

410-RICR-20-00-18

TITLE 410 - BOARD OF ELECTIONS

CHAPTER 20 - ELECTIONS

SUBCHAPTER 00 - N/A

PART 18 - Voter Identification

18.1

- A. The Rhode Island Board of Elections hereby proposes rules and regulations relating to voter identification pursuant to and in accordance with R.I. Gen. Laws Chapters [17-7](#) *et seq.* and [17-19](#) *et seq.*, due to the enactment of R.I. Gen. Laws § [17-19-24.2](#) effective January 1, 2012
- B. Said rules and regulations are adopted pursuant to the Administrative Procedures Act (R.I. Gen. Laws Chapter [42-35](#) *et seq.*) and are available for public inspection at the offices of the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island.

18.2 Purpose

These rules and regulations are adopted by the Board of Elections for the purpose of implementing the voter identification ("Voter ID") requirements of R.I. Gen. Laws § [17-19-24.2](#) and to address those voter identification issues not otherwise specifically referred to in the Rhode Island General laws.

18.3 Definitions

"Board of Canvassers" or "Local Board" means the Board of Canvassers in a city or town.

"Board of Elections" or "State Board" means the Rhode Island Board of Elections.

"Current and valid" means the document has not expired by its terms prior to the date it is presented.

"Election day" means any time the polls are open for the conduct of a primary, general or special election, or referendum.

"ID" means identification.

“Non-photo ID” is further described in § 18.4(A)(2) of this Part below, and shall mean a current and valid document without a photograph of the person to whom the document was issued

“Photo ID” is further defined in § 18.4(A)(1) of this Part below, and shall mean a current and valid document that includes a photograph of the voter.

“Proof of identity” means current and valid identification

“RI” means the State of Rhode Island.

“Voter identification card” means a voter identification issued by the Rhode Island Secretary of State.

18.4 Proof of Identity

A. Any person claiming to be a registered and eligible voter who desires to vote on Election Day shall provide proof of identity. Acceptable proof of identity is as follows:

1. Photo Identification

Voters presenting themselves to vote at the polling place shall present to polling place election officials a current and valid document listed below, that includes a photograph of the person to whom the document was issued:

- a. Rhode Island Driver's license;
- b. Rhode Island voter identification card
- c. United States passport;
- d. Identification issued by a United States educational institution;
- e. United States military identification card;
- f. Identification card issued by the United States or the State of Rhode Island;
- g. Government issued medical card;
- h. Employee identification card;
- i. Identification card provided by a commercial establishment;
- j. Credit or debit card;
- k. Health club identification card;

- l. Insurance plan identification card;
- m. Public housing identification card.

2. Non-Photo Identification

On any Election Day held before January 1, 2014, a voter need not present a Photo ID and, instead may present a Non-Photo ID. Such identification must include the name and address that matches the pollbook of the Voter presenting it, and is dated since the date of the last general election, unless the document is intended to be of a permanent nature such as a birth certificate, social security card or a government issued medical card, then only a name is required. Such valid Non-Photo ID documents include:

- a. Birth certificate;
- b. Social Security card;
- c. Government issued medical card;
- d. Utility bill;
- e. Bank statement;
- f. Document issued by a government agency;
- g. Lease or rental statement;
- h. Student identification;
- i. Tuition statement or bill;
- j. Insurance plan card;

B. Failure to present current and valid identification

- 1. Up to and including January 1, 2014, if a person claiming to be a registered and eligible voter does not present a valid Photo ID or Non-Photo ID to the polling place official on Election Day, in accordance with either §§ 18.4(A)(1) or (2) of this Part above, said person shall be provided a provisional ballot pursuant to R.I. Gen. Laws § [17-19-24.2](#). The local board shall determine the validity of the provisional ballot pursuant to R.I. Gen. Laws § [17-19-24.3](#) and regulations established by this board governing provisional ballots.

C. For any Election Day that occurs after January 1, 2014, if a person claiming to be a registered and eligible voter does not present a valid Photo ID to the polling place official, in accordance with §§ 18.4(A)(1)(a) through (g) of this Part above,

said person shall be provided with a provisional ballot, pursuant to R.I. Gen. Laws § [17-19-24.2](#). The local board shall determine the validity of the provisional ballot pursuant to R.I. Gen. Laws § [17-19-24.3](#) and rules & regulations established by this board governing provisional ballots.

- D. First time mail or third party voter registration applicants in Rhode Island identification requirements.
 - 1. In accordance with the Help America Vote Act of 2002 ("HAVA"), first-time mail or third-party voter registrations applicants must present the current and valid identification types as required under HAVA and rules & regulations governing voter registration established by this board in addition to R.I. Gen. Laws § [17-19-24.2](#).

18.5 Implementation

- A. The Board of Elections may promulgate procedures and forms necessary to implement the within rules and regulations required under the Rhode Island General Laws.
- B. These rules and regulations were adopted at a meeting of the State Board of Elections held on the Twenty-second day of February, 2012 pursuant to the Administrative Procedures Act (R.I. Gen. Laws § [42-35-1](#), *et seq.*). By Order of the Rhode Island Board of Elections.