



Agenda

San Joaquin County Election Advisory Committee

San Joaquin County Administration Building, Training Room 146
44 N. San Joaquin St.
Stockton, CA

Thursday, September 14, 2023 6:00 PM

- I. Call to Order
 - 1) Pledge of Allegiance
 - 2) Roll Call
 - 3) Schedule Next Meeting Date

- II. Public Comment

- III. Minutes
 - 1) Election Advisory Committee – Regular Meeting – June 1, 2023
 - 2) Election Advisory Committee – Regular Meeting – August 10, 2023

- IV. Consent Items
 - 1) California Voter Registration & Voter List Maintenance – Secretary of State

- V. Discussion Items
 - 1) Adopt a Rule Regarding the Role of Alternates and Voting – Chairman Amador

 - 2) Appoint a Vice Chair – Chairman Amador

 - 3) Discuss the Voter’s Choice Act and Make a Recommendation to the Board of Supervisors – Chairman Amador

 - 4) Receive a Presentation on Vote-by-Mail Ballot Drop Boxes
– Holly Moore & Jody Graham

- VI. Committee Comments

- VII. Adjournment until next meeting as identified by the Election Advisory Committee in accordance with the Comprehensive Plan for the Election Advisory Committee.

Minutes

San Joaquin County Election Advisory Committee (EAC)

San Joaquin county Administration building, training Room 146
44 N San Joaquin St.
Stockton, CA

Thursday, June 1, 2023, 6PM

- I.
 2. Roll Call: Quorum Met
 3. Co. Supervisor Ding appointed Tony Amador Chair, Patricia Barrett accepted as Secretary
 4. August meeting scheduled for August 10th at 6PM

- II. Consent Items
 - 1) a-e, TABLED, motion passed

- III. Discussion Items
 1. ROV presentation on Voter's Choice Act (VCA) shared by Olivia Hale and guest advisors where John Gardner from Solano and Donna Leaner from San Diego

Polling Places	vs	Vote Centers
3 options		8 options
more locations, 175-200		less locations , 40
more poll workers, 1200		less poll workers, 400

VCA showed higher 80% turnout in history while in COVID

VCA improves services, increased accuracy, efficiency and participation improved accessibility

*DA requested stats on security breach

*Outreach discussion – allocation of monies
Townhall meeting with diverse languages

*August 2nd BOS mtg return with recommendations, 18 months out from elections

 2. Dependability of poll officers doesn't meet need
QR Codefor locations

3. State Mandate

Olivia read description of state mandate

Discussion only, no action taken on 1, 2, 3

IV. Public Comments

Rita Jones, Mike Lahab, Molly Watkins, Holly Moore, Nicole Goehring

V. John B. request DA?

VI. Meeting Adjourned 8:05

Motion David, 2nd Pam Sloane

Minutes
San Joaquin County Election Advisory Committee
San Joaquin County Administration Building, Training Room 146
44 N. San Joaquin St.
Stockton, CA
Thursday, August 10, 2023 6:00 PM

I. Call to Order

- 1) Pledge of Allegiance
- 2) Roll Call Quorum met
- 3) Schedule Next Meeting Date

II. Minutes

- a) Tabled till Sept meeting

III. Consent Items

- 1) A Report on the Status of 2023 California Legislation Related to Elections
- 2) A Report on San Joaquin County Voter Registration & Voter Roll Updates

IV. Discussion Items

- 1) A Presentation of Sheriff's Office Findings Related to Criminal Conduct Discovered During the 2020 Election Cycle – Sheriff Withrow & Captain Harty

- A) Investigation of Allegations on Lodi Dist 4 KAHN,
Casting ballots, People

- 4 key vulnerability
 1. Signature – check and balance
 2. Mail in – drop box system
 3. Online – registration fraudulently
69 total names, 4' found @home
 4. Intimidation tactics

STEP

1. Online Registration – state level only not county level
SOS not fool proof
 - a) Security measures in place – VOT BY MAIL
 - b) Insufficient protection
 - c) Current law doesn't allow for removal of invalid names
2. Signature – room for improvement
 - a) Permanent staff vs temporary
 - b) ROV Olivia cooperative with sheriff dept
 - c) ROV sends staff for training to signature fraud purposes hand verifying
- 3) Vote By Mail
 - a) intimidation / fraud

More people need to be involved, voice heard state level, Sheriff dept will play big part to avoid reoccurrence

- 2) A Presentation on Election Integrity Issues in San Joaquin County in 2023 and Proposed Solutions – David Robb

2 types of Fraud

1. Traditional
2. Systemic
 - a) Dirty voter rolls
 - b) Ballot drop boxes
- A) Churn – large # added or removed and the added back
10% unexplained turn over
- B) Reserve voters – fictional 6000 not voted by still present in vote
- C) Dead voters – 100000 turned up to vote
- D) Universal vote by mail AB37
 - a) Not accountable
 - b) No chain of custody
 - c) Ballet harvesting legal in CA
- E. Drop Box – fraud no law
- F. USPS - fraud fed law
- G. CUR records
- H. Poll Pads – super vulnerable

Solution –

- a) request SOS reject ERIC System,
- b) repeal AB 37
- c) fix voter registration system
- d) improve voter roll maintenance
- e) cancel 3rd party maintenance

3) A Brief Status Report from the ROV Regarding the Voter's Choice Act – Olivia Hale, Registrar of Voters

- a) Olivia asked for more time
- b) Summer conference
- c) Solano County
- d) Hybrid model
- e) Sept 14th - March Primary
- f) Tabled for more time

V. Public Comment

- A) There were 9 public comments

VI. Committee Comments

How often meetings to be held, not set in stone

Supervisor Ding will furnish report on committee obligations

Next Meeting ?

VII. Adjournment until next meeting as identified by the Election Advisory Committee in accordance with the Comprehensive Plan for the Election Advisory Committee.

Time: 8:00pm

1st Pat Barrett

2nd David

Unanimous



September 11, 2023

MEMORANDUM

TO: Members, Election Advisory Committee
FROM: Olivia Hale
SUBJECT: Secretary of State - California Online Voter Registration (COVR) Process

As received from the Secretary of State Elections Division:

Overview of the California Online Voter Registration Application Process

To complete a registration online, an applicant must provide their California driver license or California identification card number, the last four digits of their social security number, and their date of birth.

When registering to vote online, the system will search the Department of Motor Vehicles (DMV) database for a match using the applicant's California driver license or identification card number, date of birth, and last four digits of their social security number.

If the applicant's information (California driver license or identification card number, date of birth, and last four digits of their social security number) is found at DMV and the applicant authorizes the elections official's use of their DMV signature, an electronic image of the applicant's DMV signature will be added to the online voter registration application after the applicant clicks "submit" at the end of the online application.

If there is not a signature on file with DMV or the applicant's information cannot be located at DMV or the applicant does not authorize the use of their DMV signature, the applicant must physically sign the application and return it to the elections official. If the applicant has access to a printer, they can print and then sign the application, and then mail it to the county elections official. If the applicant cannot print the application, the applicant can request that the Secretary of State (SOS) mail an application pre-populated with the applicant's information for the applicant to sign and mail back to the county elections official.

Process For Obtaining Signatures

All online voter registration applications submitted require a signature. The applicant can submit their signature in two different methods: DMV digital signature or wet signature.

- **DMV – Digital Signature**
 - The online voter registration system will search the DMV database for a match using the applicant's California driver license or identification card number, date of birth, and last four digits of their social security number.
 - If a match is found at DMV and the applicant consents, the DMV digital signature is added to the application and sent electronically to the county. (California Elections Code section 2196)



- **Wet Signature**
 - If there is not a signature on file with DMV or the applicant's information cannot be located at DMV or the applicant does not authorize the use of their DMV signature, the applicant will receive two options.
 - The first option allows the applicant to print a PDF version of their application, sign it and mail it to their county elections official.
 - The second option is for the SOS to print a pre-filled voter registration form with the data the user provided and then mail the form to the applicant for them to sign and return to their county elections official.
 - When the online registration system receives a voter registration without the DMV digital signature, it notifies the county elections official that the voter registration record is not complete until the applicant submits their signature.

Online Voter Registration from other states

The online system will not prevent applicants registering to vote online from IPs outside of California.

Not all California residents are located or living in California:

- A California resident may be a member of the military or the family of a member of the military who is living outside of California.
- A California resident may be a student attending school outside of California.
- A California resident may be employed by the federal government or a company and may temporarily live outside of California.

The online voter registration system was implemented in compliance with the National Voter Registration Act (NVRA) and state and federal law.

OH



SHIRLEY N. WEBER, Ph.D.

CALIFORNIA SECRETARY OF STATE

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September 7, 2023

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 23076

TO: All County Clerks/Registrars of Voters

FROM: /s/ Catherine Ingram-Kelly
VoteCal Manager

RE: VoteCal: California Voter Registration and Voter List Maintenance
Requirements Overview

The purpose of this memorandum is to provide a brief overview of voter registration and list maintenance procedures in California.

Voter Registration Eligibility

Every applicant must sign, under penalty of perjury, that they are:

- A U.S. citizen,
- A resident of California,
- 18 years of age at the next election,
- Not currently serving a state or federal prison term for a felony conviction, and
- Not currently found mentally incompetent to vote by a court of law.

Falsifying voter registration information is a felony that is punishable by up to 3 years in prison.

Voter Registration Methods

Applicants can register or re-register to vote:

- Using an official California Secretary of State (SOS) paper voter registration form or the official National Mail Voter Registration form; if they are an overseas citizen or in the military, applicants can use the Federal Post Card Application (FPCA),
- Online at the SOS website, or

- Through the California Department of Motor Vehicles (DMV).

Paper Voter Registration Application

SOS paper voter registration applications can be found at county elections offices, libraries, DMV offices, U.S. Post Offices, and at National Voter Registration Act (NVRA) agencies.

National Mail Voter Registration forms can be found on the U.S. Election Assistance Commission's website at <https://www.eac.gov/voters/national-mail-voter-registration-form>.

The FPCA form can be found through the U.S. Federal Voting Assistance Program's website at <https://www.fvap.gov/uploads/FVAP/Forms/fpca.pdf>.

Online Application

The online application is available at the SOS website at <https://RegisterToVote.ca.gov>. It is available in English, Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese and uses the applicant's signature on file with the DMV.

Registration at DMV and Assembly Bill 60

DMV customers that apply for or renew their driver's license or identification card, or change their address are provided the opportunity to register to vote or to update their voter registration information. DMV does not provide voter registration opportunities to [Assembly Bill 60 \(Statutes of 2013\)](#) applicants.

Voter Registration Validation

When a person submits a voter registration application, the applicant's name, date of birth, driver's license or identification card number and/or last 4 digits of a social security number, are compared with the DMV driver's license database, as well as the Social Security Administration's (SSA) database using VoteCal's electronic interface with the DMV. If the validation process is successfully completed, the record continues through all other system validations. If VoteCal identifies duplicate records, VoteCal sends it to the county Election Management System (EMS) and the county is requested to review the records to address the issue (Resolve UID).

For every new or updated registration received, VoteCal automatically verifies the registration against felon information received from the California Department of Corrections and Rehabilitation (CDCR) and death record information received from the California Department of Public Health (CDPH). If there are no matches, the record continues through all other system validations. If VoteCal identifies a

potential match with a felon or death record, VoteCal sends it to the county EMS for final determination (Potential Felon Match or Potential Death Match).

In addition, for every new or updated registration received, VoteCal automatically checks for duplicate voters. If there are no matches, the record continues through the registration process. If VoteCal finds an exact match (High Confidence Match), the records are merged by VoteCal. If VoteCal finds records that may match, VoteCal sends it to the county EMS for final determination (Potential Duplicate Match).

Before a county accepts a voter registration application (including a re-registration), the county registrar checks the application against other information, which may include:

- death information from voters' family members, local obituaries, and other local county sources such as coroner's reports, and
- felon information records from federal, district and superior courts.

As required by state and federal law, if an applicant's identity cannot be validated because they do not have or did not provide a California driver's license or identification card, or social security number, the individual is required to show ID at the polls the first time they vote. After showing their ID that first time, they are no longer required to present ID for future elections.

Ongoing List Maintenance through VoteCal and County Election Management Systems (EMS)

Voter registration applications and existing voter records are compared with CDCR records of persons serving state prison terms. Any voter who is matched with a record of a person currently serving a state prison term for a felony conviction will have their voter registration cancelled. CDCR sends weekly new and updated felon information to the SOS. The SOS sends voter-to-felon matches to the county for cancellation and the county elections officials cancel the voter registration records. ([CC/ROV #23032](#))

Voter registration applications and existing voter records also are compared with CDPH records of deaths. Any voter who is matched with a record of a deceased person will have their voter registration cancelled. CDPH death records include information of decedents 16 years of age or older of those that have died in California as well as those California residents that died out of state. The SOS maintains a master list of deceased that represents all death records available from CDPH from 1970 to present. CDPH sends weekly death records to VoteCal. VoteCal then automatically sends potential voter-to-deceased matches to the county. The counties then make the final determination to confirm or deny the match. Voters with the confirmed matches are then cancelled.

All active voter registration records are also run through the National Change of Address (NCOA) database on a monthly basis to identify if there have been any address changes of voters. The Employment Development Department (EDD) is the sole licensed provider of the National Change of Address (NCOA) database for California. SOS provides its full voter registration database to EDD. EDD then identifies voters that may have moved and provides the SOS a file that lists the changes of address. SOS staff then compares EDD's list with VoteCal data and potential changes of address are sent to the counties for final determination.

SOS receives daily notifications from the DMV about change of addresses made at DMV (DMV COA). VoteCal identifies potential voter move matches and sends to the counties for final determination.

Ongoing List Maintenance by County Elections Officials

County elections officials may use conviction and release records related to persons in prison for the conviction of a felony contained in records from federal, district and superior courts to cancel voter registration records.

County elections officials may use local obituaries and other local county sources like coroner's reports to cancel voter registration records.

County elections officials send out a variety of notices to their voters which are considered a part of the list maintenance process. The potential mailings provided by counties include:

- Voter Notification Cards (VNC)
- Preelection Residency Confirmation Postcards
- Information provided on County Voter Information Guides
- Notices based on Consumer Credit Reporting Agency information
- Notices pursuant to Elections Code section 2225(b)
- Notices pursuant to Elections Code section 2225(c)/8d2 cards

Secretary of State List Maintenance Resources

SOS NVRA Webpage: <https://www.sos.ca.gov/elections/voter-registration/nvra>

- Resources for County Elections Officials:
<https://www.sos.ca.gov/elections/voter-registration/nvra/training/resources-county-elections-officials>

Includes:

- Links to the List Maintenance Training
- NVRA 8d2 Card Template
- Elections Code section 2225(b) Card Template
- Resources, including the California NVRA Manual

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VoteCal Guidance documents: <https://www.sos.ca.gov/elections/voter-registration/votecal-project/votecal-guidance-documents>

If there are any questions regarding this memorandum other VoteCal matters, please contact the VoteCal Help Desk at 888-868-3225 or via email at votecalhelp@sos.ca.gov.

Assembly Bill No. 60

CHAPTER 524

An act to amend, repeal, and add Sections 1653.5, 12800, 12801, and 12801.5 of, and to add Sections 12801.9, 12801.10, and 12801.11 to, the Vehicle Code, relating to driver's licenses.

[Approved by Governor October 3, 2013. Filed with
Secretary of State October 3, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 60, Alejo. Driver's licenses: eligibility: required documentation.

(1) Existing law requires the Department of Motor Vehicles (DMV) to require an applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law. Existing law prohibits the department from issuing an original driver's license or identification card to a person who does not submit satisfactory proof that his or her presence in the United States is authorized under federal law.

This bill would require the department to issue an original driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if he or she meets all other qualifications for licensure and provides satisfactory proof to the department of his or her identity and California residency. The bill would require the department to adopt emergency regulations, in consultation with appropriate interested parties, as prescribed, to implement those provisions, including identifying documents acceptable for the purposes of providing identity and California residency and procedures for verifying the authenticity of the documents. The bill would require the department to accept various types of documentation for this purpose. The bill would require a license issued pursuant to those provisions, including temporary licenses, to include on the front of the card a recognizable feature and a specified notice. The bill would authorize the department to modify these licenses if these licenses do not meet federal requirements. The bill would provide that information collected pursuant to those provisions is not a public record and shall not be disclosed by the department, except as required by law.

This bill would make it a violation of law to discriminate against an individual because he or she holds or presents a license issued under these provisions. The bill would require, on or before January 1, 2018, the California Research Bureau to compile and submit to the Legislature and the Governor a report that, among other things, includes instances when these licenses are used to discriminate against an individual. The bill would provide that a person applying for a license pursuant to these provisions

may be required to pay, only until June 30, 2017, an additional fee to offset the reasonable administrative costs of implementing these provisions. The bill would make other technical and conforming changes.

(2) Existing law requires the department to require an application for a driver's license to contain the applicant's social security number and any other number or identifier determined to be appropriate by the department. Existing law authorizes an applicant who provides satisfactory proof that his or her presence in the United States is authorized under federal law, but who is not eligible for a social security number, to receive an original driver's license if he or she meets all other requirements for licensure.

This bill would authorize an applicant who is unable to provide satisfactory proof that his or her presence in the United States is authorized under federal law to sign an affidavit attesting that he or she is both ineligible for a social security number and unable to submit satisfactory proof that his or her presence in the United States is authorized under federal law in lieu of submitting a social security number. The bill would prohibit the use of this information to consider an individual's citizenship or immigration status as a basis for a criminal investigation, arrest, or detention.

This bill would make these changes operative on January 1, 2015, or on the date the director of the department executes a specified declaration, whichever is sooner. The bill would make these provisions inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any of these provisions, or their application, are enjoined, found unconstitutional, or held invalid for any reason. The bill would require the department to post this information on its Internet Web site.

This bill would state that its provisions do not authorize an individual to apply for, or be issued, a commercial driver's license without submitting his or her social security account number with his or her application.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) According to a report by the AAA Foundation for Traffic Safety, car crashes rank among the leading causes of death in the United States.

(b) Previous studies done by the foundation have found that approximately one in five fatal crashes in the United States involve an unlicensed or invalidly licensed driver.

(c) The California Department of Motor Vehicles, Licensing Operations Division, Research and Development Branch has stated that unlicensed driving is a major California safety problem.

(d) In a report titled, "Estimating the Exposure and Fatal Crash Rates of Suspended/Revoked and Unlicensed Drivers in California" published in Accident Analysis and Prevention, 29(1), the Department of Motor Vehicles estimates that 12 percent of the drivers on the road do not have valid driver's licenses.

(e) In the State of California, there are potentially 1.4 million drivers who are unlicensed and uninsured.

(f) It is our responsibility to ensure that all California drivers are properly trained, tested, and insured in order to make our roads safer.

(g) In order to meet the operative date established in this act, it is necessary for the California Department of Motor Vehicles to promulgate regulations pursuant to the emergency rulemaking process.

(h) The California Department of Motor Vehicles currently issues approximately 900,000 original driver's licenses annually, and estimates there will be an additional 1.4 million original driver's license applicants over a three year period under the provisions of this act.

(i) To provide services to this added volume of original driver license applicants, the California Department of Motor Vehicles must undertake significant and costly activities, including, among others, the hiring of additional temporary staff, the training of existing and additional temporary staff, and obtaining and preparing new temporary facilities to process the applications.

(j) The California Department Motor Vehicles must promulgate regulations to determine the appropriate documentation necessary to prove identity and California residency under the provisions of this act, and procedures for verifying the authenticity of the documentation.

(k) The California Department of Motor Vehicles must also modify driver licenses issued under this act to satisfy the requirements of Section 37.71 of Title 6 of the Code of Federal Regulations, adopted pursuant to paragraph (11) of subdivision (d) of Section 202 of the Real ID Act of 2005 (Public Law 109-13).

(l) Therefore, the California Department of Motor Vehicles may assess an additional fee to applicants applying under the provisions of this act in an amount sufficient to offset the reasonable costs of implementing the provisions of the act. If this additional fee is assessed, it shall be assessed only until June 30, 2017.

SEC. 2. The Legislature further finds and declares all of the following:

(a) The holder of a driver's license issued pursuant to Section 12801.9 shall not by reason of that driver's license be treated in a discriminatory manner pursuant to the Unruh Civil Rights Act (Section 51 of the Civil Code) or any other law.

(b) A driver's license issued pursuant to Section 12801.9 shall not be used as evidence of the holder's citizenship or immigration status, and shall not be used as a basis for a criminal investigation, arrest, or detention in circumstances where a person with a driver license that was not issued under Section 12801.9 would not be criminally investigated, arrested, or detained.

(c) The State of California is in the process of demonstrating its compliance with the requirements of the REAL ID Act of 2005 (Public Law 109-13).

SEC. 3. Section 1653.5 of the Vehicle Code is amended to read:

1653.5. (a) Every form prescribed by the department for use by an applicant for the issuance or renewal by the department of a driver's license

or identification card pursuant to Division 6 (commencing with Section 12500) shall contain a section for the applicant's social security account number.

(b) Every form prescribed by the department for use by an applicant for the issuance, renewal, or transfer of the registration or certificate of title to a vehicle shall contain a section for the applicant's driver's license or identification card number.

(c) A person who submits to the department a form that, pursuant to subdivision (a), contains a section for the applicant's social security account number, or pursuant to subdivision (b), the applicant's driver's license or identification card number, if any, shall furnish the appropriate number in the space provided.

(d) The department shall not complete an application that does not include the applicant's social security account number or driver's license or identification card number as required under subdivision (c).

(e) An applicant's social security account number shall not be included by the department on a driver's license, identification card, registration, certificate of title, or any other document issued by the department.

(f) Notwithstanding any other law, information regarding an applicant's social security account number, obtained by the department pursuant to this section, is not a public record and may not be disclosed by the department except for any of the following purposes:

(1) Responding to a request for information from an agency operating pursuant to, and carrying out the provisions of, Part A (Aid to Families with Dependent Children), or Part D (Child Support and Establishment of Paternity), of Subchapter IV of Chapter 7 of Title 42 of the United States Code.

(2) Implementation of Section 12419.10 of the Government Code.

(3) Responding to information requests from the Franchise Tax Board for the purpose of tax administration.

(g) This section shall become inoperative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner, and as of January 1, 2015, is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 4. Section 1653.5 is added to the Vehicle Code, to read:

1653.5. (a) Each form prescribed by the department for use by an applicant for the issuance or renewal by the department of a driver's license or identification card pursuant to Division 6 (commencing with Section 12500) shall contain a section for the applicant's social security account number.

(b) Each form prescribed by the department for use by an applicant for the issuance, renewal, or transfer of the registration or certificate of title to a vehicle shall contain a section for the applicant's driver's license or identification card number.

(c) Except as provided in Section 12801, a person who submits to the department a form that, pursuant to subdivision (a), contains a section for

the applicant's social security account number, or pursuant to subdivision (b), the applicant's driver's license or identification card number, if any, shall furnish the appropriate number in the space provided.

(d) Except as provided in Section 12801, the department shall not complete an application that does not include the applicant's social security account number or driver's license or identification card number as required under subdivision (c).

(e) An applicant's social security account number shall not be included by the department on a driver's license, identification card, registration, certificate of title, or any other document issued by the department.

(f) Notwithstanding any other law, information regarding an applicant's social security account number, obtained by the department pursuant to this section, is not a public record and shall not be disclosed by the department except for any of the following purposes:

(1) Responding to a request for information from an agency operating pursuant to, and carrying out the provisions of, Part A (Aid to Families with Dependent Children), or Part D (Child Support and Establishment of Paternity), of Subchapter IV of Chapter 7 of Title 42 of the United States Code.

(2) Implementation of Section 12419.10 of the Government Code.

(3) Responding to information requests from the Franchise Tax Board for the purpose of tax administration.

(g) This section shall become operative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner.

(h) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 5. Section 1653.5 is added to the Vehicle Code, to read:

1653.5. (a) Each form prescribed by the department for use by an applicant for the issuance or renewal by the department of a driver's license or identification card pursuant to Division 6 (commencing with Section 12500) shall contain a section for the applicant's social security account number.

(b) Each form prescribed by the department for use by an applicant for the issuance, renewal, or transfer of the registration or certificate of title to a vehicle shall contain a section for the applicant's driver's license or identification card number.

(c) A person who submits to the department a form that, pursuant to subdivision (a), contains a section for the applicant's social security account number, or pursuant to subdivision (b), the applicant's driver's license or identification card number, if any, shall furnish the appropriate number in the space provided.

(d) The department shall not complete an application that does not include the applicant's social security account number or driver's license or identification card number as required under subdivision (c).

(e) An applicant's social security account number shall not be included by the department on a driver's license, identification card, registration, certificate of title, or any other document issued by the department.

(f) Notwithstanding any other law, information regarding an applicant's social security account number, obtained by the department pursuant to this section, is not a public record and may not be disclosed by the department except for any of the following purposes:

(1) Responding to a request for information from an agency operating pursuant to, and carrying out the provisions of, Part A (Aid to Families with Dependent Children), or Part D (Child Support and Establishment of Paternity), of Subchapter IV of Chapter 7 of Title 42 of the United States Code.

(2) Implementation of Section 12419.10 of the Government Code.

(3) Responding to information requests from the Franchise Tax Board for the purpose of tax administration.

(g) This section shall become operative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 6. Section 12800 of the Vehicle Code is amended to read:

12800. Every application for an original or a renewal of a driver's license shall contain all of the following information:

(a) The applicant's true full name, age, sex, mailing address, residence address, and social security account number.

(b) A brief description of the applicant for the purpose of identification.

(c) A legible print of the thumb or finger of the applicant.

(d) The type of motor vehicle or combination of vehicles the applicant desires to operate.

(e) Whether the applicant has ever previously been licensed as a driver and, if so, when and in what state or country and whether or not the license has been suspended or revoked and, if so, the date of and reason for the suspension or revocation.

(f) Whether the applicant has ever previously been refused a driver's license in this state and, if so, the date of and the reason for the refusal.

(g) Whether the applicant, within the last three years, has experienced, on one or more occasions, either a lapse of consciousness or an episode of marked confusion caused by a condition that may bring about recurrent lapses, or whether the applicant has a disease, disorder, or disability that affects his or her ability to exercise reasonable and ordinary control in operating a motor vehicle upon a highway.

(h) Whether the applicant understands traffic signs and signals.

(i) Whether the applicant has ever previously been issued an identification card by the department.

(j) Any other information that is necessary to enable the department to determine whether the applicant is entitled to a license under this code.

(k) This section shall become inoperative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner, and as of January 1, 2015, is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 7. Section 12800 is added to the Vehicle Code, to read:

12800. Each application for an original or a renewal of a driver's license shall contain all of the following information:

(a) The applicant's true full name, age, sex, mailing address, residence address, and, except as provided in Section 12801, social security account number.

(b) A brief description of the applicant for the purpose of identification.

(c) A legible print of the thumb or finger of the applicant.

(d) The type of motor vehicle or combination of vehicles the applicant desires to operate.

(e) Whether the applicant has ever previously been licensed as a driver and, if so, when and in what state or country and whether or not the license has been suspended or revoked and, if so, the date of and reason for the suspension or revocation.

(f) Whether the applicant has ever previously been refused a driver's license in this state and, if so, the date of and the reason for the refusal.

(g) Whether the applicant, within the last three years, has experienced, on one or more occasions, either a lapse of consciousness or an episode of marked confusion caused by a condition that may bring about recurrent lapses, or whether the applicant has a disease, disorder, or disability that affects his or her ability to exercise reasonable and ordinary control in operating a motor vehicle upon a highway.

(h) Whether the applicant understands traffic signs and signals.

(i) Whether the applicant has ever previously been issued an identification card by the department.

(j) Any other information that is necessary to enable the department to determine whether the applicant is entitled to a license under this code.

(k) This section shall become operative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner.

(l) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 8. Section 12800 is added to the Vehicle Code, to read:

12800. Each application for an original or a renewal of a driver's license shall contain all of the following information:

(a) The applicant's true full name, age, sex, mailing address, residence address, and social security account number.

- (b) A brief description of the applicant for the purpose of identification.
- (c) A legible print of the thumb or finger of the applicant.
- (d) The type of motor vehicle or combination of vehicles the applicant desires to operate.
- (e) Whether the applicant has ever previously been licensed as a driver and, if so, when and in what state or country and whether or not the license has been suspended or revoked and, if so, the date of and reason for the suspension or revocation.
- (f) Whether the applicant has ever previously been refused a driver's license in this state and, if so, the date of and the reason for the refusal.
- (g) Whether the applicant, within the last three years, has experienced, on one or more occasions, either a lapse of consciousness or an episode of marked confusion caused by a condition that may bring about recurrent lapses, or whether the applicant has a disease, disorder, or disability that affects his or her ability to exercise reasonable and ordinary control in operating a motor vehicle upon a highway.
- (h) Whether the applicant understands traffic signs and signals.
- (i) Whether the applicant has ever previously been issued an identification card by the department.
- (j) Any other information that is necessary to enable the department to determine whether the applicant is entitled to a license under this code.
- (k) This section shall become operative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 9. Section 12801 of the Vehicle Code is amended to read:

12801. (a) Notwithstanding any other law, the department shall require an application for a driver's license to contain the applicant's social security account number and any other number or identifier determined to be appropriate by the department.
- (b) Notwithstanding subdivision (a), an applicant who provides satisfactory proof that his or her presence in the United States is authorized under federal law, but who is not eligible for a social security account number, is eligible to receive an original driver's license if he or she meets all other qualifications for licensure.
- (c) Notwithstanding any other law, the social security account number collected on a driver's license application shall not be displayed on the driver's license including, but not limited to, inclusion on a magnetic tape or strip used to store data on the license.
- (d) This section shall become inoperative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner, and as of January 1, 2015, is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 10. Section 12801 is added to the Vehicle Code, to read:

12801. (a) Except as provided in subdivisions (b) and (c) and Section 12801.9, the department shall require an application for a driver's license to contain the applicant's social security account number and any other number or identifier determined to be appropriate by the department.

(b) An applicant who provides satisfactory proof that his or her presence in the United States is authorized under federal law, but who is not eligible for a social security account number, is eligible to receive an original driver's license if he or she meets all other qualifications for licensure.

(c) (1) An applicant who is unable to provide satisfactory proof that his or her presence in the United States is authorized under federal law may sign an affidavit attesting that he or she is both ineligible for a social security account number and unable to submit satisfactory proof that his or her presence in the United States is authorized under federal law. This affidavit is not a public record.

(2) The submission of this affidavit shall be accepted by the department in lieu of a social security account number.

(3) This subdivision shall not apply to applications for a commercial driver's license. The department shall require all applications for a commercial driver's license to include the applicant's social security account number.

(4) Nothing in this section shall be used to consider an individual's citizenship or immigration status as a basis for a criminal investigation, arrest, or detention.

(d) The department shall not complete an application for a driver's license unless the applicant is in compliance with the requirements of subdivision (a), (b) or (c).

(e) Notwithstanding any other law, the social security account number collected on a driver's license application shall not be displayed on the driver's license including, but not limited to, inclusion on a magnetic tape or strip used to store data on the license.

(f) This section shall become operative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner.

(g) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 11. Section 12801 is added to the Vehicle Code, to read:

12801. (a) Notwithstanding any other law, the department shall require an application for a driver's license to contain the applicant's social security account number and any other number or identifier determined to be appropriate by the department.

(b) Notwithstanding subdivision (a), an applicant who provides satisfactory proof that his or her presence in the United States is authorized under federal law, but who is not eligible for a social security account

number, is eligible to receive an original driver's license if he or she meets all other qualifications for licensure.

(c) Notwithstanding any other law, the social security account number collected on a driver's license application shall not be displayed on the driver's license including, but not limited to, inclusion on a magnetic tape or strip used to store data on the license.

(d) This section shall become operative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 12. Section 12801.5 of the Vehicle Code is amended to read:

12801.5. (a) Notwithstanding any other law, the department shall require an applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.

(b) The department shall not issue an original driver's license or identification card to a person who does not submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.

(c) The department shall adopt regulations to carry out the purposes of this section, including procedures for, but not limited to, (1) verifying that the applicant's presence in the United States is authorized under federal law, (2) issuance of a temporary license pending verification of the applicant's status, and (3) appeal hearings from a denial of a license, temporary license, or identification card.

(d) On January 10 of each year, the department shall submit a supplemental budget report to the Governor and the Legislature detailing the costs of verifying the citizenship or legal residency of applicants for driver's licenses and identification cards, in order for the state to request reimbursement from the federal government.

(e) Notwithstanding Section 40300 or any other law, a peace officer may not detain or arrest a person solely on the belief that the person is an unlicensed driver, unless the officer has reasonable cause to believe the person driving is under 16 years of age.

(f) The inability to obtain a driver's license pursuant to this section does not abrogate or diminish in any respect the legal requirement of every driver in this state to obey the motor vehicle laws of this state, including laws with respect to licensing, motor vehicle registration, and financial responsibility.

(g) This section shall become inoperative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner, and as of January 1, 2015, is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 13. Section 12801.5 is added to the Vehicle Code, to read:

12801.5. (a) Except as provided in Section 12801.9, the department shall require an applicant for an original driver's license or identification

card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.

(b) Except as provided in Section 12801.9, the department shall not issue an original driver's license or identification card to a person who does not submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.

(c) The department shall adopt regulations to carry out the purposes of this section, including, but not limited to, procedures for (1) verifying that the applicant's presence in the United States is authorized under federal law, (2) issuance of a temporary license pending verification of the applicant's status, and (3) hearings to appeal a denial of a license, temporary license, or identification card.

(d) On January 10 of each year, the department shall submit a supplemental budget report to the Governor and the Legislature detailing the costs of verifying the citizenship or legal residency of applicants for driver's licenses and identification cards, in order for the state to request reimbursement from the federal government.

(e) Notwithstanding Section 40300 or any other law, a peace officer shall not detain or arrest a person solely on the belief that the person is an unlicensed driver, unless the officer has reasonable cause to believe the person driving is under 16 years of age.

(f) The inability of an individual to obtain a driver's license pursuant to this section does not abrogate or diminish in any respect the legal requirement of every driver in this state to obey the motor vehicle laws of this state, including laws with respect to licensing, motor vehicle registration, and financial responsibility.

(g) This section shall become operative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner.

(h) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 14. Section 12801.5 is added to the Vehicle Code, to read:

12801.5. (a) Notwithstanding any other law, the department shall require an applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.

(b) The department shall not issue an original driver's license or identification card to a person who does not submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.

(c) The department shall adopt regulations to carry out the purposes of this section, including, but not limited to, procedures for (1) verifying that the applicant's presence in the United States is authorized under federal law, (2) issuance of a temporary license pending verification of the

applicant's status, and (3) hearings to appeal a denial of a license, temporary license, or identification card.

(d) On January 10 of each year, the department shall submit a supplemental budget report to the Governor and the Legislature detailing the costs of verifying the citizenship or legal residency of applicants for driver's licenses and identification cards, in order for the state to request reimbursement from the federal government.

(e) Notwithstanding Section 40300 or any other law, a peace officer shall not detain or arrest a person solely on the belief that the person is an unlicensed driver, unless the officer has reasonable cause to believe the person driving is under 16 years of age.

(f) The inability of an individual to obtain a driver's license pursuant to this section does not abrogate or diminish in any respect the legal requirement of every driver in this state to obey the motor vehicle laws of this state, including laws with respect to licensing, motor vehicle registration, and financial responsibility.

(g) This section shall become operative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 15. Section 12801.9 is added to the Vehicle Code, to read:

12801.9. (a) Notwithstanding Section 12801.5, the department shall issue an original driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if he or she meets all other qualifications for licensure and provides satisfactory proof to the department of his or her identity and California residency.

(b) The department shall adopt emergency regulations to carry out the purposes of this section, including, but not limited to, procedures for (1) identifying documents acceptable for the purposes of proving identity and California residency, (2) procedures for verifying the authenticity of the documents, (3) issuance of a temporary license pending verification of any document's authenticity, and (4) hearings to appeal a denial of a license or temporary license.

(c) Emergency regulations adopted for purposes of establishing the documents acceptable to prove identity and residency pursuant to subdivision (b) shall be promulgated by the department in consultation with appropriate interested parties, in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), including law enforcement representatives, immigrant rights representatives, labor representatives, and other stakeholders, which may include, but are not limited to, the California Highway Patrol, the California State Sheriffs' Association, and the California Police Chiefs Association. The department shall accept various types of documentation for this purpose, including, but not limited to, the following documents:

(1) A valid, unexpired consular identification document issued by a consulate from the applicant's country of citizenship, or a valid, unexpired passport from the applicant's country of citizenship.

(2) An original birth certificate, or other proof of age, as designated by the department.

(3) A home utility bill, lease or rental agreement, or other proof of California residence, as designated by the department.

(4) The following documents, which, if in a language other than English, shall be accompanied by a certified translation or an affidavit of translation into English:

(A) A marriage license or divorce certificate.

(B) A foreign federal electoral photo card issued on or after January 1, 1991.

(C) A foreign driver's license.

(5) A United States Department of Homeland Security Form I-589, Application for Asylum and for Withholding of Removal.

(6) An official school or college transcript that includes the applicant's date of birth, or a foreign school record that is sealed and includes a photograph of the applicant at the age the record was issued.

(7) A United States Department of Homeland Security Form I-20 or Form DS-2019.

(8) A deed or title to real property.

(9) A property tax bill or statement issued within the previous 12 months.

(10) An income tax return.

(d) (1) A license issued pursuant to this section, including a temporary license issued pursuant to Section 12506, shall include a recognizable feature on the front of the card, such as the letters "DP" instead of, and in the same font size as, the letters "DL," with no other distinguishable feature.

(2) The license shall bear the following notice: "This card is not acceptable for official federal purposes. This license is issued only as a license to drive a motor vehicle. It does not establish eligibility for employment, voter registration, or public benefits."

(3) The notice described in paragraph (2) shall be in lieu of the notice provided in Section 12800.5.

(e) If the United States Department of Homeland Security determines a license issued pursuant to this section does not satisfy the requirements of Section 37.71 of Title 6 of the Code of Federal Regulations, adopted pursuant to paragraph (11) of subdivision (d) of Section 202 of the Real ID Act of 2005 (Public Law 109-13), the department shall modify the license only to the extent necessary to satisfy the requirements of that section.

(f) Notwithstanding Section 40300 or any other law, a peace officer shall not detain or arrest a person solely on the belief that the person is an unlicensed driver, unless the officer has reasonable cause to believe the person driving is under 16 years of age.

(g) The inability to obtain a driver's license pursuant to this section does not abrogate or diminish in any respect the legal requirement of every driver

in this state to obey the motor vehicle laws of this state, including laws with respect to licensing, motor vehicle registration, and financial responsibility.

(h) It shall be a violation of law, including, but not limited to, a violation of the Unruh Civil Rights Act (Section 51 of the Civil Code), to discriminate against an individual because he or she holds or presents a license issued under this section.

(i) Information collected pursuant to this section is not a public record and shall not be disclosed by the department, except as required by law.

(j) A license issued pursuant to this section shall not be used to consider an individual's citizenship or immigration status as a basis for a criminal investigation, arrest, or detention.

(k) On or before January 1, 2018, the California Research Bureau shall compile and submit to the Legislature and the Governor a report of any violations of subdivisions (h) and (j). Information pertaining to any specific individual shall not be provided in the report.

(l) In addition to the fees required by Section 14900, a person applying for an original license pursuant to this section may be required to pay an additional fee determined by the department that is sufficient to offset the reasonable administrative costs of implementing the provisions of the act that added this section. If this additional fee is assessed, it shall only apply until June 30, 2017.

(m) This section shall become operative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner.

(n) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 16. Section 12801.10 is added to the Vehicle Code, to read:

12801.10. (a) Nothing in Section 1653.5, 12800, 12801, 12801.5, or 12801.9 authorizes an individual to apply for, or be issued, a commercial driver's license without the submission of his or her social security account number upon application.

(b) This section shall become operative on January 1, 2015, or on the date that the director executes a declaration pursuant to Section 12801.11, whichever is sooner.

(c) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

SEC. 17. Section 12801.11 is added to the Vehicle Code, to read:

12801.11. (a) If the director determines that the department is prepared to begin issuing driver's licenses pursuant to Section 12801.9 on a date sooner than January 1, 2015, the director shall execute a declaration stating that determination and date and, within five business days, provide a copy

of that declaration to the appropriate fiscal and policy committees of the Legislature and to the Governor, and shall post this information on its Internet Web site.

(b) This section shall become inoperative on the effective date of a final judicial determination made by any court of appellate jurisdiction that any provision of the act that added this section, or its application, either in whole or in part, is enjoined, found unconstitutional, or held invalid for any reason. The department shall post this information on its Internet Web site.

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San Joaquin County Election Advisory Committee (EAC)

RULE 1: Role of Appointed Alternates at EAC Meetings

- I. **Purpose:** This document is authored to provide the meeting protocols for the five EAC alternates appointed by the Board of Supervisors (BOS). This Rule shall supplement the EAC Comprehensive Plan for Formation (EAC Plan).
- II. **Background:** Pursuant to the EAC Plan, which was approved by the BOS on April 11, 2023, each BOS member appoints a primary member and an alternate to the EAC to represent the respective BOS member and their supervisorial district. The five appointed alternates are expected to attend all EAC meetings as scheduled. Beyond attendance, the EAC plan is silent on the roles of the appointed alternates at the EAC meetings.
- III. **Guidelines:**
 - A. Participation at EAC meetings in the role as alternate when the primary EAC member is *present*:
 1. The alternate shall have no voting rights at the EAC meetings.
 2. The alternate may provide comments and/or participate in discussions related to agenda items as facilitated by the EAC Chair (“Chair”).
 3. The alternate may participate in public comment if compelled to do so.
 - B. Participation at EAC meetings when the primary EAC member is *absent*:
 1. In the absence of the primary EAC member for whom such person is the appointed alternate, the alternate shall participate in the EAC meeting, and only said meeting, on behalf of the primary member.
 - a) Under such circumstances, the alternate shall have voting rights for said meeting only.
 - b) Upon the conclusion of the scheduled meeting, with the exception of a subsequent absence, the appointed alternate resumes their role as an alternate for future EAC meetings.
 - C. In the event that neither the primary EAC member nor the appointed alternate attends a scheduled EAC meeting, the seat will remain vacant for said meeting. An alternate appointed on behalf of another BOS member/supervisorial district shall not participate in the meeting on behalf of another BOS member/supervisorial district for which he was not appointed.
 - D. Upon the occurrence of a vacancy created by the primary EAC member, the appointed alternate shall fill the vacancy by assuming the roles/duties of the



former EAC member at all future meetings for the remainder of the unexpired term.

1. The Chair will notify the County Staff assigned to the EAC of the vacancy and work with County Staff to facilitate the notification, recruitment and appointment process with the Clerk of the Board and BOS to fill the alternate and/or primary EAC member position(s) as necessary.

IV. Process:

- A. In advance of each scheduled EAC meeting, the Chair will contact all primary EAC members and alternates to confirm attendance.
 - a) In the event that an EAC member has confirmed their absence in advance of the scheduled meeting, the Chair will inform the appointed alternate of said absence.
- B. In addition to, or in lieu of the above contact by the Chair, the primary EAC members and alternates may also provide the Chair with advanced written notice (via email) of an anticipated absence.
- C. During the Roll Call portion of the scheduled EAC meeting, when necessary due to absences, the Chair will formulate a record that clarifies that the appointed alternate is serving on behalf of the absent primary EAC member for said meeting only.