

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 543 Session of  
1991

INTRODUCED BY LEVDANSKY, KUKOVICH, VEON, ROBINSON, PESCI,  
JOSEPHS, FREEMAN, FEE, GEORGE, VAN HORNE, STURLA, ROEBUCK,  
STABACK, FAJT, KAISER, ARGALL, HERMAN, STISH, SALOOM,  
BATTISTO, COHEN, ADOLPH, COY, DALEY, WOZNIAK, DERMODY,  
DeLUCA, CARN, HARPER, M. N. WRIGHT, McNALLY, BELARDI,  
JOHNSON, GIGLIOTTI, MAIALE, SURRA, MELIO, ITKIN, LAUGHLIN,  
TRELLO, BISHOP, TRICH, PISTELLA, THOMAS, BILLOW, EVANS,  
RICHARDSON, JAMES, HUGHES AND HANNA, MARCH 12, 1991

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 17, 1991

## AN ACT

1 Amending the act of April 29, 1937 (P.L.487, No.115), entitled,  
2 as reenacted and amended, "An act to provide for the  
3 permanent personal registration of electors in cities of the  
4 second class, cities of the second class A, cities of the  
5 third class, boroughs, towns, and townships as a condition of  
6 their right to vote at elections and primaries, and their  
7 enrollment as members of political parties as a further  
8 condition of their right to vote at primaries; prescribing  
9 certain procedure for the conduct of elections and primaries  
10 and the challenge and proof of qualifications of electors;  
11 requiring the county commissioners of the various counties to  
12 act as a registration commission therefor; and prescribing  
13 the powers and duties of citizens, parties, political bodies,  
14 registration commissions, commissioners, registrars,  
15 inspectors of registration and other appointees of  
16 registration commissions, county election boards, election  
17 officers, municipal officers, departments and bureaus, police  
18 officers, courts, judges, prothonotaries, sheriffs, county  
19 commissioners, peace officers, county treasurers, county  
20 controllers, registrars of vital statistics, certain public  
21 utility corporations, real estate brokers, rental agents, and  
22 boards of school directors; and imposing penalties," FURTHER  
23 PROVIDING FOR MANNER OF REGISTRATION; AND providing for voter  
24 registration in conjunction with motor vehicle driver's  
25 license registration.

&lt;—

26 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. ~~The~~ SECTIONS 18(C) AND 18.1(B) OF THE act of <—  
3 April 29, 1937 (P.L.487, No.115), known as The Permanent  
4 Registration Act for Cities of the Second Class, Cities of the  
5 Second Class A, Cities of the Third Class, Boroughs, Towns, and  
6 Townships, reenacted and amended May 31, 1955 (P.L.62, No.32), <—  
7 ~~is amended by adding a section~~ AND AMENDED MAY 31, 1984 <—  
8 (P.L.355, NO.70), ARE AMENDED to read:

9 SECTION 18. MANNER OF REGISTRATION.-- <—

10 \* \* \*

11 (C) (1) THE SURNAME OF THE APPLICANT; (2) HIS CHRISTIAN  
12 NAME OR NAMES; (4) THE STREET OR ROAD AND NUMBER, IF ANY, OF HIS  
13 RESIDENCE; (5) IF HIS RESIDENCE IS A PORTION ONLY OF THE HOUSE,  
14 THE LOCATION OR NUMBER OF THE ROOM OR ROOMS, APARTMENT, FLAT OR  
15 FLOOR WHICH HE OCCUPIES; (6) THE DATE HIS RESIDENCE IN THE  
16 DISTRICT BEGAN; (7) HIS RESIDENCE ADDRESS WHEN HE LAST  
17 REGISTERED, AND THE YEAR OF SUCH REGISTRATION; (8) THE SEX OF  
18 THE APPLICANT; (9) THE [COLOR] RACE OF THE APPLICANT INDICATING  
19 "WHITE," "BLACK," "AMERICAN INDIAN," "LATINO," "ASIAN" OR  
20 "OTHER": PROVIDED, HOWEVER, THAT AN APPLICATION SHALL NOT BE  
21 REJECTED BECAUSE THE [COLOR] RACE OF THE APPLICANT IS NOT  
22 INDICATED THEREON; (10) THE STATE OR TERRITORY OF THE UNITED  
23 STATES, OR FOREIGN COUNTRY, WHERE HE WAS BORN; (13) WHETHER HE  
24 IS UNABLE, BY REASON OF ILLITERACY, TO READ THE NAMES ON THE  
25 BALLOT OR ON THE VOTING MACHINE LABELS; (14) WHETHER HE HAS A  
26 PHYSICAL DISABILITY WHICH WILL RENDER HIM UNABLE TO SEE OR MARK  
27 THE BALLOT OR OPERATE THE VOTING MACHINE, OR TO ENTER THE VOTING  
28 COMPARTMENT OR VOTING MACHINE BOOTH, WITHOUT ASSISTANCE, AND, IF  
29 SO, HIS DECLARATION OF THE FACT AND HIS STATEMENT OF THE EXACT  
30 NATURE OF SUCH DISABILITY; (15) THE DESIGNATION OF THE POLITICAL

1 PARTY OF THE ELECTOR, FOR THE PURPOSE OF VOTING AT PRIMARIES;  
2 (16) THE AFFIDAVIT OF REGISTRATION, WHICH SHALL BE SIGNED BY THE  
3 ELECTOR, ATTESTED BY THE SIGNATURE OF THE REGISTRAR OR CLERK AND  
4 DATED BY HIM; (17) HIS HEIGHT, IN FEET AND INCHES; (18) THE  
5 COLOR OF HIS HAIR; (19) THE COLOR OF HIS EYES; AND (20) THE DATE  
6 OF HIS BIRTH. EACH REGISTRATION CARD SHALL ALSO HAVE A  
7 SUFFICIENT NUMBER OF SPACES THEREON FOR THE INSERTION OF--(21)  
8 THE CITY OF THE SECOND CLASS, THE CITY OF THE SECOND CLASS A,  
9 THE CITY OF THE THIRD CLASS, THE BOROUGH, TOWN, TOWNSHIP, WARD  
10 AND ELECTION DISTRICT, IF ANY, IN WHICH THE ELECTOR RESIDES AND  
11 TO WHICH HE MAY FROM TIME TO TIME REMOVE, TOGETHER WITH HIS  
12 STREET ADDRESS IN EACH CITY OF THE SECOND CLASS, CITY OF THE  
13 SECOND CLASS A, CITY OF THE THIRD CLASS, BOROUGH, TOWN OR  
14 TOWNSHIP, AND THE OTHER DATA REQUIRED TO BE GIVEN UPON SUCH  
15 REMOVAL; (22) THE DATE OF EACH ELECTION AND PRIMARY AT WHICH THE  
16 ELECTOR VOTES, THE NUMBER AND LETTER, IF ANY, OF THE STUB OF THE  
17 BALLOT ISSUED TO HIM OR HIS NUMBER IN THE ORDER OF ADMISSION TO  
18 THE VOTING MACHINES; AND (23) THE SIGNATURE OR INITIALS OF THE  
19 ELECTION OFFICER WHO ENTERS THE RECORD OF VOTING ON THE CARD.

20 \* \* \*

21 SECTION 18.1. MANNER OF MAIL REGISTRATION BY PERSONS IN  
22 MILITARY SERVICE, PERSONS IN THE MERCHANT MARINE, PERSONS IN  
23 RELIGIOUS AND WELFARE GROUPS OFFICIALLY ATTACHED TO AND SERVING  
24 WITH THE ARMED FORCES AND CIVILIAN FEDERAL PERSONNEL OVERSEAS  
25 AND THEIR SPOUSES AND DEPENDENTS.--IN ADDITION TO ANY OTHER  
26 METHOD HEREIN PROVIDED, THE FOLLOWING PERSONS MAY ALSO BE  
27 REGISTERED BY MAIL IN THE MANNER HEREINAFTER SET FORTH UNDER  
28 THIS SECTION: (1) ANY PERSON IN MILITARY SERVICE, HIS SPOUSE AND  
29 DEPENDENTS; OR (2) ANY PERSON IN THE MERCHANT MARINE, HIS SPOUSE  
30 AND DEPENDENTS; OR (3) ANY PERSON IN RELIGIOUS AND WELFARE

1 GROUPS OFFICIALLY ATTACHED TO AND SERVING WITH THE ARMED FORCES,  
2 HIS SPOUSE AND DEPENDENTS; OR (4) ANY PERSON WHO IS A CIVILIAN  
3 EMPLOYEE OF THE UNITED STATES OUTSIDE THE TERRITORIAL LIMITS OF  
4 THE SEVERAL STATES OF THE UNITED STATES AND THE DISTRICT OF  
5 COLUMBIA, WHETHER OR NOT SUCH PERSON IS SUBJECT TO THE CIVIL-  
6 SERVICE LAWS AND THE CLASSIFICATION ACT OF 1949 AND WHETHER OR  
7 NOT PAID FROM FUNDS APPROPRIATED BY THE CONGRESS, HIS SPOUSE AND  
8 DEPENDENTS.

9 \* \* \*

10 (B) THE OFFICIAL REGISTRATION APPLICATION CARD SHALL REQUIRE  
11 THE STATEMENT OF THE APPLICANT, THE SIGNATURE OF THE APPLICANT,  
12 AND SHALL PROVIDE SUFFICIENT SPACE FOR THE FOLLOWING  
13 INFORMATION: (1) THE SURNAME OF THE APPLICANT, (2) HIS CHRISTIAN  
14 NAME OR NAMES, (4) THE STREET OR ROAD AND NUMBER, IF ANY, OF HIS  
15 HOME RESIDENCE AND THE DATE OF LEAVING SAME, PROVIDING THAT, IN  
16 THE EVENT THERE IS NO STREET ADDRESS, THE REGISTRANT MUST LIST  
17 THE NEAREST CROSS STREET OR ROAD, (5) IF HIS RESIDENCE WAS A  
18 PORTION ONLY OF A HOUSE, THE LOCATION OR NUMBER OF THE ROOM OR  
19 ROOMS, APARTMENT, FLAT OR FLOOR WHICH HE OCCUPIED, (6) THE DATE  
20 HIS RESIDENCE BEGAN AT THE PLACE WHICH IS HIS HOME RESIDENCE,  
21 (7) HIS HOME RESIDENCE ADDRESS WHEN HE LAST REGISTERED AND THE  
22 YEAR OF SUCH REGISTRATION, INCLUDING ANY FORMER REGISTRATION  
23 UNDER ANY OTHER SURNAME, (8) THE SEX OF THE APPLICANT, (9) THE  
24 [COLOR] RACE OF THE APPLICANT INDICATING "WHITE," "BLACK,"  
25 "AMERICAN INDIAN," "LATINO," "ASIAN" OR "OTHER": PROVIDED,  
26 HOWEVER, THAT AN APPLICATION SHALL NOT BE REJECTED BECAUSE THE  
27 [COLOR] RACE OF THE APPLICANT IS NOT INDICATED THEREON, (10) THE  
28 STATE OR TERRITORY OF THE UNITED STATES OR THE FOREIGN COUNTRY  
29 WHERE HE WAS BORN, (13) WHETHER HE IS UNABLE BY REASON OF  
30 ILLITERACY TO READ THE NAMES ON THE BALLOT OR VOTING MACHINE

1 LABELS, (14) WHETHER HE HAS A PHYSICAL DISABILITY WHICH WILL  
2 RENDER HIM UNABLE TO SEE OR MARK THE BALLOT OR OPERATE THE  
3 VOTING MACHINE OR TO ENTER THE VOTING COMPARTMENT OR VOTING  
4 MACHINE BOOTH WITHOUT ASSISTANCE, AND, IF SO, HIS DECLARATION OF  
5 THAT FACT AND HIS STATEMENT OF THE EXACT NATURE OF SUCH  
6 DISABILITY, (15) THE DESIGNATION OF THE POLITICAL PARTY OF THE  
7 ELECTOR FOR THE PURPOSE OF VOTING AT PRIMARIES, (16) THE  
8 DECLARATION OF REGISTRATION, AS HEREINAFTER PRESCRIBED, WHICH  
9 SHALL BE SIGNED BY THE ELECTOR, (17) THE HEIGHT OF THE APPLICANT  
10 IN FEET AND INCHES, (18) THE COLOR OF HIS HAIR, (19) THE COLOR  
11 OF HIS EYES, (20) THE DATE OF HIS BIRTH, (21) THE DESIGNATION BY  
12 THE ELECTOR THAT THE OFFICIAL REGISTRATION APPLICATION CARD IS  
13 INTENDED BY SUCH ELECTOR FOR USE AS (CHECK ONE):

14                               /               /   NEW REGISTRATION  
15                               /               /   CHANGE OF ADDRESS  
16                               /               /   CHANGE OF NAME

17 EACH OFFICIAL REGISTRATION APPLICATION CARD FOR REGISTRATION BY  
18 PERSONS REGISTERING UNDER THIS SECTION SHALL ALSO HAVE (22) A  
19 SUFFICIENT NUMBER OF SPACES THEREON FOR THE INSERTION BY THE  
20 COMMISSION, BUT NOT BY THE APPLICANT, OF THE CITY OF THE SECOND  
21 CLASS, CITY OF THE SECOND CLASS A, CITY OF THE THIRD CLASS,  
22 BOROUGH, TOWN, TOWNSHIP, WARD AND ELECTION DISTRICT, IF ANY, IN  
23 WHICH THE APPLICANT RESIDED ON THE DATE OF LEAVING HOME  
24 RESIDENCE AND TO WHICH HE MAY FROM TIME TO TIME REMOVE AFTER  
25 RETURNING TO HIS HOME RESIDENCE, TOGETHER WITH HIS STREET  
26 ADDRESS IN EACH CITY OF THE SECOND CLASS, CITY OF THE SECOND  
27 CLASS A, CITY OF THE THIRD CLASS, BOROUGH, TOWN OR TOWNSHIP AND  
28 THE OTHER DATA REQUIRED TO BE GIVEN UPON SUCH REMOVAL, (23) THE  
29 DATE OF EACH ELECTION AND PRIMARY AT WHICH THE APPLICANT VOTES  
30 AFTER REGISTRATION, THE NUMBER AND LETTER, IF ANY, OF THE STUB

1 OF THE BALLOT ISSUED TO HIM, OR HIS NUMBER IN THE ORDER OF  
2 ADMISSION TO THE VOTING MACHINES, AND (24) THE SIGNATURE OR  
3 INITIALS OF THE ELECTION OFFICER, COMMISSIONER, REGISTER OR  
4 CLERK, WHO ENTERS THE RECORD OF VOTING ON THE CARD. IMMEDIATELY  
5 FOLLOWING THE SPACES FOR INSERTING THE INFORMATION AS PROVIDED  
6 IN THIS SUBSECTION, THE APPLICANT SHALL AFFIX HIS SIGNATURE  
7 EXACTLY AS IT APPEARS IN (1) AND (2) OF THIS SUBSECTION.

8 \* \* \*

9 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

10 Section 19.1. Motor Vehicle Driver's License Voter  
11 Registration Application.--(a) (1) In addition to any other  
12 method provided under law, each application for a driver's  
13 license, as defined in 75 Pa.C.S. § 102 (relating to  
14 definitions), any renewal application and any identification  
15 card application issued under 75 Pa.C.S. § 1510(b) (relating to  
16 issuance and content of driver's license), shall serve as an  
17 application to register to vote.

18 (2) An application for voter registration submitted to the  
19 Department of Transportation under this section shall be  
20 considered as updating any previous voter registration  
21 information by the applicant.

22 ~~(3) Each driver's license application shall include a box or~~ <—  
23 ~~other device to permit an applicant to decline to register to~~  
24 ~~vote. Use of this information for any other purpose is~~  
25 ~~prohibited.~~

26 (b) (1) The Department of Transportation shall include a  
27 voter registration application form as part of an application  
28 for a driver's license. SUCH VOTER REGISTRATION FORMS SHALL <—  
29 INCLUDE INSTRUCTIONS ON HOW TO REGISTER TO VOTE.

30 (2) The ~~content~~ FORMAT of the driver's license/voter <—

1 registration application shall be determined and prescribed by  
2 the Secretary of the Commonwealth and the Secretary of  
3 Transportation. THE APPLICATION SHALL CONTAIN ALL INFORMATION  
4 REQUIRED IN SECTION 18(C)(1).

5 (3) The voter registration application portion of an  
6 application for a State motor vehicle driver's license: (i) may  
7 not require any information which duplicates information  
8 required in the driver's license portion of the form, other than  
9 a second signature or other information as necessary; (ii) shall  
10 include a means by which an applicant may decline to register to  
11 vote; (iii) may require only the minimum amount of information  
12 necessary to prevent duplicate voter registration, to enable the  
13 commission to assess the eligibility of the applicant and to  
14 administer voter registration and other parts of the election  
15 process; (iv) shall include a declaration of eligibility; (v)  
16 shall require the signature of the applicant, under penalty of  
17 perjury; and (vi) shall be made available to the appropriate  
18 registration commission.

19 (c) Any change of address form submitted in accordance with  
20 State law for purposes of State motor vehicle driver's license  
21 shall serve as notification of change of address for voter  
22 registration with respect to elections for State office for the  
23 applicant involved if the applicant states on the form that the  
24 change of address is for voter registration purposes as well as  
25 for purposes of the license to operate a motor vehicle.

26 (d) (1) The Department of Transportation shall forward the  
27 completed voter registration information to the Department of  
28 State or the appropriate commission.

29 (2) Upon receipt of the completed voter registration  
30 information from the Department of Transportation or the

1 Department of State, the commission shall make an entry of the  
2 date received on each application and process the application.  
3 No applicant shall be deemed eligible to vote until the  
4 commission has received and processed the application.

5 (e) The Secretary of the Commonwealth shall have the primary  
6 responsibility for implementing and enforcing the driver's  
7 license voter registration system created under this section.  
8 The Secretary of the Commonwealth, in consultation with the  
9 Secretary of Transportation, may promulgate rules and  
10 regulations for implementing and enforcing this section.

11 (f) A person who is not a qualified elector and who has  
12 applied for a driver's license under 75 Pa.C.S. § 1503(c)  
13 (relating to persons ineligible for licensing) is ineligible to  
14 register to vote under this section.

15 (g) The Department of State shall reimburse the Department  
16 of Transportation for costs incurred in operating the voter  
17 registration program, as determined in a memorandum of  
18 understanding between the departments.

19 (H) FAILURE TO PROPERLY COMPLETE A VOTER REGISTRATION <—  
20 APPLICATION FORM SHALL NOT IN ANY WAY AFFECT THE VALIDITY OF AN  
21 APPLICATION FOR A DRIVER'S LICENSE, A RENEWAL APPLICATION OR AN  
22 IDENTIFICATION CARD APPLICATION.

23 (I) FAILURE TO PROPERLY COMPLETE AN APPLICATION FOR A  
24 DRIVER'S LICENSE, A RENEWAL APPLICATION OR AN IDENTIFICATION  
25 CARD APPLICATION FORM SHALL NOT IN ANY WAY AFFECT THE VALIDITY  
26 OF A VOTER REGISTRATION APPLICATION.

27 Section 2 3. Nothing in this act shall preclude the <—  
28 Secretary of the Commonwealth from implementing the driver's  
29 license voter registration program, established under this act,  
30 before January 1, 1993. If Federal legislation passes relating



1 to this act, this act shall be implemented in compliance with  
2 the Federal legislation.

3 Section ~~3~~ 4. This act shall take effect January 1, 1993.

<—