MOTOR VEHICLE DIVISION

VOTER REGISTRATION AGENT MANUAL

Mary Herrera
Secretary of State
State of New Mexico

Compiled by the
Bureau of Elections

For Compliance with the National Voter Registration Act
Dear Voter Registration Agents:

We are blessed to live in a nation where we have the freedom to vote. This precious right has been won and protected by our brave men and women who have fought to defend our liberty.

As your Chief Elections Officer, I am working hard to remove every obstacle in the effort to assist and encourage the citizens of New Mexico to vote. This year, we are making it easier to vote. You undoubtedly play a big role ensuring that happens.

There are many questions our citizens have about how to properly fill out the Voter Registration Application Form. As part of the Help America Vote Act (HAVA) of 2002, we have taken great effort in making this manual user friendly for your convenience.

Indeed, there is no greater privilege of freedom extended to the citizens of New Mexico than the right to vote and elect the officials for public service who represent them at all levels of government.

It is my pleasure, along with the staff of the NM Secretary of State’s Office to provide you with the 2008 Voter Registration Agent Manual. We hope that you will find this book a valuable source of information as you participate by encouraging and assisting the citizens of New Mexico in the voter registration process. I congratulate you for participating in the election process!

Should you need assistance with any voter registration related matter, please contact the NM Secretary of State’s Bureau of Elections Division at 1-505-827-3621 or 1-800-477-3632.

Sincerely,

Mary Herrera
NM Secretary of State
ABOUT THIS MANUAL

This manual has been prepared by the Bureau of Elections to assist in the compliance with the National Voter Registration Act of 1993. It is not meant to supersede federal or state laws or rules, nor does it have the force of law. To obtain copies of the National Voter Registration Act or other information about the contents of this reference manual or to suggest modifications, you may contact:

Bureau of Elections
Office of the Secretary of State
325 Don Gaspar, Suite 300
Santa Fé, NM 87503

REGISTRATION HOTLINE

For answers to more urgent questions about voter registration rules and procedures, contact the State Bureau of Elections at the following telephone numbers:

1-505-827-3621

Or
Toll Free 1-800-477-3632

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- Doing it by the Numbers

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Motor Vehicle Division - Voter Registration:

Motor Vehicle Division’s Role Under The National Voter Registration Act of 1993
WHAT IS A REGISTRATION AGENT

A registration agent is a state employee who provides voter registration at a state agency or any other individual who assists another person in completion of a Voter Registration Application Form.

REGISTRATION AGENT QUALIFICATIONS

A registration agent must be able to read and write legibly and be otherwise competent to perform the duties required under the NVRA.

DUTIES OF A REGISTRATION AGENT

Registration Agents may perform their lawful duties at any location within the State of New Mexico. They shall provide any qualified elector with an opportunity to register to vote regardless of political affiliation, religion or race; and, shall perform their lawful duties without charge as follows:

1) Shall offer the applicant a Voter Registration Application Form.

2) Shall assist the applicant in the preparation of the Voter Registration Application Form of qualified electors at his or her request.

3) Shall assist the applicant in any changes to the Voter Registration Application Form (i.e., name, address or party affiliation.)

PROVIDING ASSISTANCE – HOW MUCH IS ENOUGH?

Motor Vehicle Division Offices providing voter registration services must provide the same degree of assistance, including bilingual assistance when necessary, to individuals completing a Voter Registration Application Form as they offer to individuals completing the Motor Vehicle Division Office Forms, unless the applicant refuses such assistance.

ACTIVE OUTREACH REQUIRED

The National Voter Registration Act (NVRA) requires that motor vehicle licensure and voter registration be offered simultaneously. Applicants for a driver’s license, renewal, change of address, identification card or change of voter
registration MUST ALWAYS offer BOTH forms.
WHAT ABOUT THOSE WHO DECLINE TO REGISTER?

Applicants may decline the opportunity to register to vote by filling out the Voter Registration Declination Form and affixing their signature and date. Information regarding an individual’s failure to sign cannot be used for any other purpose than voter registration.

WHAT ABOUT CONFIDENTIALITY?

1. The information that the applicant registered with must remain confidential and be used only for voter registration purposes.

2. A voter applicant who has filed for an order of protection pursuant to the provisions of the Family Violence Protection Act and who presents a copy of that order from a state or tribal court to the registration officer shall not be required to provide physical residence address information on the Certificate of Registration (page 14, question # 2). This also applies to individuals participating in the Confidential Address Program (CAP), in accordance with HB 216-2007 Legislative Session and pursuant to Section 31-26-3 NMSA 1978.

3. Once the County Clerk’s Office has accepted a Voter Registration Application Form for filing, individuals or groups may make a public records request. However, certain information on the form is always privacy protected in accordance with Section 1-4-12 (C), NMSA 1978.

WHAT ABOUT CHANGE OF ADDRESS?

Finally, any change of address submitted for a motor vehicle driver’s license at the site shall also serve as a change of address for voter registration purposes unless the individual states on the application that the change of address is not for voter registration purposes.

PUTTING SOMEONE IN CHARGE

Each Motor Vehicle Division Office must appoint one person to be in charge of and responsible for all motor voter activities (page 24). This individual will monitor supplies of forms, train new employees and coordinate voter registration activities with local and state election officials. While not a full-time task, it will
be continuous.

COLLECTION & TRANSMITTAL OF VOTER REGISTRATIONS

1) Completed voter registration portion of an application for a State motor vehicle driver's license accepted at a State motor vehicle authority shall be transmitted to the County Clerk’s Office in your county or to the NM Secretary of State’s Office not later than 10 days after the date of acceptance.

2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

NO DUPLICATION OF INFORMATION MADE OF THE APPLICANT

In order to streamline the process, federal law requires that any information needed for motor vehicle purposes, which can also be used for voter registration, can only be requested from the applicant once. Thus, the registration procedure is designed to ensure that name, address, gender and Social Security Number information obtained for the applicant’s driver's license be saved for subsequent use in filing out the Voter Registration Application Form.

The duplicate information used for the driver’s license, renewal, change of address, or identification card, which is also required for voter registration - is contained in Items 1 - 3 of the Voter Registration Application Form (page 15). The process of capturing this duplicate information is designed to occur automatically. When this information is key-entered for motor vehicle purposes, the computer system will temporarily retain it in memory. Immediately upon completion of motor vehicle processing, the registration agent should then insert the Voter Registration Application Form into the printing device. The retained information will automatically be printed out.

The Registration Agent should then present the Voter Registration Application Form to the applicant, who is directed to complete any remaining items on the

NOTE: The shaded gray block on line 3 (page 15) is for your Field Office Site’s Voter Registration Agent (VRA) Code. This Voter Registration Agent (VRA) Code must be entered on the form or your field office will not be credited for the voter registration.
form.
If you ARE NOT registered to vote where you live now,

Would you like to register to vote here today?

(Please check one)

YES ☐ NO ☐

IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME

THE NATIONAL VOTER REGISTRATION ACT provides you with the opportunity to register to vote at this location. If you would like help in filling out a voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

IMPORTANT: Applying to register or declining to register to vote WILL NOT AFFECT the amount of assistance that you will be provided by this agency.

Signature: Date:

CONFIDENTIALITY: Whether you decide to register to vote or not, your decision will remain confidential.

______________________________________________________________

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED with your right to register or to decline to register to vote or your right to privacy in deciding whether to register or in applying to register to vote or your right to choose your own political party or other political preference, you may file a complaint with the Office of the NM Secretary of State, 325 Don Gaspar, Suite 300, Santa Fe, NM, 87503, (Phone Number: 1-800-477-3632).

Additional Information (Office Use Only)
¿SI USTED NO ESTÁ REGISTRADO PARA VOTAR EN EL LUGAR DONDE USTED VIVE AHORA,

(Sirvase poner su marca en uno de los cuadros)

SÍ ☐ NO ☐

SI USTED NO PONE SU MARCA EN CUALQUIERA DE LOS DOS CUADRADOS, SERÁ CONSIDERADO QUE HA DECIDIDO NO VOTAR A ESTE TIEMPO.

LA LEY NACIONAL DE REGISTRO DE VOTANTES pone a su disposición la oportunidad de registrarse para votar en este lugar. Si usted desea que alguna persona le ayude a llenar el formulario para registrarse, nosotros le ayudaremos. Usted es la única persona que puede decidir si necesita ayuda o no. Usted puede llenar la solicitud sin ayuda y en privado.

IMPORTANTE: El hecho de que usted solicite ayuda o que decida no registrarse para votar, NO AFECTARÁ la ayuda que esta agencia le proporcionará a usted.

<table>
<thead>
<tr>
<th>Firma:</th>
<th>Fecha:</th>
</tr>
</thead>
</table>

CONFIDENCIALIDAD: Si usted decide registrarse o no, la decisión que usted tome permanecerá en la más alta calidad de confianza.

.................................................................

SI USTED CREE QUE ALGUNA PERSONA HA INTERFERIDO con su derecho de registrarse O declinándose registrarse para votar o con su derecho de privacidad en decidiendo si se va registrar o en aplicándose para registrarse para votar o su derecho escoger su propio partido político o otra preferencia política, usted puede someter su queja con la Oficina de la Secretaria del Estado de Nuevo México, 325 Don Gaspar, Habitación 300, Santa Fe, New México 87503, (Número de Teléfono: 1-800-477-3632).

Información Adicional (Solamente Para El Uso De La Agencia)

The Voter Registration Application Form:
REGISTRATION ID REQUIREMENTS:

1) The applicant **MUST BE** a citizen of the United States; and

2) The applicant **MUST BE** 18 years of age or will have reached that age prior to the next election; and

3) The applicant **HAS NOT** been denied the right to vote by: 1) reason of mental condition or defect; 2) being in jail as a result of a conviction for a crime for which the person may be imprisoned for more than one year; or 3) being convicted of a felony.
INSTRUCTIONS FOR FILLING OUT THE NEW MEXICO VOTER REGISTRATION APPLICATION FORM
INTRODUCTION - FOUR THINGS TO REMEMBER

When providing voter registration service to an applicant, please take note of the following four considerations:

☑ The use of black ink is recommended. Please print legibly.

☑ If any applicant is unable to read or write in either the English or Spanish language or is unable to read or write due to physical disability, the Voter Registration Application Form shall be filled out by the registration agent, who shall then sign Item 9 (page 15) to indicate that assistance was provided.

☑ If an error is made while filling out the application, the registration agent shall mark the Voter Registration Application Form as “VOID” and it shall be returned with the completed Voter Registration Application Forms to the County Clerk’s Office.

☑ The registration agent shall instruct the applicant NOT TO FILL OUT the shaded areas at the bottom of the Voter Registration Application Form, which are for the County Clerk’s USE ONLY. The shaded area to the right of Item 3 (page 15) is to be used by the agency for insertion of the Voter Registration Agent (VRA) Code.

LINE 1 - PERSONAL INFORMATION

REGISTRATION AGENTS PLEASE NOTE

IF A VOTER REGISTRATION APPLICATION IS TO BE ACCEPTED BY A COUNTY CLERK, THEN THE FOLLOWING INFORMATION IS REQUIRED. (Refer to the illustration of the NM Voter Registration Application Form on pages 15 & 16):

a. **Name**: Use full name - last name, first name and middle initial, if any. Registration agents should try to discourage the use of “Mrs. John Doe” and request given names.

b. **Gender**: Use “F” for female, and “M” for male.

c. **Birth Date**: Month, day and year. (The birth date is not a public record and is privacy protected.)

d. **Social Security Number**: The Social Security Number is required for voter registration in New Mexico, but it is not a public record and is privacy protected.

LINE 2 - ADDRESS WHERE YOU CURRENTLY RESIDE
Do not use Post Office Box in this item. The physical address is used by the County Clerk’s Office to determine the applicant’s precinct.

Rural Addresses: Should the applicant know the township, range and section numbers, these can be entered. If none of these are available, direct the applicant’s attention to the map at the bottom of the application (page 16).

LINE 3 - ADDRESS WHERE YOU GET YOUR MAIL

Post Office Boxes or other non-residential addresses may be entered here if different from Section # 2.

LINE 4 - NAME CHANGE

If the applicant has changed his or her name on this application, then they MUST PROVIDE the full name used on the previous Voter Registration Application Form.

LINE 5 - POLITICAL PARTIES RECOGNIZED IN NEW MEXICO

If an applicant declines to state a party affiliation or wishes to indicate a status “independent” of party affiliation, instruct them to CHECK the NO PARTY BOX contained in ITEM 4.

Direct the applicant’s attention to the language contained in this item; and should there be questions, explain that the State of New Mexico has a closed primary system, which means that only those that have identified themselves with a major political party on their Voter Registration Application Form may vote in the primary elections (The following identifies the Major Political Parties, as well as Other Political Parties recognized by the State of New Mexico):

MAJOR POLITICAL PARTIES (as of January 01, 2008)

Democratic Party .......................................................... DEM
Republican Party .............................................................. REP

OTHER POLITICAL PARTY LIST (as of January 01, 2008)

Green Party ................................................................. GRN
Libertarian Party ............................................................ LIB

POLITICAL PARTIES
* HISTORIC POLITICAL PARTIES (NOT PRESENTLY QUALIFIED FOR BALLOT ACCESS.)
** QUALIFIED POLITICAL PARTIES (AND OTHER ADMINISTRATIVE CODES.)

<table>
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<th>POLITICAL PARTY NAME</th>
<th>ABBREVIATION</th>
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<tr>
<td>AMERICAN INDEPENDENT PARTY</td>
<td>AIP</td>
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<tr>
<td>CITIZEN'S PARTY OF NEW MEXICO</td>
<td>CNM</td>
<td>*</td>
<td></td>
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<td>CONSTITUTIONAL PARTY</td>
<td>CON</td>
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<tr>
<td>DEMOCRAT</td>
<td>DEM</td>
<td>**</td>
<td></td>
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<tr>
<td>DECLINED TO STATE</td>
<td>DTS</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>FIRST NEW MEXICAN PARTY</td>
<td>FNM</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>NEW MEXICO GREEN PARTY</td>
<td>GRN</td>
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<td>INDEPENDENT (SAME AS DTS)</td>
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<td>INDEPENDENT COALITION PARTY</td>
<td>ICP</td>
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<td>LIBERTARIAN PARTY</td>
<td>LIB</td>
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<td>LA RAZA UNIDA DE NUEVO MEJICO</td>
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<td>NAP</td>
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<td>NEW MEXICO TAXPAYER'S PARTY</td>
<td>NMT</td>
<td>*</td>
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<tr>
<td>OTHER</td>
<td>OTH</td>
<td>*</td>
<td></td>
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<tr>
<td>PEACE AND FREEDOM PARTY</td>
<td>PAF</td>
<td>*</td>
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<td>PEOPLE'S CONSTITUTIONAL PARTY</td>
<td>PCP</td>
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<td>CONSTITUTIONAL PARTY</td>
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<tr>
<td>WORKERS' WORLD PARTY</td>
<td>WWP</td>
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<td></td>
</tr>
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</table>

LINE 6 - TELEPHONE NUMBER
The telephone number is optional and may only be made public for election purposes. The choice is up to the applicant and the Voter Registration Application Form **MAY NOT** be rejected for refusal to give the telephone number.

**LINE 7 - CANCELLATION OF PREVIOUS REGISTRATION**

If any, include the City, township, county or state of previous registration.

**LINE 8 - ATTESTATION OF QUALIFICATION**

The applicant should carefully read the attestation before signing. The Voter Registration Application Form also needs to be dated to the right of the signature line. The question on Line 8 must be answered by checking the red boxes.

**LINE 9 - NAME OF PERSON WHO ASSISTED IN FILLING OUT THIS FORM**

This line is to be filled in only if a registration agent provided substantial assistance in filling out the form for the applicant. It does not have to be signed by the agency intake personnel, unless the assistance provided includes the actual filling out of the form.

| Leave all shaded areas blank at the bottom of the Voter Registration Application Form; these are for the County Clerk’s Office **USE ONLY.** |

**A. RURAL ADDRESSES, NON-STREET ADDRESSES, OR NON-TRADITIONAL PLACES**

Line “A” is particularly important if an applicant does not have a physical address. Detailed instructions for drawing a map of the residence’s location are provided for the applicant in Item “A” of the Voter Registration Application Form.

| FOR VOTERS THAT REQUEST CANCELLATION OF REGISTRATION |
| If a registered voter requests to cancel their registration, direct them to the County Clerk’s Office in the county where they reside (refer to page 26 for the New Mexico County Clerks’ Directory). |
ADDITIONAL INFORMATION FOR APPLICANTS

The following is information for the Applicant located on the Voter Registration Application Form:

STATE OF NEW MEXICO

VOTER REGISTRATION APPLICATION

1. Complete the application.
2. Detach and retain your receipt.
3. Moisten where indicated, fold, seal and mail.

* PRIVACY NOTICE

Your Social Security number and date of birth are required to register to vote. Pursuant to New Mexico law, the secretary of state, county clerk or any other registration agent shall not release to the public a voter’s social security number or date of birth. A person who unlawfully copies, conveys, or uses information from a certificate of registration is guilty of a fourth degree felony. See NMSA, 1978 § 1-4-5 and NMSA, 1978, 1-5-19.

APPLICANT KEEP THIS RECEIPT

If you have not received confirmation of your voter registration within fifteen days of submitting the form, you may use the receipt number below to track your application. Please have the receipt number available and call your County Clerk at the number listed in the directory on the reverse side of your receipt, or check the status of your receipt number by visiting the Secretary of State’s website at: www.sos.state.nm.us/voter_registration.
RESPONSIBILITIES OF:

SITE PERSONNEL
&
COORDINATORS
RESPONSIBILITIES OF MOTOR VEHICLE DIVISION (MVD) PERSONNEL

THE 4 STEPS

1. Make sure to have the applicant fill out the Voter Registration Declination Form. If the applicant refuses, then print their name and initial and date the form in the “Additional Information” box at the bottom of the form.

2. After the applicant completes the Voter Registration Application Form and the initial data requested for the Motor Vehicle Division Office Forms, place the Voter Registration Application Form in the printer to capture information which is identical on both forms.

3. After printing the data on the Voter Registration Application Form, return the form to the applicant for the completion of the party affiliation, attestation, signature and date. THE APPLICANT IS NOT TO FILL IN ANY SHADED AREAS ON THE VOTER REGISTRATION APPLICATION FORM.

4. Unless the applicant refuses assistance, provide the same degree of assistance in completion of the Voter Registration Application Form as would be provided to the applicant in completion of the Motor Vehicle Division Office Forms; including bilingual assistance, if necessary.
PUTTING SOMEONE IN CHARGE

1. Ensure that the Voter Registration Agent Code is keep secure and confidential.

2. Enter the Voter Registration Agent (VRA) Code on all Voter Registration Application Forms received from the County Clerk’s Office.

3. Monitor supplies of forms and contact the County Clerk’s Office in your county, when necessary. (The County Clerks are instructed to monitor inventories of forms as part of the collection and/or transmittal process and any difficulties encountered should be reported to the Bureau of Elections in the Office of the NM Secretary of State.)

4. Create a secure area to store forms for collection and transmittal.

5. Train office personnel in the review of Voter Registration Application Forms to ensure they are completed in their entirety by applicants who have requested assistance.

6. Ensure that office personnel understand that they may not influence or attempt to coerce applicants to declare a political party preference and may not discourage registration verbally or by attitude.

7. Return all completed or voided Voter Registration Application Forms to the County Clerk’s Office in your county within ten (10) calendar days. (Note: Voter Registration Application Forms returned shall not be made later than 5:00 p.m. on the Friday immediately following the closing of the registration books for the upcoming election.) The County Clerk’s Office is responsible for contacting your office and making arrangement for transmittal of completed forms. If this is not done, please contact the County Clerk’s Office in your county.
MOTOR VEHICLE DIVISION PERSONNEL INVOLVED IN AGENCY VOTER REGISTRATION ACTIVITY ARE PROHIBITED FROM:

✧ Seeking to influence an applicant’s political party preference.

✧ Displaying any political preference or party allegiance.

✧ Making any statement or taking any action whose purpose or effect is to discourage the applicant from completing the Voter Registration Application Form.

✧ Disclosing to any other individual that the applicant has applied to register to vote at a motor vehicle office.
<table>
<thead>
<tr>
<th>County</th>
<th>Clerk Name</th>
<th>Address</th>
<th>City</th>
<th>Phone</th>
<th>Email</th>
</tr>
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<tbody>
<tr>
<td>Bernalillo</td>
<td>Maggie Toulouse-Oliver</td>
<td>One Civic Plaza, NW, 6th Floor</td>
<td>Albuquerque</td>
<td>505-467-1290</td>
<td><a href="mailto:clerk@bermoco.gov">clerk@bermoco.gov</a></td>
</tr>
<tr>
<td>Catron</td>
<td>Sharon Armijo</td>
<td>Catron County Courthouse</td>
<td>Roswell</td>
<td>575-533-6400</td>
<td><a href="mailto:celerk2@gilanet.com">celerk2@gilanet.com</a></td>
</tr>
<tr>
<td>Chaves</td>
<td>Rhoda C. Coakley</td>
<td>One Civic Plaza, NW, 6th Floor</td>
<td>Albuquerque</td>
<td>505-468-1290</td>
<td><a href="mailto:clerk@co.chaves.nm.us">clerk@co.chaves.nm.us</a></td>
</tr>
<tr>
<td>Cibola</td>
<td>Elisa Bro (D)</td>
<td>515 W. High</td>
<td>Grants</td>
<td>505-285-2335</td>
<td><a href="mailto:elisa.bro@co.cibola.nm.us">elisa.bro@co.cibola.nm.us</a></td>
</tr>
<tr>
<td>Colfax</td>
<td>Rayetta M. Trujillo</td>
<td>P.O. Box 159</td>
<td>Raton</td>
<td>575-445-5551</td>
<td><a href="mailto:colfaxclerk@bacavalley.com">colfaxclerk@bacavalley.com</a></td>
</tr>
<tr>
<td>Curry</td>
<td>Coni Jo Lyman (R)</td>
<td>700 N. Main St., Suite 7</td>
<td>Clovis</td>
<td>575-763-3521</td>
<td><a href="mailto:clyman@currycounty.org">clyman@currycounty.org</a></td>
</tr>
<tr>
<td>Dona Ana</td>
<td>Lynn J. Ellins</td>
<td>845 N. Motel Blvd</td>
<td>Las Cruces</td>
<td>505-355-2601</td>
<td><a href="mailto:dbelp@plateautel.net">dbelp@plateautel.net</a></td>
</tr>
<tr>
<td>Eddy</td>
<td>Darlene Rosprim (D)</td>
<td>101 West Greene, Suite 312</td>
<td>Carlsbad</td>
<td>575-885-3383</td>
<td><a href="mailto:darlene@co.eddy.nm.us">darlene@co.eddy.nm.us</a></td>
</tr>
<tr>
<td>Grant</td>
<td>Robert Zamarripa (D)</td>
<td>80 Silver City, 88007</td>
<td>Silver City</td>
<td>575-647-7421</td>
<td><a href="mailto:lynniej@onnaanacounty.org">lynniej@onnaanacounty.org</a></td>
</tr>
<tr>
<td>Guadalupe</td>
<td>Adam J. Gallegos</td>
<td>1448 Historic Route 66</td>
<td>Santa Rosa</td>
<td>505-472-1791</td>
<td><a href="mailto:agallegos@guadco-nm.us">agallegos@guadco-nm.us</a></td>
</tr>
<tr>
<td>Roosevelt</td>
<td>Marie J. Atencio (D)</td>
<td>Harding County Courthouse, 35 Pine Street</td>
<td>Mosquero</td>
<td>575-673-2301</td>
<td><a href="mailto:hardinge@plateautel.net">hardinge@plateautel.net</a></td>
</tr>
<tr>
<td>San Juan</td>
<td>Carmen Acosta</td>
<td>Hidalgo County Courthouse</td>
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## DEFINITIONS

**APPLICANT** - The person who is offering to register to vote.

**CITIZEN** - A U.S. citizen, by birth or naturalization.

**ELECTION** - As used in this manual, "election" means:

1. General Elections
2. Primary Elections
3. Statewide Special Elections
4. Elections to fill vacancies in the Office of Representative in Congress
5. School District Elections
6. Municipal Officer or Municipal Bond Elections
7. Special District Officer or Special District Bond or other Special District Elections.

**FALSE SWEARING** - Taking any oath required by the Election Code with the knowledge that the thing or matter sworn to is not a true and correct statement.

**FEDERAL OFFICE** - President, Vice-President, United States Senator or United States Representative.

**GENERATION** - Family line of succession, i.e. Jr., II, III, etc.

**MOTOR VEHICLE DRIVER'S LICENSE** - The term "motor vehicle driver's license" includes any personal identification document issued by a state motor vehicle authority.

**PERJURY** - The deliberate and willful giving of false, misleading, or incomplete testimony under oath or affirmation.

**REGISTRANT** - The person who is offering to register to vote or is registered (used synonymously with "applicant").

**QUALIFIED ELECTOR** - Any person who is a citizen of the United States; a resident of the State of New Mexico who is or will be 18 years of age at the time of the next election that has not been denied the right to vote by a court of law by reason of mental incapacity or felony conviction.

**REGISTRATION AGENT** - A registration agent is a state or federal agency employee who provides voter registration at a state agency or any other individual who assists another person in completion of a Voter Registration Application Form.

**REGISTRATION OFFICER** - The county clerk or the clerk's authorized deputy.

**RESIDENCE** - That place in which a person's habitation is fixed, and to which, whenever absent, the intention is to return. A residence is not a post office box.

**STATE** - The term "state" means a state of the United States and the District of Columbia.

**VOTER** - Any qualified elector who is registered under the provisions of the New Mexico Election Code.

**VOTER REGISTRATION AGENT (VRA) CODE** – The Voter Registration Agent Code is assigned to all Registration Agents by the NM Secretary of State’s Office, which is entered into the Statewide, Registration Agent Data Base (computer registration & tracking system).

**VOTER REGISTRATION AGENCY** - A voter registration agency is an office designated under Section 7(a)(1) of PL 103-31 to perform voter registration activities.
APPENDIX

U.S. Department of Justice, Civil Rights Division, Voting Section Title 42 – The Public Health & Welfare, Chapter 20 - Elective Franchise, Sub-Chapter I-H – National Voter Registration, Sec. 1973gg-5 - Voter Registration Agencies; and Section 1973gg-7 - Federal Coordination & Regulations:

Sec. 1973gg-5 Voter Registration Agencies (This section is referred to in sections 1973gg-2, 1973gg-6 of this title):

(a) Designation

(1) Each State shall designate agencies for the registration of voters in elections for Federal office.

(2) Each State shall designate as voter registration agencies -

(A) all offices in the State that provide public assistance; and

(B) all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.

(3)(A) In addition to voter registration agencies designated under paragraph (2), each State shall designate other offices within the State as voter registration agencies.

(B) Voter registration agencies designated under subparagraph (A) may include -

(i) State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, unemployment compensation offices, and offices not described in paragraph (2)(B) that provide services to persons with disabilities; and

(ii) Federal and nongovernmental offices, with the agreement of such offices.

(4)(A) At each voter registration agency, the following services shall be made available:

(i) Distribution of mail voter registration application forms in accordance with paragraph (6).

(ii) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance.

(iii) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official.

(B) If a voter registration agency designated under paragraph

(2)(B) provides services to a person with a disability at the person's home, the agency shall provide the services described in subparagraph (A) at the person's home.
APPENDIX

Sec. 1973gg-5 Voter Registration Agencies (This section is referred to in sections 1973gg-2, 1973gg-6 of this title):

(5) A person who provides service described in paragraph (4) shall not -

(A) seek to influence an applicant's political preference or party registration;

(B) display any such political preference or party allegiance;

(C) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

(D) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(6) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall -

(A) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance -

(i) the mail voter registration application form described in section 1973gg-7(a)(2) of this title, including a statement that -

(I) specifies each eligibility requirement (including citizenship);

(II) contains an attestation that the applicant meets each such requirement; and

(III) requires the signature of the applicant, under penalty of perjury; or

(ii) the office's own form if it is equivalent to the form described in section 1973gg-7(a)(2) of this title, unless the applicant, in writing, declines to register to vote;

(B) provide a form that includes -

(i) the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(ii) if the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency."

(iii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote (failure to check either box being deemed to constitute a declination to register for purposes of subparagraph (C)), together with the statement (in close proximity to the boxes and in prominent type), "IF YOU DO NOT CHECK EITHER BOX, YOU WILL
(Continued)

Sec. 1973gg-5 Voter Registration Agencies (This section is referred to in sections 1973gg-2, 1973gg-6 of this title):

BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

(iv) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(v) the statement, "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with _ _ _ _ _", the blank being filled by the name, address, and telephone number of the appropriate official to whom such a complaint should be addressed; and

(C) provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance.

(7) No information relating to a declination to register to vote in connection with an application made at an office described in paragraph (6) may be used for any purpose other than voter registration.

(b) Federal Government and private sector cooperation

All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a) of this section, and all nongovernmental entities are encouraged to do so.

(c) Armed Forces recruitment offices

(1) Each State and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the Armed Forces of the United States.

(2) A recruitment office of the Armed Forces of the United States shall be considered to be a voter registration agency designated under subsection (a)(2) of this section for all purposes of this subchapter.

(d) Transmittal deadline

(1) Subject to paragraph (2), a completed registration application accepted at a voter registration agency shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.
APPENDIX

Sec. 1973gg-5 Voter Registration Agencies (This section is referred to in sections 1973gg-2, 1973gg-6 of this title):

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.


Section 1973gg-7. Federal Coordination and Regulations:

(a) In general

The Election Assistance Commission -

(1) in consultation with the chief election officers of the States, shall prescribe such regulations as are necessary to carry out paragraphs (2) and (3);

(2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this subchapter on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this subchapter; and

(4) shall provide information to the States with respect to the responsibilities of the States under this subchapter.

(b) Contents of mail voter registration form

The mail voter registration form developed under subsection

(a)(2) of this section -

(1) may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that -

(A) specifies each eligibility requirement (including citizenship);
APPENDIX

(Continued)

Section 1973gg-7. Federal Coordination and Regulations:

(B) contains an attestation that the applicant meets each such requirement; and

(C) requires the signature of the applicant, under penalty of perjury;

(3) may not include any requirement for notarization or other formal authentication; an (4) shall include, in print that is identical to that used in the attestation portion of the application -

(i) the information required in section 1973gg-6(a)(5)(A) and (B) of this title;

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.