

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 542 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 AND HUGHES, MARCH 12, 1991

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 10, 1991

## AN ACT

1 Amending the act of March 30, 1937 (P.L.115, No.40), entitled  
2 "An act to provide for the permanent personal registration of  
3 electors in cities of the first class as a condition of their  
4 right to vote at elections and primaries, and their  
5 enrollment as members of political parties as a further  
6 condition of their right to vote at primaries; prescribing  
7 certain procedure for the conduct of elections and primaries  
8 and the challenge and proof of qualifications of electors;  
9 and prescribing the powers and duties of citizens, parties,  
10 bodies of electors, registration commissions, commissioners,  
11 registrars, inspectors of registration and other appointees  
12 of registration commission, election officers, municipal  
13 officers, departments and bureaus, police officers, courts,  
14 judges, prothonotaries, sheriffs, county commissioners, peace  
15 officers, county treasurers, county controllers, registrars  
16 of vital statistics, real estate brokers, rental agents,  
17 certain public service companies, persons, firms, and  
18 corporations operating vehicles for moving furniture and  
19 household goods, and boards of school directors; and imposing  
20 penalties," providing for voter registration in first class  
21 cities in conjunction with motor vehicle driver's license  
22 registration.

23 The General Assembly of the Commonwealth of Pennsylvania  
24 hereby enacts as follows:

Section 1. The act of March 30, 1937 (P.L.115, No.40), known as The First Class City Permanent Registration Act, is amended by adding a section to read:

Section 21.1. Motor Vehicle Driver's License Voter Registration Application.--(a) (1) In addition to any other method provided under law, each application for a driver's license, as defined in 75 Pa.C.S. § 102, and (RELATING TO DEFINITIONS), any renewal application AND ANY IDENTIFICATION CARD APPLICATION ISSUED UNDER 75 PA.C.S. § 1510(B) (RELATING TO ISSUANCE AND CONTENT OF DRIVER'S LICENSE) shall serve as an application to register to vote.

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

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

(b) (1) The Department of Transportation shall include a voter registration application form as part of an application for a driver's license.

(2) The content of the driver's license/voter registration application shall be determined and prescribed by the Secretary of the Commonwealth and the Secretary of Transportation through regulation.

(3) The voter registration application portion of an application for a State motor vehicle driver's license: (i) may not require any information which duplicates information required in the driver's license portion of the form, other than

1 a second signature or other information as necessary; (ii) shall  
2 include a means by which an applicant may decline to register to  
3 vote; (iii) may require only the minimum amount of information  
4 necessary to prevent duplicate voter registration, to enable the  
5 commission to assess the eligibility of the applicant and to  
6 administer voter registration and other parts of the election  
7 process; (iv) shall include a declaration of eligibility; (v)  
8 shall require the signature of the applicant, under penalty of  
9 perjury; and (vi) shall be made available to the appropriate  
10 registration commission.

11 (c) Any change of address form submitted in accordance with  
12 State law for purposes of State motor vehicle driver's license  
13 shall serve as notification of change of address for voter  
14 registration with respect to elections for State office for the  
15 applicant involved if the applicant states on the form that the  
16 change of address is for voter registration purposes as well as  
17 for purposes of the license to operate a motor vehicle.

18 (d) (1) The Department of Transportation shall forward the  
19 completed voter registration information to the Department of  
20 State or the appropriate commission as determined by regulation. <—

21 (2) Upon receipt of the completed voter registration  
22 information from the Department of Transportation or the  
23 Department of State, the commission shall make an entry of the  
24 date received on each application and process the application  
25 under section 20.3. No applicant shall be deemed eligible to  
26 vote until the commission has received and processed the  
27 application.

28 (e) The Secretary of the Commonwealth shall have the primary  
29 responsibility for implementing and enforcing the driver's  
30 license voter registration system created under this section.

1 The Secretary of the Commonwealth, in ~~conjunction~~ CONSULTATION <—  
2 with the Secretary of the Department of Transportation, shall <—  
3 MAY promulgate rules and regulations for implementing and <—  
4 enforcing this section.

5 (F) A PERSON WHO IS NOT A QUALIFIED ELECTOR AND WHO HAS <—  
6 APPLIED FOR A DRIVER'S LICENSE UNDER 75 PA.C.S. § 1503(C)  
7 (RELATING TO PERSONS INELIGIBLE FOR LICENSING) IS INELIGIBLE TO  
8 REGISTER TO VOTE UNDER THIS SECTION.

9 (G) THE DEPARTMENT OF STATE SHALL REIMBURSE THE DEPARTMENT  
10 OF TRANSPORTATION FOR COSTS INCURRED IN OPERATING THE VOTER  
11 REGISTRATION PROGRAM, AS DETERMINED IN A MEMORANDUM OF  
12 UNDERSTANDING BETWEEN THE DEPARTMENTS.

13 SECTION 2. NOTHING IN THIS ACT SHALL PRECLUDE THE SECRETARY  
14 OF THE COMMONWEALTH FROM IMPLEMENTING THE DRIVER'S LICENSE VOTER  
15 REGISTRATION PROGRAM, ESTABLISHED UNDER SECTION 1, BEFORE  
16 JANUARY 1, 1993. IF FEDERAL LEGISLATION PASSES RELATING TO THIS  
17 ACT, THIS ACT SHALL BE IMPLEMENTED IN COMPLIANCE WITH THE  
18 FEDERAL LEGISLATION.

19 Section ~~2~~ 3. This act shall take effect January 1, 1993. <—