Guide to Election Day Procedures for Individuals Affected by MVC Voter Registration Errors

Issued October 23, 2026

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Background

Between June 2023 and June 2024, a software error affected the New Jersey Motor Vehicle Commission's ("MVC") system for processing in-person voter registration applications. The error caused the information for individuals who selected "no" in response to questions asking whether they are a U.S. citizen or were of eligible registration age to be transferred to the Statewide Voter Registration System ("SVRS") for voter registration processing.

On July 28, 2026, Governor Mikie Sherrill announced that the Division of Elections ("Division") had begun a process of removing individuals from the active voter rolls who had been registered solely due to the software issue affecting those who said "no" to the citizenship question. On October 7, 2026, Governor Sherrill announced the removal of individuals from the active voter rolls who said "no" to the age-eligibility prompt and had no other valid voter registration. Governor Sherrill also announced the referral to the counties of additional potentially improper voter registrations by incarcerated individuals who may have submitted them at MVC re-entry events.

As explained in the Guide to MVC Voter Registration Error issued August 19, 2026, individuals affected by the software error who are not and have never been legally registered to vote, or have not otherwise attested to their voter eligibility, have been placed in "deleted" status in the SVRS. Individuals affected by the software error who have another voter registration on file unrelated to the software error, or who have another transaction in the SVRS that may include an attestation as to voter eligibility, were placed in "rejected" status in the SVRS and referred to the Commissioners of Registration ("Commissioners") for further review.

Individuals who attended MVC re-entry events and have potential improper voter registrations have been referred to the Commissioners for further review of their voter registration status. Counties were advised to place individuals in "deleted" status in the SVRS if they do not have a valid voter registration based on the Commissioners' review.

The Division issues this guide to assist county officials in the event that individuals affected by the voter registration errors may have questions or attempt to vote during the 2026 election cycle.

Election Day Procedures

Individuals may appear at the polls to vote who claim to be eligible and registered to vote, but who do not appear in the e-pollbook because their registration was changed to a non-voting status because they were affected by the MVC software error. The Division's guidance differs depending on whether an individual was never legally registered to vote or is in "deleted" status (Group 1), or whether an individual has another valid registration on file in the SVRS and is in "rejected" status (Group 2).

Group 1 – Never Legally Registered to Vote or in Deleted Status

- Individuals affected by the MVC software error who are not and have never been legally registered to vote, or have not otherwise attested to their voter eligibility, were placed in "deleted" status in the SVRS. All the affected registrations have the notation "MVC Software Issue" added into the "Notes" column. Individuals placed in "deleted" status also have the notation "Do not reactivate" added into the "Notes" column.

- Individuals who attended MVC re-entry events and have potential improper voter registrations have been referred to the Commissioners for further review, and, depending on that review, they may have been placed by counties in "deleted" status and also have the notation "MVC-DOC Issue – Do not reactivate" added into the "Notes" column.

- Records in "deleted" status may not be restored or reactivated for any reason.

    - If a record was in "deleted" status, a new record must be created for any voter who seeks to register, in accordance with N.J.S.A. 19:31-19.

    - Individuals with only a registration in "deleted" status cannot be reactivated without re-registering to vote.

- For this election cycle, because registration for the upcoming 2026 general election has already closed and New Jersey law does not allow same-day registration, individuals with only a registration in "deleted" status are not permitted to vote on Election Day.

- These individuals may, however, fill out a provisional ballot which can operate as a voter registration for future elections. By law, a provisional vote will not be counted if the individual was not properly registered to vote, but if a provisional ballot's affirmation statement is completed and the Commissioner is satisfied that the individual is eligible to register, the Commissioner may process it "as a voter registration application, which shall be valid for future elections if the individual who submitted the provisional ballot is determined not to be a registered voter." N.J.S.A. 19:53C-1(b).

Group 2 – Separate Voter Registration and in Rejected Status

- Individuals who answered "no" to the citizenship question in the transaction affected by the MVC software error, but who have a separate voter registration unrelated to the software error, or who have another transaction in the SVRS that may include an attestation as to voter eligibility, were placed in "rejected" status in the SVRS pending further review of voter eligibility by the counties. All the affected registrations have the notation "MVC Software Issue" added into the "Notes" column.

- An individual affected by the software error but with a valid voter registration unrelated to the software error (that is, an online voter registration completed at any time, a paper registration completed at any time, or an MVC agency registration before June 2023 or after June 2024) can be restored to "active" status from "rejected" status if the Commissioner is satisfied that the individual is a U.S. citizen and is otherwise eligible to vote.

    - Changing an individual from "rejected" to "active" status is not re-registering them to vote. However, when the voter is reactivated in the SVRS, the system automatically incorrectly populates the date the voter was reactivated in the system as the voter's "registration date."

    - Any individual whose registration date in the SVRS is within 21 days of the election will not be permitted to vote on Election Day. N.J.S.A. 19:31-6.

    - If the Commissioner is reactivating a voter as described above within 21 days of the election, to ensure the voter is not denied the ability to vote based on the incorrect, automatically populated voter registration date,

the Commissioner should manually revise the registration date to the date of the registration transaction during which the Commissioner determines the voter was properly registered.

- If the Commissioner is unable to satisfy herself that the individual is a U.S. citizen and is otherwise eligible to vote (for example, if the individual does not respond to the Commissioner's outreach), the individual should remain in "rejected" status.

- Just as prior to voting days, at Early Voting or on Election Day, an individual may be restored to "active" status from "rejected" status if the Commissioner is satisfied that the individual is a U.S. citizen and is otherwise eligible to vote. During the early voting period or on Election Day, however, additional procedures may be needed because a voter's registration status cannot be instantaneously changed from "rejected" to "active" in the SVRS. Updates to the SVRS can take up to 24 hours to process, so those voters' statuses may not be updated in the e-pollbooks quickly enough to enable them to cast an official ballot using a voting machine on the same day. In that situation, voters must vote using a provisional ballot.

    - Because the e-pollbook does not include voters whose status is "rejected," the poll worker may offer a provisional ballot to the voter. The provisional ballot contains a verification statement including the information required to be contained in a voter registration form. N.J.S.A. 19:53C-1(b).

    - As in the ordinary course, all provisional ballots are taken to the Commissioner's office after the close of the polls for verification and counting by the Board of Elections.

- As above, if a voter is determined not to have a prior valid registration, the provisional ballot form requires the voter to submit the information required in the registration form and an affirmation statement, which enable the Commissioner to process the statement as a voter registration application valid for future elections if the Commissioner is satisfied that the individual meets all criteria for eligibility to register. N.J.S.A. 19:53C-1(b).

For questions that arise during the review process, Commissioners should consult their assigned DAG as in the ordinary course.