to both old and new addresses a forwardable notice advising the registrant that their address in the voter records has been changed to reflect the Postal Service information.

515.3 If the Postal Service returns the postcard as undeliverable and provides a new address for the registrant outside the District of Columbia, the Board shall mail a forwardable notice to both the old and new address, informing the registrant how to register to vote in their new jurisdiction or correct the address information obtained from the Postal Service.

515.4 If the Postal Service returns the postcard to the Board as undeliverable and indicates that no new address is available, the Board shall mail to the registrant at his or her last known address the forwardable notice specified in § 515.3.

515.5 The forwardable notices issued to registrants whose initial non-forwardable mailings were returned by the Postal Service shall include a pre-addressed and postage-paid return notification postcard to enable the registrant to confirm or correct any address information obtained from the Postal Service.

515.6 Upon mailing of the forwardable notice to any registrant whose initial mailing the Postal Service returned as undeliverable, either with a new address outside the District or an indication that no new address was available, the Board shall designate the registrant's voter registration status as inactive on the voter roll, effective on the date of the mailing of the notice.

515.7 Where a registered voter who has been designated inactive on the voter roll fails to respond to the forwardable notice and fails to vote during the period beginning on the date the notice was mailed and ending on the day after the second subsequent general election for federal office, the registrant's name shall be removed from the voter roll.

515.8 Where a registered voter who has been designated inactive on the voter roll provides the Board with a current residence address, or votes in any election, prior to the day following the second general election for federal office occurring thereafter, the inactive designation shall be removed from the registrant's record.

515.9 A registrant included in the group defined by § 515.1 who has requested a separate mailing address in their voter record shall be initially mailed a notification addressed to the mailing address, asking the registrant to confirm his or her residence address on the voter roll by not later than thirty (30) days of the date of the mailing of the notice.

515.10 Where a registrant who has been mailed the notification in § 515.9 fails to confirm or correct their residence address, in writing, within thirty (30) days of the mailing of the notice, the Board shall issue a non-forwardable canvass postcard to the residence address as provided in § 515.1 of this chapter.

515.11 In the event that the Biennial Mail Canvass is delayed pursuant to D.C. Code § 1-1001.07(j)(7) (2006 Repl.), the Board shall conduct the canvass as soon as practicable thereafter.

515.12 Consistent with procedures of the Biennial Mail Canvass, the Board shall issue the forwardable notices defined in § 515.5 whenever official mail sent to a registrant in the normal course of business is returned to the Board by the Postal Service.

515.13 Consistent with procedures of the Biennial Mail Canvass, the Board shall update a registrant's address or designate a registrant's voter registration status as inactive based on the return to the Board by the Postal Service of official mail sent to a registrant in the normal course of business.

515.14 Where the Board learns, or has reason to believe, that a registrant does not reside at the address listed on the voter registration application, the Board may issue the notice defined in § 515.1 to confirm the registrant's address, and proceed accordingly.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1089-90 (March 1, 1996); and further amended by Final Rulemaking published at 43 D.C. Reg. 1927 (April 12, 1996).

## **516 VOTER ROLL MAINTENANCE PROGRAM**

516.1 The Board may utilize information obtained from the United States Postal Service, the National Change of Address System (NCOA), and the Bureau of Motor Vehicles, which identifies registrants who have moved from the addresses listed on the Board's records.

516.2 As part of its systematic voter roll maintenance program, the Board may develop additional procedures to identify and remove from the voter roll registrants who are deceased and no notification was received from the Bureau of Vital Statistics, who have moved from the District and no notification was received from the registrant or the United States Postal Service, or who otherwise no longer meets the qualifications as a duly registered voter.

516.3 If the Board learns that a registered voter has changed his or her residence address and has failed to inform the Board, in writing, of his or her current residence address, the registrant shall be mailed a nonforwardable notice, to the address listed on the voter roll.

516.4 The Board may utilize information obtained from returned juror summons issued by mail by the District of Columbia Superior Court to identify registrants who no longer meet the qualifications as a duly registered voter.

516.5 In the event that a juror summons is returned to the District of Columbia Superior Court by the United States Postal Service as undeliverable, or which provides a new address within or outside the District of Columbia, the Board shall mail a nonforwardable notice to the address to the voter's registration, as provided in § 515 of this chapter.

516.6 The Board may use other information provided to the District of Columbia Superior Court by the registrant to identify registrants who no longer meet the qualifications as a registered voter.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1090-91 (March 1, 1996).

## **517 CANCELLATION OF VOTER REGISTRATION: GENERAL GROUNDS AND PROCEDURES**

517.1 The grounds for cancellation of registration by the Board shall be the following:



- (a) Death of the voter;
- (b) Change in residence from the District of Columbia;
- (c) Signed authorization from a voter, or written notification from the voter that he or she is not a qualified elector;
- (d) Incarceration following a felony conviction;
- (e) Successful challenge to voter registration;
- (f) Falsification of information on the voter's Mail Registration Application;
- (g) Declaration of mental incompetence by a court of competent jurisdiction; and
- (h) In the case of a registrant whose registration is deemed inactive, failure to provide the Board with a current residence address in the District, in writing, or failure to vote in any election in accordance with D.C. Code § 1-1001.07(i)(4)(B) by not later than the day after the date of the second general election for federal office that occurs after the date of the notice.

517.2 Where the Board cancels or proposes to cancel a voter's name from the registration roll, under § 522.1, notification to the person, as applicable to the cause of cancellation, shall be made by first class (forwardable) mail, except where authorization for removal has been provided by signature of the voter, or where the voter's registration is being removed from the list of registrations deemed inactive.

517.3 In the event that the Board learns, through the regular course of business, that a voter is otherwise unqualified to be a registered elector in the District of Columbia, the chief registration official shall notify the registrant of this fact.

517.4 The notice shall include the information on which the chief registration official bases the decision and shall state that the registrant must respond within fourteen (14) days from the date of the mailing of the notice or be cancelled from the voter roll.

517.5 The chief registration official shall make a determination with respect to the electors eligibility within ten (10) days of receipt of a response from the registrant.

517.6 The determination shall be sent by first class mail to the registrant.

517.7 Within fourteen (14) days of mailing the notice, the registrant may appeal, in writing, the chief voter registration official's determination to the Board.

517.8 The Board shall conduct a hearing and issue a decision within thirty (30) days of receipt of written notice of the appeal.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1091-92 (March 1, 1996).

## **518 CANCELLATION OF VOTER REGISTRATION: CHALLENGE AND REQUEST FOR ADDITIONS TO REGISTRATION ROLL**

518.1 Any duly registered voter, no later than ninety (90) days before any election, pursuant to D.C. Code § 1-1001.07(e)(5)(A) (2006 Repl.), may initiate the following changes to the registration roll:

(a) "Challenge" the registration of any person whom the voter believes is fictitious, deceased, a disqualified person, or otherwise ineligible to vote

(except with respect to a change of residence); and

(b) "Request" the addition of any person whose name has been erroneously omitted or cancelled from the registration roll.

518.2 Application for the correction of the voter roll or the challenge of the right to vote of any person named on the voter roll shall be in writing and shall include any evidence in support of the challenge that the registrant is not qualified to be a registered voter.

518.3 The Board shall send notice to any person whose registration has been challenged, at the address listed on the Board's record, along with a copy of any evidence filed in support of the challenge.

518.4 The notice sent to a person whose registration has been challenged shall be sent to the address listed on the Board's records and shall include a statement that the registrant must respond to the challenge not later than thirty (30) days from the date of the mailing of the notice or be cancelled from the voter roll.

518.5 The Board's chief voter registration official shall make a determination with respect to the challenge, based on any evidence presented, within ten (10) days of receipt of the challenged registrant's response.

518.6 After making a determination with respect to the challenge, the Board's chief voter registration official shall notify, by first class mail, both the challenged registrant and the person who filed the challenge.

518.7 Within fourteen (14) days of the date that the chief voter registration official's notice is mailed, any aggrieved party may appeal the chief voter registration official's determination to the Board.

518.8 The Board shall conduct a hearing and issue a decision within thirty (30) days of receipt of the written appeal notice.

518.9 With respect to a request for the addition of a person to the voter roll, if the Board's records do not evidence that the individual named has been erroneously omitted or cancelled, the Board shall send notice of such, by first class (forwardable) mail, to the individual named in the request and the person who filed the request.

518.10 The notice shall advise the requestor that the person whose name was allegedly omitted or dropped from the registration roll, shall submit a Mail-In Registration Form so that the person may be added to the registration roll as a qualified registered elector.

**SOURCE:** Final Rulemaking published at 43 D.C. Reg. 1078, 1092-93 (March 1, 1996).