

# MARYLAND

## VOTER REGISTRATION

**These resources are current as of 7/26/2016. We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at [advocacy@afj.org](mailto:advocacy@afj.org).**

This guide summarizes key aspects of laws governing voter registration on the state level. It is not intended to provide legal advice or to serve as a substitute for legal advice.

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

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## METHODS AND TIMING OF REGISTRATION

- **Registration Locations**
  - Maryland's [Online Voter Registration System \(OLVR\)](#)
  - State or local board of elections
  - When applying to Motor Vehicle Administration for issuance, renewal or modification of driver's license or identification card
  - When applying for services at a voter registration agency designated by the State Board of Elections. MD. CODE ANN. ELEC. LAW §§ 3-201, 3-204.
  
- **Registration Deadline**
  - Registration is closed from 9pm on the 21<sup>st</sup> day preceding an election until the 11<sup>th</sup> day after that election MD. CODE ANN. ELEC. LAW § 3-302(a).
    - For the 2016 general election, the registration deadline is [October 18 at 9pm](#), and registration next opens on November 20.
  - Exception for Early Voting Registration:
    - During [early voting](#)—which occurs beginning the second Thursday before a primary or general election through the Thursday before the election—an individual may appear in person at an early voting center in the individual's county of residence and register to vote. *Id.* §§ 3-305(a), 10-301(d)(1).
      - For the 2016 general election, the early voting period is from [October 27 to November 3](#).
  - If a voter registration application is submitted during the period that registration is closed, it will be held at the local board of elections and processed when registration reopens. *Id.* § 3-302(b).
  
- **Does Maryland offer Election Day registration?**
  - No.
  
- **Does Maryland allow by-mail registration?**
  - Yes. Applicants may submit the [voter registration application](#) to their [local board of elections](#) or the [State Board of Elections](#) at any time. However, an application must be postmarked by the voter registration deadline in order to vote in the next scheduled election.
  
- **May a voter register before turning 18?**
  - Yes. A registrant must be at least 16 years old.
    - Note: underage registrants may only vote in primary elections in which candidates are nominated for a general or special election that will occur when the applicant is at least

18 years old. Underage registrants may not vote in other elections. MD. CODE ANN. ELEC. LAW § 3-102(a).

- **What other requirements are there for registration?**
  - The individual must be a Maryland resident on the day of registration.
  - The individual must not be either:
    - A convicted felon who is either serving a sentence of imprisonment, on parole or on probation; or
    - Under guardianship for mental disability, and a court has determined by clear and convincing evidence that he or she cannot communicate with or without an accommodation or desire to vote; or
    - Convicted of buying or selling votes.  
MD. CODE ANN. ELEC. LAW § 3-102.

## VOTER ID REQUIREMENTS

- **Required for registration?**
  - Federal law [requires](#) that registrants provide their Maryland driver's license number or Maryland identification number or, if registrants do not have either, then the last four digits of their social security number. Help America Vote Act of 2002 §§ 303(a), 303(b); 42 U.S.C. §§ 15483. State law does not impose additional requirements.
  - For early voting registration, registrants must provide proof of residency by providing either:
    - A Maryland driver's license or Maryland identification card that contains the applicant's current address; or
    - If the applicant does not have either, then a copy of an official document that meets the requirements established by the SBOE (see below) and contains the applicant's name and current address. MD. CODE ANN. ELEC. LAW § 3-305(b).
      - Documents the SBOE accepts in addition to IDs [include](#): a change of address card, paycheck, bank statement, utility bill, or other government document with the registrant's name and address.
- **Required for voting?**
  - Identification is required only for first-time voters who registered by mail, who have not previously submitted identifying information to a local board of elections, and who election officials cannot match to existing state identification records at the time of voting. MD. CODE REGS. §§ 33.07.06.03, 33.07.06.04.

- Any such voters [may show election officials](#) the following forms of identification:
  - A copy of a current and valid photo identification such as a Maryland driver's license, a Maryland identification card, a student, employee, or military identification card, a U.S. passport, or any other State or federal government-issued ID card; or
  - A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the voter's name and address.
    - Current means that the document is dated within 3 months of the election.
- **Requirement to provide proof of citizenship to register and/or vote?**
  - No. An individual may prove citizenship by his or her certification under penalty of perjury on the [voter registration application](#).

## VOTER REGISTRATION DRIVES

- **Does Maryland accept National Voter Registration Act forms?**
  - Yes. MD. CODE ANN. ELEC. LAW § 3-202(b).
- **May groups “cage” completed registration forms (i.e. ask voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))?**
  - Yes. Maryland law does not address this.
    - **May groups copy the forms or any data included on them?**
      - No. Maryland prohibits volunteers or any individual assisting another individual to register to vote from either copying or collecting:
        - Maryland driver's license numbers;
        - Maryland identification numbers;
        - Social Security numbers; or
        - Other information from a voter registration application that is protected from public disclosure. MD. CODE ANN. ELEC. LAW § 3-205(1).
    - **What are the deadlines for sending the completed forms to state or local officials?**
      - Completed voter registration applications must be submitted to the appropriate local county election board within five days of receipt or by the next voter

registration deadline, whichever occurs first. MD. CODE REGS. § 33.05.03.06(F)(2).

- **May a group “pre-fill” some or all of the form (e.g. name, address) before sending/giving it to a would-be registrant?**
  - Yes. Maryland law does not address this.
- **May voter registration drive workers assist a voter in completing their registration form?**
  - Yes. The state regulates “VRA distributors,” who conduct the following voter registration activities:
    - offering statewide voter registration applications (VRAs) to individuals interested in registering to vote or updating an existing registration;
    - assisting people with filling out statewide VRAs; and
    - returning completed statewide VRAs to the appropriate local board office. MD. CODE REGS. § 33.05.03.06(A).
  - VRA distributors must be 18 years old by the next general election. *Id.* § 33.05.03.06(B).
- **Does Maryland require training of voter registration workers?**
  - Yes, if the person is a VRA distributor who wants to obtain more than 25 voter registration applications per day. MD. CODE REGS. §§ 33.05.03.06(C), (D), (E), (G). Otherwise, no.
    - To obtain more than 25 applications per day, the VRA Distributor must present a Certificate of Instruction indicating attendance at a training session. *Id.* § (G)(1)(b).
  - Election officials must treat individuals and groups of VRA distributors seeking instruction fairly and equitably and afford equal access to instruction. *Id.* § (D)(1).
  - Election officials must make the training available in accordance with a fixed schedule publicized in advance or upon request, and may not discontinue training within the period 70 days prior to an election through one week before the registration deadline. *Id.* § (D)(2).
- **Does Maryland require registration of voter registration drives?**
  - No.
- **Are groups required to provide information to voters about how they may contact the group to determine the status of their registration?**
  - No. Maryland law does not address this.
- **May a group pay voter registration drive workers?**
  - Maryland prohibits volunteers or any individual assisting another individual to register to vote from receiving any form of

compensation, including bonuses, that is based on the number of voter registration applications collected. MD. CODE ANN. ELEC. LAW § 3-205(3).

## **CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES**

### **State Board of Elections**

151 West Street, Suite 200  
Annapolis, MD 21401  
410-269-2840

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## **FOR FURTHER ASSISTANCE**

**For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:**

**Email: [Advocacy@afj.org](mailto:Advocacy@afj.org)  
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