

STATE

DIVISION OF ELECTIONS

Voter Registration

Completion of Application; Federal Voter Registration Application

Forms

Proposed Amendments: N.J.A.C. 13:17-1.6 and 1.8

Authorized By: Kim Guadagno, Secretary of State, Department of State.

Authority: N.J.S.A. 19:4-10, 19:23-45.3, 19:31-6.4a through 6.9, and
19:31-30.

Calendar Reference: See Summary below for explanation of exception to
calendar requirement.

Proposal Number: PRN 2012-038.

Submit written comments by May 4, 2012 to:

Robert F. Giles, Director, Division of Elections

Department of State

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The agency proposal follows:

Summary

The New Jersey Department of State, pursuant to N.J.S.A. 19:4-10, 19:23-45.3, 19:31-6.4a through 6.9, and 19:31-30, proposes to amend N.J.A.C. 13:17-1.6 and 1.8 to clarify that, when collecting signatures of applicants seeking to register to vote, the Motor Vehicle Commission may collect such signatures electronically and that such digitalized or electronic signatures shall constitute the original signature of a registrant for voter registration purposes. Moreover, the proposed amendments provided that electronic or digitalized signatures may be electronically submitted to the Division of Elections.

As the Department of State has provided a 60-day comment period for this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed amendments will have a positive social impact as they will clarify the laws governing voter registration and permit the Motor Vehicle Commission to more efficiently leverage technology. By capturing

signatures electronically and transmitting such signatures electronically to the Division of Elections, the State will be able to streamline the voter registration process, thereby providing more efficient and effective government services to voters.

Economic Impact

The proposed amendments will streamline the exchange of information between the Motor Vehicle Commission (MVC) and the County Commissioners of Registration as it relates to the processing of voter registration applications. This improvement will lead to a cost savings for both offices because the current procedure requires the MVC to collect and mail signed forms while the new procedure will transfer that information electronically.

Federal Standards Statement

There are no Federal standards or requirements applicable to the proposed amendments. As a result, a Federal standards analysis is not required.

Jobs Impact

The proposed amendments are not anticipated to result in the generation or loss of jobs.

Agriculture Industry Impact

The proposed amendments are not anticipated to have an impact on the agriculture industry.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because these proposed amendments do not impose reporting, recordkeeping, or other compliance requirements on small businesses. The amendments provide that, when collecting signatures of applicants seeking to register to vote, the Motor Vehicle Commission may collect such signatures electronically and that such digitalized or electronic signatures shall constitute the original signature of a registrant for voter registration purposes.

Housing Affordability Impact Analysis

The proposed amendments will not evoke a significant change in the average costs associated with housing. The basis for this finding is that the amendments proposed for adoption address the capture and transmission of electronic signatures for voter registration applicants. The amendments proposed for adoption do not address housing affordability.

Smart Growth Development Impact Analysis

The amendments proposed for adoption will not evoke a significant change on housing production and there is an extreme unlikelihood that the amendments proposed for adoption would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under

the State Development and Redevelopment Plan in New Jersey. The basis for this finding is that the amendments proposed for adoption address the capture and transmission of electronic signatures for voter registration applicants. The amendments proposed for adoption do not address housing production.

Full text of the proposal follows (additions indicated in boldface **thus**; deletion indicated in brackets [thus]):

13:17-1.6 Completion of application

(a) – (c) (No change.)

(d) The county commissioner of registration shall accept and process voter registration applications, including signatures, that have been electronically transmitted by the Motor Vehicle Commission. Digitalized or electronic signatures shall constitute the original signature of a registrant for voter registration purposes.

13:17-1.8 Federal voter registration application forms

(a) – (b) (No change.)

(c) The Motor Vehicle Commission shall electronically transmit [name and address information to the Attorney General] **all required voter registration information, including signatures, to the Division of**

Elections on a weekly basis. Completed voter registration application cards shall be forwarded from each MVC office **electronically in conjunction with the required voter registration information or by paper** to the [Attorney General] **Division of Elections** within five days of receipt.