

Matching Against Motor Vehicle and Social Security Records

What fields from the voter registration form will the state seek to match to motor vehicle or Social Security records? Identifying number, last name, first initial, and date of birth.⁷

How precise is the match standard? Minnesota uses a “substantial match” standard: if, even though the information compared may not be an exact match, the county auditor can still “reasonably conclude that the information [in two records]. . . relate[s] to the same person,” the records will be deemed to match.⁸

How much human intervention is involved in determining whether information is matched? Minnesota first attempts to match records automatically, but county auditors then have the discretion to match unverified records from a list of possible matches.

Description of matching process: Each evening, the records of new applicants who have applied other than through the DPS are sent to the DPS for verification.⁹ (Forms submitted on Election Day will be matched after Election Day, but the match will not yield consequences for the instant election.) The system first automatically searches for an exact match of the identifying number, last name, first initial, and date of birth. If no match can be found, the system returns possible matches based on an exact match of *either* the identifying number or the last name, first initial, and date of birth. The Secretary of State submits the exact matches and possible matches to the county auditor, who reviews the possible matches to determine if the records reasonably relate to the same person. If so, the auditor will supplement that applicant’s voter registration information with the missing identifying number.¹⁰

What are the consequences if the state cannot find a match? If the identifying number matches but the records do not relate to the same individual, the registration will be considered “incomplete,” and the applicant will be asked to provide a valid identifying number by the voter registration deadline or at the polls on Election Day.¹¹ If the records relate to the same individual and the applicant submitted an identifying number that does not match, the auditor will replace the identifying number on the voter registration application with the number in the DPS system. If the records relate to the same individual and the applicant did not submit an identifying number, the application will be deemed “deficient,” even though the county auditor has the ability to correct the deficiency.¹² If no records are found that relate to the same individual and no matching number can be found, the auditor will assume that no identifying number has been issued; in the future, the system will then check the SSN-4, but at present the voter is simply considered registered, and a state identifying number is assigned.¹³

Notice and Opportunity to Resolve Errors

Does the applicant have the opportunity to correct a missing or incomplete identifying number, without submitting a new form? Yes. The applicant may correct missing or incomplete information by the voter registration deadline. If the applicant has not done so by the deadline, she must submit a new registration form on Election Day.¹⁴

Does the applicant have the opportunity to resolve a failed match, without submitting a new form? Yes. The applicant may submit information to resolve a failed match by the voter registration deadline or at the polls on Election Day.¹⁵

If information on an otherwise timely application is corrected after the voter registration deadline, is the correction timely? Yes. The applicant may correct information by the voter registration deadline or at the polls on Election Day.¹⁶

Description of notice and correction process: The county election official will attempt to notify, by phone, mail, or email, an applicant whose identifying number is incomplete or illegible – or an applicant who did not submit an identifying number but whose number was found in the DPS system.¹⁷ The applicant may submit a valid identifying number by the close of voter registration, or may re-register on Election Day.¹⁸ An applicant whose identifying number could not be verified will be notified that the registration was incomplete.¹⁹ A first-time voter registering by mail whose registration is incomplete must submit identification by the close of voter registration, or may re-register on Election Day.²⁰ Any other voter whose registration is incomplete must present information allowing the county auditor to match her record to a record in the DMV database or to conclude that no such match is possible either by the close of voter registration or at the polls on Election Day.²¹

Identification Requirements at the Polls

Who must provide identification at the polls? A first-time voter registering by mail who has not previously submitted sufficient identification or arrived in person to re-register, and whose identifying number has not been verified, must re-register on Election Day.²² Any voter registering on Election Day must provide identification at the polls.²³

Forms of ID:

Election Day registrant:	Minnesota driver's license w/ address Minnesota state ID w/ address tribal ID card w/ address current valid student ID card, statement Minnesota photo ID w/ utility bill affidavit from other registered voter
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What forms of identification are accepted? A Minnesota driver's license with address; a Minnesota ID card with address; a tribal ID card with address; a current valid student ID card, fee statement, or registration card, with address; or a Minnesota driver's license, Minnesota ID card, tribal ID card, U.S. passport or military ID card, or Minnesota student ID card, together with a current utility bill showing name and address; or an affidavit from another registered voter or residential facility worker in the precinct vouching for the applicant's identity and signed in the presence of the election judge.²⁴

What are the consequences of failing to show identification? The voter will not be able to cast a ballot.

Statutes and Regulations

MINN. STAT. ch. 201 generally concerns registration. MINN. STAT. §§ 201.021-.022 and MINN. R. 8200.9305 direct the Secretary of State to establish and maintain a single statewide voter registration database. MINN. R. pt. 8200 comprises the applicable regulations.

End Notes

¹ MINN. STAT. §§ 201.054(1), 201.061.

² electionline.org, *Assorted Rolls: Statewide Voter Registration Databases Under HAVA*, June 2005, available at <http://www.electionline.org/Portals/1/EB11.FINAL1.pdf>, at 19.

³ MINN. STAT. §§ 201.081, 201.121(1).

⁴ *Id.* § 201.121(1)(b); MINN. R. 8200.9310(1).

⁵ Election Assistance Commission, *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2003-2004*, June 30, 2005, tbl. 2, available at http://www.eac.gov/NVR_Spreadsheets/NVRA_table_2.html. Due to rounding, the percentages listed may exceed 100%.

⁶ MINN. STAT. § 201.071(3); MINN. R. 8200.9310(2)(A).

⁷ MINN. R. 8200.9310(2).

⁸ *Id.* 8200.9310(2)(A)(2).

⁹ MINN. STAT. § 201.121(1)(c); MINN. R. 8200.9310(2)(B).

¹⁰ MINN. R. 8200.9310(2)(B)-(C); *Voter Registration Verification and SVRS Under Rules Effective August 16, 2004: Questions and Answers*, <http://www.sos.state.mn.us/election/SVRSVerificationGuide20040816.pdf>, at 3.

¹¹ MINN. STAT. § 201.121(1)(f); MINN. R. 8200.9310(2)(C); *Voter Registration Verification and SVRS Under Rules Effective August 16, 2004: Questions and Answers*, <http://www.sos.state.mn.us/election/SVRSVerificationGuide20040816.pdf>, at 4-5.

¹² MINN. R. 8200.9310(4).

¹³ *Id.* 8200.9310(3); *Voter Registration Verification and SVRS Under Rules Effective August 16, 2004: Questions and Answers*, <http://www.sos.state.mn.us/election/SVRSVerificationGuide20040816.pdf>, at 6.

¹⁴ MINN. R. 8200.2900, 8200.9310(2).

¹⁵ MINN. STAT. § 201.121(1)(f).

¹⁶ *Id.* § 201.121(1)(f).

¹⁷ MINN. R. 8200.2900, 8200.9310(2).

¹⁸ *Id.* 8200.2900.

¹⁹ *Id.* 8200.3100(1).

²⁰ MINN. STAT. § 201.061(1a); MINN. R. 8200.3100(1)(A).

²¹ MINN. STAT. § 201.121(1)(f); MINN. R. 8200.3100(1)(B).

²² MINN. STAT. § 201.061(1a).

²³ *Id.* § 201.061(3); MINN. R. 8200.5100. MINN. R. 8200.5500 seems to imply that an applicant may simply submit her driver's license number, state identification card

number, or the last four digits of her SSN, instead of other identification, in order to register on Election Day.

²⁴ MINN. STAT. § 201.061(3), *as amended by* 2005 Minn. Sess. Law Serv. ch. 156 (H.F. 1481); MINN. R. 8200.5100; ACLU of Minn. v. Kiffmeyer, No. 04-CV-4653 (D. Minn. filed Sept. 12, 2005).

MINNESOTA VOTER REGISTRATION APPLICATION

For U.S. Citizens Only

1.	Are you a U.S. citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No Will you be 18 on or before the next election? <input type="checkbox"/> Yes <input type="checkbox"/> No	Local Office Use Only
If you checked "NO" to either of the above questions, <u>DO NOT</u> complete this form.		
2.	City or Township Where Your Residence is Located _____ County _____	
3.	Last Name or Surname _____	Suffix <input type="checkbox"/> SR <input type="checkbox"/> JR <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> _____
4.	First Name _____ Middle Name _____	
5.	Address Where You Live (residence) _____ Apt. Number _____ City _____ Zip Code _____	
6.	If Mail Cannot Be Delivered To The Address Above, Provide P.O. Box _____ City _____ Zip Code _____	
7.	Date of Birth (not today's date) _____ Month Day Year	Phone Number _____ (area code)
8.		School District Where You Live _____ (if known)

Federal Law requires you to provide your Minnesota Driver's License or Minnesota Identification Card Number. -OR- If you do not have a Minnesota Driver's License or Minnesota Identification Card, you need to provide the last 4 digits of your Social Security number. If you have neither, write "NONE" in 10b. Failure to provide this information may prevent your registration from being processed.	10a.	MN Driver's License Number or MN ID Card Number _____ _____
	10b.	Last 4 Digits of Social Security Number _____ _____

11.	E-mail Address (optional) _____
If you were previously registered to vote under a different name or address, fill in numbers 12 & 13.	
12.	Previous Last Name _____ Previous First Name _____ Previous Middle Name _____
13.	Previous Address Where You Were Last Registered _____ City _____ State _____ Zip Code _____

Check here if you would like information about serving as an election judge.

15.	Read The Statement Below And Sign Only If <u>All</u> Parts Apply To You.
	I certify that I: <ul style="list-style-type: none"> will be at least 18 years old on election day; am a citizen of the United States; will have resided in Minnesota for 20 days immediately preceding election day; maintain residence at the address given on the registration form; am not under court-ordered guardianship in which the court order revokes my right to vote; have not been found by a court to be legally incompetent to vote; have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence; and have read and understand this statement, that giving false information is a felony punishable by not more than 5 years imprisonment or a fine of not more than \$10,000, or both.
	Date: _____ Sign Here X _____ Month Day Year

Rev. 9/2003	ELECTION DAY OFFICIAL USE ONLY	
W _____ <input type="checkbox"/> MN Driver's License <input type="checkbox"/> Late Notice <input type="checkbox"/> Passport or <input type="checkbox"/> Utility Bill (type) _____ P _____ or MN ID <input type="checkbox"/> Tribal ID Military ID		
SD _____ <input type="checkbox"/> Prior Registration <input type="checkbox"/> Student ID <input type="checkbox"/> Witness	ID Number: (if different from 10a) _____	