



AUTOMATIC VOTER REGISTRATION FAQs



Question 1. What is Automatic Voter Registration (AVR)?

- Pursuant to Delaware law (15 *Del. C.* § 2050A), every person

(1) who completes an in-person or online application for the issuance or renewal of their Delaware Driver's License, Learner's Permit, or State Identification Card, or

(2) who completes an in-person or online application to change their name or address on these documents, and

(3) who is not already registered to vote, is of sufficient age, and whose citizenship status has been confirmed by the Division of Motor Vehicles,

is automatically registered to vote by the Department of Elections.

Question 2. I was automatically registered at DMV. Will I get something in the mail confirming that I'm registered?

- All Automatically Registered Voters (AVR Voters) will receive a mailing in a standard #10 envelope that contains the following 3 items:
 - **NOTICE OF AUTOMATIC VOTER REGISTRATION** letter
 - **Response to Automatic Voter Registration** form
 - A **pre-addressed, postage-paid envelope** to send the completed **Response to Automatic Voter Registration** form to the Department

Question 3. What does this Notice look like?

- The **AVR Notice** is a 1 page letter (printed on both sides) containing important voter registration information for newly, automatically registered voters.
- Please see a sample of the letter Automatically Registered Voters will receive in the mail on the next slide.

Sample AVR Notice Letter:



STATE OF DELAWARE
DEPARTMENT OF ELECTIONS

SAMPLE VOTER NAME
100 N MICKEY MOUSE WAY, APT 213
CAMDEN WYOMING, DE 19934

NOTICE OF AUTOMATIC VOTER REGISTRATION

DMV Transaction Date: 06/17/2020

Voter ID: 100000006

Dear Registered Voter:

Pursuant to Delaware law (15 Del. C. § 2050A), every person (1) who completes an in-person or online application for the issuance or renewal of their Delaware Driver's License, Learner's Permit, or State Identification Card, or (2) who completes an in-person or online application to change their name or address on these documents, and (3) who is not already registered to vote, is of sufficient age, and whose citizenship status has been confirmed by the Division of Motor Vehicles, is automatically registered to vote by the Department of Elections.

The purpose of this notice is to:

1. Inform you that, as of the DMV Transaction Date listed above, you are registered to vote in Delaware as an unaffiliated voter;
2. Provide you the opportunity to choose a party affiliation;
3. Provide you the opportunity to review your eligibility to register and cancel your registration if you are ineligible or do not want to be registered to vote at this time; and
4. Advise you of Delaware's Address Confidentiality Program, outlined in 15 Del. C. § 1303.

Please carefully review this entire letter then complete and sign the enclosed form and return it to the Department of Elections in the provided postage-paid envelope within thirty days of the date of this letter.

(1) You are registered to vote in Delaware.

You may access, review, and update your voter registration record at <https://ivote.de.gov>.

(2) Do you want to affiliate with a political party?

All voters are automatically registered with no party affiliation. Delaware is a Closed Primary State, meaning you must be registered with the Democratic or Republican party in order to vote in the Primary Election of the party you choose. You have three options to register with a political party:

1. You may complete an application to update your party affiliation at <https://ivote.de.gov>.

2. You may mark your choice of party on the included form. Complete and sign the enclosed form and return it to the Department of Elections in the provided postage-paid envelope.
3. If you do not submit a party change prior to Primary Election Day, you may register with your choice of party when you go to vote at the first Primary Election following the date you were automatically registered, which is the DMV Transaction Date on this letter.

(3) Please review the eligibility requirements to register to vote in the State of Delaware listed below:

You may register to vote in Delaware if you:

- Are a citizen of the United States, AND
 - Are a resident of Delaware (Delaware is your home), AND
 - Will be 18 years old on or before the date of the next General Election.
 - You may NOT register to vote in Delaware if you:
 - Have been adjudged mentally incompetent. Adjudged mentally incompetent refers to a specific finding in a judicial guardianship or equivalent proceeding, based on clear and convincing evidence that the individual has a severe cognitive impairment which precludes exercise of basic voting judgment; OR
 - Were convicted of a felony and have not fully discharged your sentence*; OR
 - Were convicted of a disqualifying felony** and have not been pardoned.
- *Payment of any fees, fines, costs, or restitution which a felony offender may be required to pay as part of the criminal sanctions imposed on such offender is NOT considered in determining discharge of sentence for purpose of eligibility to register to vote.
- **List of Disqualifying Felonies:
- Murder or manslaughter, (except vehicular homicide);
 - Any felony constituting an offense against public administration involving bribery or improper influence or abuse of office, or any like offense under the laws of any state or local jurisdiction, or of the United States, or of the District of Columbia; or
 - Any felony constituting a sexual offense, or any like offense under the laws of any state or local jurisdiction or of the United States or of the District of Columbia.

If you DO NOT meet the eligibility requirements to register to vote listed above, OR you DO NOT want to be a registered voter in the State of Delaware at this time, please complete and sign the enclosed form and return it to the Department of Elections in the provided postage-paid envelope.

PLEASE NOTE: Anyone who submits a false application to register to vote as defined in 15 Del. C. § 2302, shall be fined not less than \$50 or more than \$200 or imprisoned not less than 30 days or more than 2 years or both.

(4) Address Confidentiality Information

Voters' addresses are public information. A person may petition the Delaware Superior Court for an order declaring their address to be kept confidential. For more information, please see 15 Del. C. § 1303 (<https://de.gov/title15c1303>) or call the Department of Elections at (302) 735-3770. Addresses of voters who are current participants in the Delaware Department of Justice's Address Confidentiality Program are confidential. For information about the Delaware Department of Justice Address Confidentiality Program, please see 11 Del. C. § 9613 (<https://de.gov/title11c9613>) or call the Department of Justice at (302) 577-8500.

If you have any questions or would like more information about this notice, or about voting and elections in Delaware, please visit <https://elections.delaware.gov> or call the Department of Elections Office in your county.

State of Delaware Department of Elections

Question 4. What is the purpose of the Notice?

- The **Notice** explains AVR and is mailed to AVR voters for the following four main reasons, which the Department will explain more fully in the next 9 slides:
 - 1) Inform you that you have been automatically registered as an unaffiliated voter (“No Party AVR”)
 - 2) Provide you the opportunity to choose a party affiliation
 - 3) Provide you the opportunity to review your eligibility to register and cancel your registration if you are ineligible or do not want to be registered to vote at this time, and
 - 4) Advise you of Delaware’s Address Confidentiality Program, outlined in the Delaware Code, 15 *Del. C.* § 1303.

Reason #1: You are registered to vote in Delaware.

- You may access, review, and update your voter registration record at <https://ivote.de.gov>.

Reason #2: Do you want to affiliate with a party?

- All voters registered to vote through the AVR process are automatically registered with no party affiliation (“No Party - AVR”).
- **Delaware is a Closed Primary State, meaning you must be registered with the Democratic or Republican party in order to vote in the Primary Election of the party you choose.**

Reason #2: Do you want to affiliate with a party?

(Continued from last slide)

- AVR Voters may choose a political party through the day of the FIRST Primary Election following their automatic voter registration at DMV:
 1. You may complete an application to update your party at <https://ivote.de.gov>.
 2. You may mark your choice of party on the **Response to Automatic Voter Registration** form included with the **Notice** and return the completed form to the Department of Elections.
 3. If you do not submit a party change prior to Primary Day, you may register with your choice of party (**Democratic or Republican**) when you go to vote **your party's ballot (D or R)** at the first Primary Election following the date you were automatically registered, which is the DMV Transaction Date printed on the **Notice**.

Reason #3: Review your voter registration eligibility requirements.

- The **Notice** details the eligibility requirements to register to vote in Delaware:
- You may register to vote in Delaware if you:
 - Are a citizen of the United States, AND
 - Are a resident of Delaware (Delaware is your home), AND
 - Will be 18 years old on or before the date of the next General Election.

(Additional eligibility requirements continue on next 4 slides)

Reason #3: Review your voter registration eligibility requirements. (Continued from last slide)

- The Notice details the eligibility requirements to register to vote in Delaware:
- You may NOT register to vote in Delaware if you:
 - Have been adjudged mentally incompetent. Adjudged mentally incompetent refers to a specific finding in a judicial guardianship or equivalent proceeding, based on clear and convincing evidence that the individual has a severe cognitive impairment which precludes exercise of basic voting judgment; OR
 - Were convicted of a felony and have not fully discharged your sentence*; OR
 - Were convicted of a disqualifying felony** and have not been pardoned.

Reason #3: Review your voter registration eligibility requirements. (Continued from last slide)

- The Notice details the eligibility requirements to register to vote in Delaware:
 - *Payment of any fees, fines, costs, or restitution which a felony offender may be required to pay as part of the criminal sanctions imposed on such offender is NOT considered in determining discharge of sentence for purpose of eligibility to register to vote.

Reason #3: Review your voter registration eligibility requirements. (Continued from last slide)

- The Notice details the eligibility requirements to register to vote in Delaware:
 - ****List of Disqualifying Felonies:**
 - Murder or manslaughter, (except vehicular homicide);
 - Any felony constituting an offense against public administration involving bribery or improper influence or abuse of office, or any like offense under the laws of any state or local jurisdiction, or of the United States, or of the District of Columbia; or
 - Any felony constituting a sexual offense, or any like offense under the laws of any state or local jurisdiction or of the United States or of the District of Columbia.

Reason #3: Review your voter registration eligibility requirements. (Continued from last slide)

- If you DO NOT meet the eligibility requirements to register to vote listed in the previous slides, OR you DO NOT want to be a registered voter in the State of Delaware at this time, you must complete and sign the **Response to Automatic Voter Registration** form included in the mailing and return it to the Department of Elections in the provided, pre-addressed, postage-paid envelope.
- **PLEASE NOTE:** Anyone who submits a false application to register to vote as defined in 15 *Del. C. § 2302*, shall be fined not less than \$50 or more than \$200 or imprisoned not less than 30 days or more than 2 years or both.

Reason #4: Address Confidentiality Information

- The **Notice** advises AVR voters of Delaware's Address Confidentiality Program.
 - Voters' addresses are public information. A person may petition the Delaware Superior Court for an order declaring their address to be kept confidential. For more information, please see 15 *Del. C.* § 1303 (<https://de.gov/title15c1303>) or call the Department of Elections at (302) 735-3770.
 - Addresses of voters who are current participants in the Delaware Department of Justice's Address Confidentiality Program are confidential. For information about the Delaware Department of Justice Address Confidentiality Program, please see 11 *Del. C.* § 9613 (<https://de.gov/title11c9613>) or call the Department of Justice at (302) 577-8500.

Question 5. Do I have to take action when I receive the Notice? Do I have to send back the Response form?

- Action is NOT REQUIRED, but if you do not make any changes, you will remain a registered voter in Delaware with No Party affiliation.
- If you would like to choose a party affiliation or unregister to vote, please respond to the **Notice** by completing and submitting to the Department the **Response to Automatic Voter Registration** form.

Question 6. What if I ignore the Notice and never send back the Response form?

- If you do not respond to the **Notice** by submitting the **Response to Automatic Voter Registration** form, you will simply remain registered to vote with No Party affiliation.

Question 7. What is the Response to Automatic Voter Registration form?

- The **Response to Automatic Voter Registration** form is included in the mailing with the **Notice of Automatic Registration** letter.
- The **Response** form will be pre-populated with your information in the “Registrant Information” section of the form.
- Use this form to decline to be registered to vote or to update your voter registration record with your choice of party affiliation.

State of Delaware
Delaware Department of Elections
Response to Automatic Voter Registration

Use this form to decline to be registered to vote or update your registration with desired political party affiliation.

Print clearly in blue or black ink.

1. Registrant Information

Voter ID:	100000006	
Name:	SAMPLE VOTER NAME	Year of Birth: 1970
Address:	100 N MICKEY MOUSE WAY, APT 123 CAMDEN WYOMING, DE 19934	

2. Do you want to stay registered?

Yes, I would like to remain registered.

No, I do NOT want to be registered to vote at this time. Please cancel my voter registration.

No, I am NOT eligible to register to vote at this time. Please cancel my voter registration.

3. If you want to stay registered, and would you like to change or set your political party affiliation, please select one below.

Democratic Party

Republican Party

Other Political Party (Write it here) _____

No Party (Not affiliated with any Political Party)

4. Sign your form

X _____

Signature _____ Date _____

5. Final Steps

Complete and sign this form and return to the Department of Elections in the provided postage-paid envelope.

<https://vote.de.gov>

State Election Commissioner 905 S Governors Ave Ste 170 Dover DE 19901 Phone: (302) 739-4277	New Castle County Office Carew State Office Bldg 820 N French St Ste 400 Wilmington DE 19801 Phone: (302) 577-3464	Kent County Office 100 Enterprise Pl Ste 3 Dover DE 19904 Phone: (302) 739-4498	Sussex County Office 119 N Race St PO Box 457 Georgetown DE 19947 Phone: (302) 836-5367
--	---	---	--

Question 8. What if I want to vote in the Primary Election and I have not submitted to the Department my Response form with my choice of party affiliation?

- If you have not submitted your **Response** form with your choice of party to the Department and you want to vote in the Democratic or Republican Primary Election, you may select your party (Democratic or Republican) up to and including on the first Primary Day following the day you were automatically registered at DMV. You have two options:
 - You may complete a form to change your party at <https://ivote.de.gov>, or download, complete, and submit to the Department a voter registration application marked with your party selection from <https://elections.delaware.gov>.
 - On the day of the first Primary Election following your automatic voter registration, go to your assigned polling place and declare your party (D or R). The Department will update your party at the polling place, and you will be permitted to vote in the **Primary of the party (D or R) you selected.**

Question 9. I do not want to be registered to vote. How can I cancel my voter registration in Delaware?

- To cancel your voter registration or decline to be a registered voter, you have options:
 - You may complete the “Do you want to stay registered?” section of the **Response** form, by checking the “No, I do NOT want to be registered to vote at this time. Please cancel my voter registration” box. Mail your completed **Response** form to the Department in the postage-paid envelope provided within 30 days.
 - You may choose to complete a voter registration cancellation form at <https://ivote.de.gov> or download, complete, and submit one to the Department from <https://elections.delaware.gov>.
 - Call the Department at 1-302-739-4277 or your County Elections Office for assistance.

Question 10. What if I never sent the Department my AVR Response form and I have voted or updated my voter registration transaction *after* I was automatically registered (e.g., address change, name change, party change), and now I want to cancel my registration? Can I submit to the Department my AVR Response form to cancel my voter registration?

- No, per Delaware law, the Department cannot process an AVR voter's Response form to cancel their voter registration if they have completed a transaction to update their voter registration record after they have been automatically registered. A voter registration update transaction includes voting, and/or changing name, and/or address, and/or political party.
- To cancel your registration, you may choose to complete a voter registration cancellation form at <https://ivote.de.gov> or download, complete, and submit one to the Department from <https://elections.delaware.gov>.
- You may call the Department at 1-302-739-4277 or your County Elections Office for assistance.

Question 11. I have read the voter registration eligibility requirements and found that I am not eligible to be registered. What do I do?

- You may complete the **“Do you want to stay registered?”** section of the **Response** form, by checking the **“No, I am NOT eligible to register to vote at this time. Please cancel my voter registration”** box.
- Mail your completed response form to the Department in the postage-paid envelope provided within 30 days.

Question 12. I want to stay registered to vote. Will I receive a State of Delaware Polling Place Card?

- The Department provides automatically registered voters 30 days to respond to the **Notice** if they want to choose a party or decline to be a registered voter.
- If a voter submits their **Response** form marking their choice of party to the Department within 30 days, the Department will mail the voter a **Polling Place Card** displaying the party they chose.
- If a voter does not respond to the **Notice** within 30 days, the voter will remain registered to vote and the Department will mail the voter a **Polling Place Card** displaying their party as “No Party - AVR”.
- If within 30 days a voter submits their **Response** form requesting the Department to cancel their voter registration, the Department will NOT mail the voter a **Polling Place Card**. The Department will cancel the voter’s registration record and the voter will no longer be listed as a registered voter.

Question 13. What do I do if I receive a Notice in the mail from the Department of Elections for a person who does not live at my address?

- Please write “Not at this address” on the front of the envelope.
- Do not cross out the name or address of the person on the envelope.
- Put the letter in a mail collection box (mailbox), hand it to your mail carrier, or take it to your local post office.
- The United States Postal Service will return the mail piece to the Department and the Department will start the Address Verification process.

