



**Legislative Advisory**  
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## Eliminate Curbside Voter ID Loophole

Problem: There appears to be an inadvertent loophole created in the revised election law that allows curbside voters to use non-photo ID documents instituted under the Help America Vote Act in place of the intended photo ID documents specified in HB 589.

NCGS § 163-166.13(a) states, "For a registered voter voting curbside, that voter shall present identification under G.S. 163-166.9."

NCGS § 163-166.9 (b) states, "Any qualified voter voting under this section shall comply with G.S. 163-166.13(a) by one of the following means:

- (1) Presenting photo identification in accordance with G.S. 163-166.13.
- (2) Presenting a copy of a document listed in G.S. 163-166.12(a)(2)."

NCGS § 163-166.12(a)(2), allows for ID purposes, "A copy of one of the following documents that shows the name and address of the voter: a current utility bill, bank statement, government check, paycheck, or other government document."

### Talking Points:

We presume this to have been a technical error, but the effect is clear and has been advertised on some third-party websites intending to assist voters who are concerned about the new voter-ID requirements. (See for example, <http://www.democracy-nc.org/downloads/NewVotingLawSummaryAug2013.pdf>). While we can all agree that voter ID requirements should not deter any lawful voters, we hope all can agree that obvious loopholes in the voter ID law should be corrected in order to prevent criminal abuses. T

Since there seems to be no rationale for excusing people from presenting a valid ID to vote just because they arrive in automobiles (or perhaps vans or busses) and claim an inability to egress the vehicle, VIP-NC recommends modifying the law as follows:

NCGS § 163-166.9 (b) states, "Any qualified voter voting under this section shall comply with G.S. 163-166.13(a) ~~by one of the following means:~~

- ~~(1) Presenting photo identification in accordance with G.S. 163-166.13.~~
- ~~(2) Presenting a copy of a document listed in G.S. 163-166.12(a)(2)."~~

163-166.13(a)(1) For a registered voter voting curbside, that voter shall present identification under ~~G.S. 163-166.9.~~ as specified in this section.

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