CALIFORNIA CODE OF REGULATIONS
TITLE 2. ADMINISTRATION
DIVISION 7. SECRETARY OF STATE
CHAPTER 1. VOTER REGISTRATION
ARTICLE 4.5. CALIFORNIA NEW MOTOR VOTER PROGRAM

20060. Purpose

The purpose of this Article is to provide standards and procedures related to the California New Motor Voter Program, as established by Chapter 4.5 of Division 2 of the California Elections Code.


20061. Definitions

(a) “Inadvertent registrant” means a person who is ineligible to vote and has not willfully caused, procured, or allowed himself or herself to become registered to vote, but who has nevertheless become registered to vote pursuant to Chapter 4.5 of Division 2 of the California Elections Code. A person is ineligible to vote if they do not qualify to vote under Section 2 of Article II of the California Constitution and do not meet the voter eligibility requirements set forth in Division 2, Chapters 1 through 3 of the California Elections Code.

(b) “Inadvertent registration” is the voter registration of an inadvertent registrant.


20062. Cancellation of Inadvertent Registration

Any inadvertent registration shall, upon written request by the inadvertent registrant, be cancelled by the county elections official in the county of registration.


20063. Cancellation Request Form

(a) In the event of an inadvertent registration, the inadvertent registrant may cancel his or her registration at any time pursuant to Elections Code section 2201(a) by submitting a written request to the county elections official in the county of registration substantially similar to the following:
To whom it may concern:
I, _______________________ (full name, as registered to vote), declare that I was inadvertently registered to vote. Please cancel my registration, as authorized by California Elections Code section 2201(a).

___________________________________________________
Print Full Legal Name (as used to register to vote)

___________________________________________________
Complete Residence Address (as used to register to vote)

___________________________________________________
Mailing Address (if different from above)

Confidential Information: Please provide the following information to ensure that your voter file record can be accurately identified.
- California Driver License Number or California Identification Card Number:
- Date of Birth:

_____________________________________________
Signature      Date

(b) The Secretary of State shall translate the above cancellation request form into all languages required by the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503). The cancellation request form in subsection (a) above shall be made available on the websites of the Secretary of State and county elections officials.


20064. Record of Inadvertent Cancellation Retained; Notification
(a) The record of an inadvertent registration that is cancelled pursuant to this Article shall be retained in accordance with Elections Code section 17000.

(b) Upon cancellation of an inadvertent registration, the county elections official shall confirm in writing, within 30 days of receipt of the request, to the requestor that the inadvertent registration has been cancelled pursuant to their request.


20065. Voter Education and Outreach Plan
In order to educate the public about the California New Motor Voter Program, the Secretary of State shall:

(a) Develop and regularly update educational materials for county elections officials and the Department of Motor Vehicles regarding the implementation of the California New Motor Voter Program.
(b) Include information about the California New Motor Voter Program in the State Voter Information Guide created for each statewide election and provide information for the counties to include in sample ballots and on their websites.

(c) Consult with and provide assistance to the California Department of Motor Vehicles in providing information to Department of Motor Vehicles’ customers who submit applications for a driver license or identification card as specified in section 2263(b)(1), including information on the confidentiality provided pursuant to section 2267.

(d) Develop and implement a plan for dissemination of informational materials, a continuously operated toll-free voter assistance hotline, and public service announcements for distribution through various traditional print, broadcast, website, and social media formats. The Secretary of State will encourage counties to perform their own additional outreach.

(e) Offer all of the services provided pursuant to this section, including those provided online, in all languages required by the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503) with respect to elections materials and in formats accessible to people with disabilities.

20066. DMV Customers Who Do Not Attest to Eligibility

In accordance with Elections Code section 2263(b)(1)(K), the Secretary of State shall not request, nor shall the Department of Motor Vehicles provide, information on a Department of Motor Vehicles customer who fails to attest that he or she meets all voter eligibility requirements.

20067. DMV Customers Who Attest to Eligibility but Decline to Register; Notification

(a) Information provided to the Secretary of State by the Department of Motor Vehicles, pursuant to Elections Code section 2263(b)(1)(J), regarding a customer who attests to their eligibility to register to vote, but who affirmatively declines the opportunity to register to vote may be used by the Secretary of State’s office for voter outreach and registration purposes.

(b) In accordance with Elections Code section 2263(c), personal information that is transferred from the Department of Motor Vehicles to the Secretary of State’s office pursuant to subdivision (a) of this section shall not be made available to any third party for any purpose. Personal information that is received from the Department of Motor Vehicles pursuant to subdivision (a) is not considered part of the voter file and will not be produced or delivered as a part of any voter file request made pursuant to Elections Code sections 2188 and 2194. The information described in this section shall be destroyed within six months after the date of the Department of Motor Vehicles transaction. For purposes of this section, personal information is defined in accordance with section 1798.3 of the Civil Code.

(c) The information transmitted by the Department of Motor Vehicles to the Secretary of State’s office under subdivision (a) shall be limited to the following data points, which shall be used only to provide the notification to a Department of Motor Vehicles’ customer as set forth in
subdivision (d) or to assess the effectiveness of the notification program as set forth in subdivision (f):

1) True full name.
2) Residence address.
3) Date of Birth.
4) Mailing address.
5) California Driver License Number or Identification Number.
6) Whether the person affirmatively declined to become registered to vote during a transaction with the department.
7) A notation that the applicant has attested that he or she meets all voter eligibility requirements, including United States citizenship, specified in section 2101.

(d) The Secretary of State’s notification to Department of Motor Vehicles’ customers who attest to their eligibility to register to vote, but who affirmatively decline the opportunity to register to vote, may be made no later than three weeks of receipt of the Department of Motor Vehicles information, and shall include the following:

1) A reminder that the recipient recently visited or completed a qualifying transaction with the Department of Motor Vehicles and affirmatively declined to register to vote;
2) Instructions for registering to vote by mail or online and how to obtain a paper voter registration affidavit;
3) Voter eligibility requirements;
4) Notification that the recipient will not be contacted by the Secretary of State’s office further to remind them to register to vote based on their recent Department of Motor Vehicles transaction;
5) Contact information for the Secretary of State’s office; and,
6) Instruction to disregard the notice if they have recently registered to vote.

(e) Notices to Department of Motor Vehicles’ customers, who are eligible to register to vote, under this section shall be made available in all languages required by the Federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(f) The Secretary of State shall annually review the effectiveness of the notification program.