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:

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 Elections 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 (the place where you are residing), AND

- Will be 18 years of age or older on or before the date of the next General Election.

(4) You must register in Delaware if you:

- Have been adjudged mentally incompetent; Adjudged mentally incompetent refers to a specific finding in a judicial proceeding or equivalent proceeding, based on evidence and findings made by a judge or magisterial judge, that the individual has a severe cognitive impairment which makes that person incapable of voting independently without assistance. OR

- Were convicted of a felony and have not fully discharged your sentence. OR

- Were convicted of a disorderly person offense. OR

- Payment of any fees, fines, costs, or registration when a fee or offender may be required to pay as part of the criminal sanctions imposed on such offender. DMV considers the determination of sentence for purposes of eligibility to register to vote.

(5) You may register to vote in Delaware if you:

- Are a noncitizen with a noncitizen’s permanent residency status.

(6) You may register to vote in Delaware if you:

- Are a noncitizen without a noncitizen’s permanent residency status.

If you DO NOT meet the eligibility requirements to vote listed above, OR you DO NOT want to be registered 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: Any person who submits a false application to register to vote as defined in 15 Del. C. § 3233, shall be fined not less than $50 or more than $300 or imprisoned not less than 60 days or more than 2 years on each.

(7) Address Confidentiality Program

You can request your personal information from the Department of Elections. To request your personal information, please visit https://elections.delaware.gov.

State of Delaware Department of Elections

CANDY WYOMING, DE 19934

NOTICE OF AUTOMATIC VOTER REGISTRATION

DMV Transaction Date: 06/27/2020

Dear Registered Voter:

Pursuant to Delaware law 15 Del. C. § 3000, every person 18 years of age or older who completes an in-person or online application for the issuance or renewal of a Delaware Driver’s License, Learner’s Permit, or State Identification Card, or who completes an in-person or online application to change their name or address on these documents, and DMV has not already requested the voter, 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 the notice is to:

1. Inform you that, as of the DMV Transaction Date listed above, you are registered to vote in Delaware, as a registered 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 16 years old or do not want to be registered to vote at this time; and


Please carefully review this notice 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.

Maintain active, even and update your voter registration record at https://vote.delaware.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://vote.delaware.gov.
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

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.
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.