

**PROPOSED REGULATION OF THE
DEPARTMENT OF MOTOR VEHICLES**

LCB File No. R028-19

September 23, 2019

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 483.290 and 483.850 and section 2 of 2018 Ballot Question No. 5, Automatic Voter Registration Initiative.

A REGULATION relating to elections; setting forth certain notice requirements relating to automatic voter registration; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes an eligible person known as an elector to register to vote by a variety of methods, including the automatic voter registration system. (Nev. Const. Art. 2, § 1; NRS 293.055, 293.485, 293.517, 483.290, 483.850) An “elector” is a person who: (1) is a citizen of the United States; (2) is 18 years of age or over; and (3) meets certain residency requirements. The automatic voter registration system allows for the secure electronic storage and transmission of voter registration information obtained from an applicant for the issuance or renewal of or a change of address on any driver’s license or identification card. The Department of Motor Vehicles is required to provide certain notice related to the automatic voter registration system to an applicant for the issuance or renewal of or a change of address on any driver’s license or identification card. (Sections 2 and 3 of 2018 Ballot Question No. 5, Automatic Voter Registration Initiative)

This regulation provides that the Department will give notice to an applicant that his or her information will not be transmitted using the automatic voter registration if the applicant provided certain documentation to the Department which indicates he or she is not an elector who meets the qualifications to vote in this State. The Department will also notify the applicant that, if he or she is an elector who meets the qualifications to vote in this State, he or she may submit to the Department a paper application to register to vote.

Section 1. Chapter 293 of NAC is hereby amended by adding thereto a new section to read as follows:

If an applicant for the issuance or renewal of or a change of address for a driver's license or identification card submits to the Department of Motor Vehicles any of the documents set forth in section 1 of LCB File No. R052-19, the Department will notify the applicant that:

- 1. His or her information will not be transmitted electronically to the Secretary of State and county clerks through the automatic voter registration system established pursuant to section 2 of 2018 Ballot Question No. 5, the Automatic Voter Registration Initiative; and*
- 2. If the applicant meets the qualifications to vote in this State, as provided in NRS 293.485, he or she may submit to the Department a paper application to register to vote pursuant to NRS 293.524.*

Sec. 2. This regulation becomes effective on:

1. The date on which this regulation is filed by the Legislative Counsel with the Secretary of State; or
 2. The date on which LCB File No. 052-19 is filed by the Legislative Counsel with the Secretary of State,
- ↪ whichever occurs later.