STATE BOARD OF ELECTIONS

INSTRUCTIONS AND INFORMATION FOR CHALLENGERS, WATCHERS, AND OTHER ELECTION OBSERVERS

Published by:

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Issued: October 18, 2007
Reissued: April 2014

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Introduction

The mission of the State Board of Elections (SBE) is to provide all eligible citizens of the State convenient access to voter registration; provide all registered voters accessible locations in which they may exercise their right to vote; ensure uniformity of election practices; promote fair and equitable elections; and maintain registration records, *Campaign Finance Reports*, and other election-related data accurately and in a form that is accessible to the public.

One way to ensure fair and equitable elections is to conduct open and transparent elections. To facilitate openness and transparency, Maryland law permits certain individuals (called challengers or watchers) to be present in voting areas during early voting and on election day and observe the opening, voting, and closing procedures conducted by Maryland's election judges. Additionally, any individual may observe certain other election processes. This manual is for individuals who wish to observe voting during early voting or on election day and those individuals and entities that are authorized to designate individuals as challengers and watchers. This manual also describes other opportunities for the general public to observe certain election processes.

Generally, the authority of challengers and watchers is governed by Section 10-311 of the Election Law Article of the *Annotated Code of Maryland* and Chapters 33.07.07, 33.07.08, and 33.17.06 of the Code of Maryland Regulations. Refer to Appendices D and E for the statutory and regulatory provisions relevant to challengers and watchers.

Chapter 445 of the 2009 Laws of Maryland establishes early voting in Maryland. Under this law, voters are able to vote in person at any early voting location in the county where the voter resides. This law also specifies that all provisions of the Election Law Article that relate to election day voting also apply to early voting. As a result, the rights and prohibitions relating to challengers and watchers on election day apply during early voting.

For the purposes of this manual, the term "polling place" means either an early voting center or an election day polling place.

Part I: General Information

1. Can I observe the voting process?

Section 10-311 of the Election Law Article permits certain individuals to enter a polling place. Any individual can enter a polling place to challenge the right of any other individual to vote. To *remain* in a polling place and observe the voting process, you must be a registered voter in Maryland and be designated as a challenger and watcher. If you are not designated as a challenger and watcher, you are considered a non-accredited challenger and watcher and may not remain in a polling place to observe the voting process.

2. Who can designate me to be a challenger and watcher?

One of the following individuals or entities may designate you as a challenger and watcher:

1. SBE for any polling place in the State;
2. A local board of elections for any polling place located in the county of the local board;
3. Candidate, including a write-in candidate who has filed a *Certificate of Candidacy*;
4. Recognized political party; or
5. Any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot. (To be eligible to designate challengers and watchers, the group of voters must form a political committee under Section 13-207 of the Election Law Article.)

The individual or entity who designates you as a challenger and watcher can revoke the designation at any time.

If you wish SBE to designate you or members of your organization as a challenger and watcher, you must submit your request in writing and your request must identify early voting centers or polling places in more than one county. You will be required to read this manual and may be required to attend a brief training session. You are strongly encouraged to submit your request **at least** one month before the election in which you wish to be designated.

3. How do I become an accredited challenger and watcher?

First, you must be a registered voter in Maryland. Only Maryland registered voters can be accredited challengers and watchers.

Second, you must have a *Challenger and Watcher Certificate*. A candidate or representative of an entity authorized to designate you as a challenger and watcher must sign the *Challenger and Watcher Certificate* and give it to you. With this signed certificate, you are considered an accredited challenger and watcher. *See* Appendix A for the *Challenger and Watcher Certificate*. You **must** have this certificate with you when you are acting as an accredited challenger and watcher.

Your *Challenger and Watcher Certificate* does not need an original signature; the designating individual or representative of the designating entity may sign one certificate, make copies of the signed certificate, and complete the certificates for the registered voters the individual or entity will be designating as challengers and watchers. Please obtain or ask the designating entity to give you extra copies of your *Certificate* so that you can give the election judges a copy of your *Certificate* when you visit a polling place.

You are encouraged to attend an election judges' training class. By attending this class, you will understand the responsibilities of election judges (also called pollworkers) and what to expect during early voting and on election day. Please contact your local board of elections and ask about observing a class. The local board may:

1. Limit the number of observers for a particular training based on the available space;
2. Designate where you are allowed to sit or stand during the training so that your presence is not disruptive to the trainer or election judges;
3. Prohibit your physical access to all election-related equipment and materials;
4. Prohibit you from asking questions before or during training but allow questions after training;
5. Prohibit you from making audio or video recordings during all or part of the training session; and
6. Tell you to leave if your behavior is disruptive for either the trainer or election judges.

4. What do election judges do and who is in charge of the polling place?

Election judges are the individuals responsible for running the polling places. Most polling places have four kinds of election judges:

1. *Chief judges* – There are two chief judges (one registered Democrat and one registered Republican) in each polling place. The chief judges are the supervisors of each polling place and oversee all polling place activities.
2. *Check-in judges* – These judges are responsible for verifying each voter who arrives to vote.
3. *Voting unit judges* – These judges escort voters to available voting units and answer questions about voting on the voting unit.

4. *Provisional judges* – These judges administer provisional voting. In some polling places, the chief judges may also serve as provisional judges.

If you have a question while you are at a polling place, direct all questions to the chief judges. The chief judges are your sole point of contact in the polling place; do not ask other election judges questions.

Part II: Information for Individuals and Entities Designating Challengers and Watchers

5. Why should I or my organization designate individuals as challengers and watchers?

You may wish to designate individuals as challengers and watchers if you want your representatives to:

1. Be present in the polling place and observe the opening, voting, and closing procedures during early voting or on election day;
2. Report who has voted during early voting or on election day[1]; or
3. On election day, provide you with election results from precincts where you have a designated challenger and watcher.

Challengers and watchers **cannot** act as voter advocates or attempt to exercise political influence while in the polling place. This is **not** the role of a challenger or watcher, and they will be removed from the polling place if they engage in these or any other prohibited activities.

6. What should I do before designating an individual as a challenger or watcher?

Before designating individuals as challengers or watchers, you should:

1. Read this manual and understand the role of challengers and watchers;
2. Contact the local boards of elections where you intend to have challengers and watchers and schedule their attendance at election judges' training. If you intend to have a large scale program, contact SBE for training;
3. If you intend to distribute a manual or written instructions to your designated challengers and watchers, submit a draft of the manual or instructions to SBE for review and comment before designating any challenger and watcher;
4. Not provide information to your designated challengers and watchers that conflicts with any information in this manual; and
5. Verify that the individual or individuals you intend to designate as challengers and watchers are registered Maryland voters.

It is not necessary that each *Challenger and Watcher Certificate* have an original signature. You may sign one certificate, make copies of the signed certificate, and complete the certificates for the registered voters you will be designating as challengers and watchers. An incomplete certificate may not be accepted by the election judges.

7. Who should sign the *Challenger and Watcher Certificate*?

If a candidate is designating challengers and watchers, the candidate should sign the *Challenger and Watcher Certificate*. If a political party or other group of voters is designating challengers and watchers, the *Certificate* should be signed by an officer, the executive director of the entity, or other person authorized to

[1] You may purchase from SBE a list of voters who have voted during early voting. To purchase this list, visit www.elections.maryland.gov/pdf/sbeappl.pdf, and complete and submit the form with the required fee.

sign a document on behalf of the entity. (The chairman or treasurer of a political committee formed by a group of voters supporting or opposing a candidate, principle, or proposition on the ballot can sign the certificate.)

You should give your challengers and watchers extra copies of the *Certificates* so that challengers and watchers can give the election judges a copy of their *Certificate* when they visit a polling place.

8. Can I designate more than one challenger and watcher for the same polling place?

Yes. More than one challenger and watcher may be assigned to the same polling place. Typically, however, an individual or organization should not designate more challengers and watchers than the number of check-in judges in that polling place. Election judges can limit the number of challengers and watchers to ensure the orderly flow of election business.

9. Should I notify the local board(s) of election that I will be designating challengers and watchers?

Yes. You must provide the local board(s) of elections with either copies of completed *Challenger and Watcher Certificates* or a list of the individuals you have designated to serve as challengers and watchers and the polling places to which they have been assigned.

Part III: During Early Voting and on Election Day

10. What are my rights as an accredited challenger and watcher?

You have the right to:

1. Enter the polling place at least 30 minutes before voting can begin[2] (If you arrive less than 30 minutes before voting starts, you will not be permitted to enter until voting starts);
2. Enter or be present at the polling place at any time during voting hours;
3. Remain in the polling place until all post-voting tasks have been completed and the election judges leave the polling place;
4. Maintain a list of registered voters who have voted or individuals who have cast provisional ballots; and
5. Enter and leave a polling place to take outside information identifying who has voted.

You should be respectful of the responsibilities of the election judges. As an accredited challenger and watcher, you have certain rights, and election judges are required to protect you when you are exercising these rights. The requirement that the election judges protect your rights, however, is not absolute. An election judge may remove you if you are exercising your rights in a manner that interferes with the work of the election judges in conducting the election and carrying out their assigned tasks.

11. What should I do when I arrive at a polling place?

You should introduce yourself to the chief judges and show them your *Challenger and Watcher Certificate*. If you have an extra copy of your *Certificate*, give the chief judges a copy. If you do not have an extra copy, present your *Certificate* to the chief judges so that they can record your information in their log. You may also be asked for identification.

If an election judge questions your accreditation as a challenger and watcher, you may remain in the

[2] During early voting, voting starts at 10:00 am. On election day, voting starts at 7:00 am.

polling place while one of the chief judges contacts the local board of elections.

12. What am I permitted to do in a polling place?

a. Before the polls open

If you wish to observe the election judges performing their election morning activities, you **must** be at the polling place at least 30 minutes before voting starts. (If you arrive less than 30 minutes before voting starts, the election judges will not let you into the polling place to observe the election morning activities and you must wait until the polls open to enter.) During this time, the election judges will be setting up the electronic pollbooks[3], posting polling place signs, accounting for provisional ballots, and opening and preparing the voting units for voting.

To facilitate your observation, election judges will read aloud the seal number and tamper tape number for each voting unit and verbally verify that the numbers match the numbers pre-recorded on the opening certificate. This enables you to record the seal and tamper tape numbers without delaying the election judges.

On the first day of early voting and on election day, accompanied by a chief judge or another election judge designated by the chief judges, you may:

1. Observe the election judges printing the Zero Report;
2. Review (but do not touch) the Zero Report signed by the election judges;
3. Verify that new tamper tape has been applied; and
4. Verify that no voters have been checked in on the electronic pollbooks.

Keep in mind that, while you may look, you may **not** touch any election documents or equipment.

While you are permitted to observe the opening of the polls, it is important that you do not interfere with the work of the election judges. You may be removed from the polling place if a majority of the election judges in the polling place agree that your presence will prevent the timely opening of the polls.

b. During voting hours

During voting hours, you must be positioned near the check-in judges and inside the voting room so that you can see and hear each person as he or she checks in to vote. The chief judges will determine where you will be positioned; they will ensure that you can see and hear voters as they check in to vote and that the voting room is efficiently managed. They are NOT required to place you directly behind the check-in table or where you can see the screen of the electronic pollbooks. As long as you can see and hear voters check in to vote, your location is acceptable.

If you do not believe that a voter is who he or she claims to be, you may challenge the voter's identity. Refer to Question #18 for more information about the challenge process.

Periodically throughout the day, you may ask one of the chief judges to:

1. Accompany you to voting units not currently being used by voters to verify the tamper tape and public counter; and
2. Allow you to see the *number* of voters who have been checked in to vote (located at the

[3] An electronic pollbook is an electronic tablet-like device that holds the State's list of registered voters and is used by check-in judges to check-in voters as they appear to vote.

bottom, center of the look-up screen).

While the chief judges must accommodate your request, they have the sole discretion to determine when this occurs. When making your requests, consider how busy the polling place is. During peak voting times, a chief judge will most likely not accommodate your request; ask to verify information during non-peak voting times when there is limited or no voting activity.

Except as described above, you **cannot** move about the polling place during voting hours. You must stay near the check-in judges when you are in the voting room. You are also prohibited from attempting to:

1. Determine how a voter voted or intends to vote;
2. Talk in the polling place with any voter;
3. Assist any voter in voting; or
4. Physically handle an original election document or election equipment.

If you wish to talk with a voter, you must do so outside the polling place **and** outside the "no electioneering" zone. If a voter initiates contact with you inside the polling place or within the "no electioneering" zone, advise the voter that you, as a challenger and watcher, are prohibited from talking to him or her inside the polling place and refer the voter to an election judge.

Remember, you may be removed if you are interfering with the election process.

c. After the polls close

If you wish to observe the poll closing activities, you **must** be in the polling place before the polls close.[4] If you are not in the polling place when the polls close, the election judges are not required to admit you into the polling place until the results have been printed from each voting unit and posted. (Election results will **not** be printed during early voting.)

The election judges will not begin the end of day procedures on the voting units until the last voter in line at 8:00 pm has voted. All voters in line at 8:00 pm are allowed to vote, even if they do not cast a vote until after 8:00 pm

To facilitate your observation, election judges will orally verify that the numbers on the tamper tape match the numbers recorded earlier in the day and will read aloud the tamper tape and seal numbers placed on the voting units so that you may record the seal and tamper tape numbers without delaying the election judges. You may also record the number of voters in the precinct (on election day) or early voting center (during early voting) who are recorded on the electronic pollbooks as having been checked in to vote.

When accompanied by a chief judge or an election judge designated by a chief judge, you may also on election day:

1. Observe the election judges printing the Totals Report;
2. Review (but do not touch) the Totals Report signed by the election judges; and
3. Verify that new tamper tape has been applied and seal affixed to outside of the unit.

Keep in mind that, while you may look, you **cannot** touch any election documents or equipment.

On election day, if the chief judges move a voting unit to another room in the polling place to transmit unofficial election results to the local board of elections, you have the right to accompany the chief judges and observe the transmission process. After the results have been transmitted by modem, the voting unit

[4] During early voting, polls close at 8:00 pm. On election day, polls close at 8:00 pm.

will be returned to the voting room and another Totals Report will be printed from the unit and posted with the first Totals Report. This second printing demonstrates that the results did not change when the voting unit left the voting room.

13. What am I prohibited from doing as a challenger or watcher?

You are generally prohibited from interfering with the work of the election judges in conducting the election and performing their assigned tasks. Election judges are required to keep the peace and can order the arrest of any person who violates any provision of State election law and interferes with their work.

In addition to the prohibited activities listed under #12(b), you **cannot** use cameras and electronic devices, such as cell phones, pagers, laptops, and PDAs (*e.g.*, Blackberries), in the polling place. You must be outside the polling place and the "no electioneering" zone to use any electronic device. You **cannot** act as voter advocates or attempt to exercise political influence while in the polling place. This is **not** the role of a challenger or watcher, and if you do this, you will be removed from the polling place.

Lastly, you **cannot** bring any political materials, newspapers, or news magazines into the polling place or wear anything with a political message. This includes buttons, shirts, hats, stickers, and the like.

14. What can I bring with me to the polling place?

You must bring your signed *Challenger and Watcher Certificate* (including a copy to give to the chief judges), identification, and this manual. You can also bring with you paper, pen, folding chair, and food. (There may not be an extra chair for you at the polling place.)

15. What if I see an election judge do something improper or neglect to perform a required task?

As a challenger and watcher, you do **not** have the right to challenge an act of an election judge. If, however, you are certain that an election judge either improperly performed a task or neglected to perform a required task, you should notify the local board of elections or follow the instructions provided by the individual or entity who designated you as a challenger and watcher. *See* Appendix E for contact information for the local boards of elections. Remember, even if you observed an election judges' training class, you may not have all of the same information provided to the election judges or you may be relying on outdated information.

16. I do not have a *Challenger and Watcher Certificate*. What can I do on election day?

If you do not have a *Challenger and Watcher Certificate*, you are considered a "nonaccredited challenger and watcher." Nonaccredited challengers and watchers are permitted in a polling place for one purpose – to challenge an individual voter's right to vote. The **only** ground on which a challenge can be made is a challenge to the voter's identity (*i.e.*, that the voter is not who he or she says he or she is). Once the challenged voter shows ID or you and the challenged voter complete the required paperwork, you must leave the polling place. Refer to Question #18 for information on how to make a challenge.

You do **not** have the right to challenge an act of an election judge. Refer to Question #15 for information on what to do if you are certain that an election judge either improperly performed a task or neglected to perform a required task.

17. On what grounds can I challenge a voter?

You may challenge a voter **only** if you have a reasonable basis for asserting that the voter is not who he or she claims to be. You cannot challenge a voter because you believe that he or she must vote by

provisional ballot, that an election judge made a mistake when checking in a voter, or that the voter has moved or is ineligible to vote due to a criminal conviction. Additionally, you cannot challenge a voter based on the voter's race, ethnicity, or national origin.

18. What can I do if I believe a voter is not whom he or she claims to be?

You may challenge a voter's identity **only** if you have a reasonable basis for asserting that a voter is not whom he or she claims to be. Because you may be required to sign a statement under penalty of perjury, your challenge to a voter's identity **must** be made in good faith. You **cannot** arbitrarily challenge voters; doing so may violate federal or state law.

If you wish to make a challenge, you must notify an election judge that you wish to make a challenge **before** the voter has been issued a voter authority card[5], voter access card[6], or provisional ballot. Once you have notified an election judge of your challenge, the election judge will ask the challenged voter to provide identification. The acceptable forms of ID are:

1. Voter registration card;
2. Social Security card;
3. Valid Maryland driver's license or MVA-issued ID card;
4. Any ID card issued by any unit of federal, State, or local (county or municipal) government;
5. Any employee ID card with the individual's photo and issued to the individual in the ordinary course of the employer's business; or
6. A copy of a current bill, bank statement, government check, paycheck, or other government document that shows the individual's name and current address.

If the individual presents one of the forms of ID listed above, the election judge must let the voter complete the check in process and vote. If the individual does not present one of the forms of ID, the chief judge will:

1. Require you to provide, in writing and under penalty of perjury, the reason for the challenge (see Appendix B for the *Affidavit for Challenger and Challenged Voter*);
2. Offer the challenged voter the opportunity to cast a provisional ballot and submit a signed statement, witnessed by the election judge, of his or her identity; and
3. Submit to the local board of elections the provisional ballot and other materials related to the challenge.

During the provisional ballot canvass (held on the second Wednesday after the election), the local board of canvassers will determine, based on the information submitted by you and the challenged voter, whether the voter is whom he or she claims to be and is otherwise qualified to vote.

19. Can a polling place open if the election judges represent only one political party?

Yes. Under advice from the Attorney General, the election judges present must open the polling place by the required time, even if there are election judges of only one political party.

20. Can I stand within the "no electioneering" zone?

No. When you leave the polling room, you may not linger in the "no electioneering" zone.

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[5] A voter authority card is the slip of paper printed by the printer attached to the electronic pollbook. The voter confirms the information printed on the voter authority card (*e.g.*, name, address, date of birth) and signs the card.

[6] A voter access card is the card that enables voters to vote on a touchscreen voting unit. A check-in judge inserts it into the electronic pollbook, which programs the voter's correct ballot style on the voter access card.

For most polling places, the 100 foot zone is measured from the entrance and exit of the building (not the voting room) that is closest to the part of the building in which voting occurs. If an early voting center is located in a multiuse facility, the “no electioneering” zone is 100 feet from the space where early voting is being conducted. In Montgomery County, the “no electioneering” zone may be located anywhere between 25 feet and 100 feet from the entrance and exit of the building.

Part IV: Other Opportunities for Public Observation

Throughout the election process, there are several opportunities for the public to observe the election process. In addition to serving as a challenger and watcher on election day, any individual may observe the following:

1. Pre-election demonstration of voting system and parallel testing;
2. Return of supplies on election night;
3. Counting of provisional and absentee ballots; and
4. Verification of vote count and certification of election.

All of these events are open to the public but are subject to certain restrictions. You do not need a form signed by a candidate or political party to observe these events.

Pre-Election Demonstration of Voting System and Parallel Testing

Each local board of elections is required to conduct a pre-election demonstration of the Logic and Accuracy testing and parallel testing on the voting system and allow the public to inspect the printouts of the test results of the Logic and Accuracy testing. You should contact the local board of elections for the location and time of pre-election demonstration of Logic and Accuracy testing**.**

Logic and Accuracy (L & A) testing is the process by which voting equipment is configured, tested and certified for accuracy prior to an election. Each component is tested to verify that it is fully functional, accurately counts and records votes, and free from mechanical problems and that each voting unit contains the appropriate ballot styles for its designated polling place. L & A testing includes multiple phases:

1. Each voting unit (both touchscreen and optical scan) is prepared and configured. The correct ballot styles are downloaded to the touchscreen voting units to be used in that election.
2. On the touchscreen voting units, votes are cast on each voting unit. The number of votes cast on each unit exceeds the expected number of voters that will use the voting unit during early voting or on election day. On the optical scan units, test ballots are scanned, and the results printed from the unit are compared with the expected results. This ensures that both the touchscreen and optical scan units are recording votes accurately.
3. These test votes are counted by each voting unit as well as the central tabulating computer. This ensures complete accuracy throughout the entire voting and vote counting process.
4. All test votes are cleared, and the voting units are locked, sealed and secured ready to be used in the election.

Parallel testing is a method of testing an electronic voting unit by producing an independent set of results that can be compared against the results produced by the voting unit and is cited as a best practice by election administration and computer experts. This kind of testing confirms the accuracy of the voting unit in recording and tabulating votes.

During parallel testing, two individuals read aloud the votes cast on 50 paper ballots. Two people separately hand-tally the votes cast on paper, and two people cast the votes on a touchscreen voting unit. The teams periodically check to ensure that the two hand-tallies match and that the number of ballots cast match. At the conclusion of parallel testing, the two sets of hand-tallies are compared to the results generated by the voting unit. The hand-tallies and the voting unit totals should match.

Return of Supplies on Election Night

You may also observe the return of polling place supplies on election night at the local board of elections' designated location. Supplies may be returned to a central location in the county or a regional site. As the local boards of election have the option of creating regional sites, you should contact the local board of elections where you wish to observe the return of supplies to find out where the supplies are being returned election night.

Depending on the process for returning supplies and available space, you may be required to stand in a designated area. While you may observe this process, you are not permitted to touch any election document or equipment. You should direct all questions about the return of supplies to the local board of elections.

Counting of Provisional and Absentee Ballots

The local boards of canvassers meet in public session after each election to count provisional and absentee ballots. There are three canvasses – two for absentee ballots and one for provisional ballots, and they are held:

Absentee 1 Canvass	1st Thursday after election
Provisional Canvass	2nd Wednesday after election
Absentee 2 Canvass	2nd Friday after election

You should contact the local board of elections for the location and time of each canvass.

The absentee and provisional canvasses are open to the public. You may observe all sessions of the canvassing board, including observing the canvassing teams review and open absentee ballot envelopes and open provisional ballot applications. You may position yourself near the canvassing teams so that you may observe their review of envelopes and applications but are prohibited from trying to ascertain how a voter voted or physically handling an original election document. You must direct all questions concerning the canvass process to the Election Director or the individual organizing the canvass.

If you wish to challenge a decision of the canvassing board, ask the Election Director or the individual organizing the canvass for the *Canvass Challenge Form*. (See Appendix C for the *Canvass Challenge Form*.) Complete this form and give it to the Election Director or individual in charge of the canvass who will put the completed form with the ballot(s) and related documents and set them aside for consideration by the local board of canvassers. You may only challenge a decision at the canvass at which the ballot was accepted or rejected.

The board's counsel must be present before the local board of canvassers may make a decision on the challenge. If the board's counsel is not available when you present the challenge, the board must delay any decision until counsel is present. With counsel present, the board will decide whether to accept or reject the ballot(s) in question. (To reject a ballot, the vote must be unanimous.) If the board votes to accept the challenged ballot(s), the ballot will be separated from other ballots and counted on a separate memory card.

Verification of Vote Count and Certification of Election Results

Before certifying an election, each local board of canvassers verifies the vote count. After verifying the vote count, the members of the local boards of canvassers certify that the election results are accurate and that the vote has been verified. This verification and certification generally take place at the conclusion of the second absentee ballot canvass.

Appendix A: *Challenger and Watcher Certificate*

Part I – Instructions and Information

Instructions to Designating Candidate or Entity: You may designate a Maryland registered voter as a challenger and watcher if you are: (a) a candidate; (b) a political party; or (c) any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot. *(To be eligible, the group of voters must form a political committee under section 13-207 of the Election Law Article.)*

Before designating any individuals, please read the State Board of Elections' *Instructions and Information for Challengers, Watchers, and Other Election Observers* (available at www.elections.maryland.gov/get_involved/index.html). Please provide the State Board's instructions to any individual you designated as a challenger and watcher.

Instructions to Challenger and Watcher: Please read the State Board of Elections' *Instructions and Information for Challengers, Watchers, and Other Election Observers* (available from your designating candidate or entity or at the website listed above). You **must** have this certificate when you are acting as a challenger or watcher; you will not be permitted to remain in the voting area without a signed certificate. Give an extra copy of this signed certificate to the election judges when you arrive at an early voting center or polling place.

As a challenger and watcher, you have the right to:

- Enter the voting area at least (but no later than) 30 minutes before voting hours begin;
- Enter or be present in the voting area at any time during voting hours;
- Remain in the voting area until all post-voting tasks have been completed and the election judges leave the voting area;
- Maintain a list of registered voters who have cast a ballot or individuals who have cast provisional ballots;
- Enter and leave the voting area to take outside information that identifies individuals who have cast ballots; and
- Be positioned near the election judges so that you may see and hear each voter as the voter checks in to vote.

You **cannot** attempt to: (a) determine how a voter voted or intends to vote; (b) talk with any voter in the voting area; (c) assist any voter in voting; or (d) physically handle an original election document or equipment.

You may be removed by an election judge if you do not follow an election judge's order or attempt a prohibited act.

Part II – Certificate Designating Challenger and Watcher

I/We certify that _____ has designated _____, a
Name of Designating Candidate or Entity — Name of Challenger/Watcher

registered voter, to act as a challenger or watcher for the ○ 20__ Primary Election OR ○ 20__ General Election.
(check only one)

This individual will act in this capacity ○ on election day (complete Part A) and/or ○ during early voting (complete Part B).
(check all that apply)

Part A: I/We designate this individual as a Challenger or Watcher for the following precinct(s) on election day:

District/Precinct or Ward/Precinct	Name of County or Baltimore City

Part B: I/We designate this individual as a Challenger or Watcher on the following days and at the following early voting locations:

Early Voting Dates	Name of Early Voting Location	Name of County or Baltimore City

_____ Signature of Designating Candidate or Officer of Designating Entity
_____ Office Sought by Candidate
_____ Date

Appendix B: *Affidavit for Challenger and Challenged Voter*

Under § 10-312 of the Election Law Article, an individual may challenge another individual's right to vote on the basis of the individual's identity. If the challenged voter is unable to present one of the required forms of identification, the challenger must complete Part I of this form, and the challenged voter must complete Part II. A chief judge must witness the challenger and the challenged voter signing the affidavit and may provide additional information in Part III.

Part I: Affidavit by Challenger

Name of Challenger:_____

Street Address: _____

City _____ State _____ Zip _____

Telephone Number _____ Date of Birth _____

Name of voter whose identity is being challenged: _____

Why do you believe that the voter named above is not whom he or she claims to be? Be specific.:

_____

_____

I do solemnly swear or affirm under penalties of perjury that the information provided in this affidavit is true.

_____ _____
Signature of Challenger Date

Witnessed by: _____ _____
Name of Chief Judge (please print) Signature of Chief Judge

Part II: Affidavit of Challenged Voter

Name of Voter: _____ Date of Birth: _____

Provide any information that would help the local board of canvassers in making a determination about this challenge:

_____

_____

_____

I do solemnly swear or affirm under penalties of perjury that I am the voter whose name appears above.

_____ _____
Signature of Voter Date

Witnessed by: _____ _____
Name of Chief Judge (please print) Signature of Chief Judge

Part III: Chief Judge Section Only – If you have any information that would be helpful to the local board of canvassers in making a determination about this challenge, please provide in the space below.

_____

_____

Appendix C: *Canvass Challenge Form*

Instructions: State regulations permit an individual to challenge an action of a local board of canvassers or whether the canvassing teams or local board of canvassers are handling ballots according to established procedures. If you wish to challenge a decision to accept or reject an absentee or provisional ballot, notify the Election Director or his or her designee, complete this form, and return it to the Election Director or his or her designee. You may only challenge a decision during the canvass at which the ballot was accepted or rejected.

Once you submit this completed form, the ballot(s) being challenged and related documents (oath and envelope if an absentee ballot or provisional ballot application if a provisional ballot) will be put aside for consideration by the local board of canvassers. The local board will review the information on this form to decide whether to change its decision to accept or reject the ballot(s) in question. All challenged ballots will be separated from other ballots. If the local board affirms its acceptance of the ballot(s), the ballot(s) will be counted on a separate memory card.

Date _____

Part 1 – Completed by challenger

○ Challenge of absentee ballot(s) ○ Challenge of provisional ballot(s)

Name of Organization (if applicable) _____

Last Name _____ First _____ Middle _____

Street Address _____ Apt _____

City _____ State _____ Zip _____

Phone Number _____ Email address _____

Number or description of ballots being challenged: _____

_____

Reason for Challenge _____

_____

_____

_____

_____

_____

_____

Signature _____

Part 2 – Completed by election director or designee Challenge # _____

Number of challenged ballots _____

Number of challenged ballots accepted _____ Number of challenged ballots rejected _____

Comments _____

_____

_____

Appendix D: *Relevant Provisions of the Election Law Article of the Annotated Code of Maryland*

§ 10-301.1 Early voting and early voting centers.

(g) Except as expressly provided in this section, any provision of this article that applies to voting on election day also applies to early voting.

§ 10–303 Authority and duties of election judges.

(a) Under the supervision of a chief judge, an election judge shall:

(1) carry out the tasks assigned by the local board, including those set forth in any election judge instruction manual developed in accordance with § 10-206 of this title, during the period of time that begins before the election through the close of the polls and the return of materials to the local board; and

(2) take measures throughout election day to assure that:

(i) each voter's right to cast a ballot in privacy is maintained;

(ii) the integrity of the voting process is preserved;

(iii) the accuracy of the counting process is protected;

(iv) order in the polling place is maintained; and

(v) all election laws are observed.

(b) While serving as an election judge on an election day, an election judge shall wear a badge that:

(1) is in plain view;

(2) identifies the person as an election judge; and

(3) identifies the person by name and by the ward and precinct or election district for which the person is an election judge.

(c) An election judge shall:

(1) keep the peace; and

(2) order the arrest of any person who:

(i) breaches the peace;

(ii) breaches any provision of this article; or

(iii) interferes with the work of the judges in conducting the election and carrying out their assigned tasks.

(d) (1) An election judge shall protect a challenger or watcher in the exercise of the rights of a challenger or watcher as provided in § 10-311 of this subtitle.

(2) (i) An election judge is not required to admit a challenger or watcher to a polling place before the polls open if the challenger or watcher was not present at the polling place at least one-half hour before its opening.

(ii) An election judge may require challengers and watchers to leave a polling place before it opens if a majority of the election judges present agrees that the presence of the challengers and watchers will prevent the timely opening of the polling place.

(3) An election judge shall designate reasonable times for challengers and watchers to examine polling lists.

§ 10–304 Duties of police officers.

(a) (1) A police officer who is on duty at a polling place shall obey the order of an election judge for that polling place.

(2) A police officer making an arrest under an order of an election judge is fully protected in so doing as if the police officer received a valid warrant to make the arrest.

(b) A police officer who is on duty at a polling place shall protect a challenger or watcher in the discharge of the duties of the challenger or watcher.

§ 10–308 Access to voting room.

(a) An election judge shall allow the following individuals to have access to the voting room at a polling place:

(1) a voter;

(2) an individual who accompanies a voter in need of assistance in accordance with § 10-310(c) of this subtitle;

(3) polling place staff;

(4) a member or other representative of the State Board or local board;

(5) an accredited watcher or challenger under § 10-311 of this subtitle;

(6) an individual under the age of 18 who accompanies a voter in accordance with § 10-310(c) of this subtitle, provided that:

(i) the individual is in the care of the voter and does not disrupt or interfere with normal voting procedures; and

(ii) the individual is not eligible to vote in that election; and

(7) any other individual authorized by the State Board or local board.

(b) Notwithstanding the provisions of subsection (a)(6) of this section, not more than two individuals under the age of 18 may accompany a voter in accordance with § 10-310(c) of this subtitle.

§ 10–309 Responsibilities of election judge on election day – Before the polls open.

(a) In accordance with instructions provided by the election director, an election judge shall arrive at the polling place and, under the direction of the chief judge, set up the polling place to assure that the polls will be open and operational at 7 am.

(b) Except as provided in § 10-303(d)(2)(ii) of this subtitle, an election judge shall admit an accredited challenger or watcher one-half hour before the polling place is open.

§ 10–311 Challengers and watchers.

(a) (1) The following persons or entities have the right to designate a registered voter as a challenger or a watcher at each place of registration and election:

(i) the State Board for any polling place in the State;

(ii) a local board for any polling place located in the county of the local board;

(iii) a candidate;

(iv) a political party; and

(v) any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot.

(2) A person who appoints a challenger or watcher may remove the challenger or watcher at any time.

(b) Except as provided in § 10-303(d)(2) of this subtitle and subsection (d) of this section, a challenger or watcher has the right to:

(1) enter the polling place one-half hour before the polls open;

(2) enter or be present at the polling place at any time when the polls are open;

(3) remain in the polling place until the completion of all tasks associated with the close of the polls under § 10-314 of this subtitle and the election judges leave the polling place;

(4) maintain a list of registered voters who have voted, or individuals who have cast provisional ballots, and take the list outside of the polling place; and

(5) enter and leave a polling place for the purpose of taking outside of the polling place information that identifies registered voters who have cast ballots or individuals who have cast provisional ballots.

(c) (1) (i) A certificate signed by any party or candidate shall be sufficient evidence of the right of a challenger or watcher to be present in the voting room.

(ii) The State Board shall prescribe a form that shall be supplied to the challenger or watcher by the person or entity designating the challenger or watcher.

(2) A challenger or watcher shall be positioned near the election judges and inside the voting room so that the challenger or watcher may see and hear each person as the person offers to vote.

(d) (1) A challenger or watcher may not attempt to:

(i) ascertain how a voter voted or intends to vote;

(ii) converse in the polling place with any voter;

(iii) assist any voter in voting; or

(iv) physically handle an original election document.

(2) An election judge may eject a challenger or watcher who violates the prohibitions under paragraph (1) of this subsection.

(e) (1) Except as provided in paragraphs (2) and (3) of this subsection, an election judge shall permit an individual other than an accredited challenger or watcher who desires to challenge the right to vote of any other individual to enter the polling place for that purpose.

(2) A majority of the election judges may limit the number of nonaccredited challengers and watchers allowed in the polling place at any one time for the purpose of challenging the right of an individual to vote.

(3) A nonaccredited challenger or watcher shall leave the polling place as soon as a majority of the election judges decides the right to vote of the individual challenged by the challenger or watcher.

(4) In addition to restrictions provided under this subsection, all restrictions on the actions of an accredited challenger or watcher provided under this subtitle apply to a nonaccredited challenger or watcher

§ 10–312 Challenge of an individual's right to vote.

(a) (1) The right of an individual to vote may be challenged at the polls only on the grounds of identity.

(2) An individual whose right to vote is challenged at the polls may establish the individual's identity by presenting any of the following forms of identification:

(i) the individual's voter registration card;

(ii) the individual's Social Security card;

(iii) the individual's valid Maryland driver's license;

(iv) any identification card issued to the individual by a political subdivision of the State, the State, the federal government, or any unit of a political subdivision of the State, the State, or the federal government;

(v) any employee identification card of the individual that contains a photograph of the individual and is issued by the employer of the individual in the ordinary course of the employer's business; or

(vi) a copy of a current bill, bank statement, government check, paycheck, or other government document that shows the name and current address of the individual.

(3) If an individual establishes the individual's identity under paragraph (2) of this subsection, an election judge shall authorize the individual to vote a regular ballot.

(b) A challenge to an individual's right to vote shall be made before the individual is issued a ballot or a voting authority card.

(c) If a challenge is made, and the challenged individual does not present any of the forms of identification specified under subsection (a)(2) of this section, the election judge receiving the challenge shall:

(1) require the challenger to provide in writing, under penalty of perjury, the reasons for the challenge;

(2) offer the challenged individual the opportunity to:

(i) cast a provisional ballot; and

(ii) submit an attestation, witnessed by the election judge, of the individual's identity; and

(3) submit the provisional ballot and other materials related to the challenge to the local board.

(d) During the canvass of provisional ballots, the local board shall determine, based on the information submitted by the challenger and the challenged individual, whether the challenged individual is:

(1) the registered voter he or she claims to be; and

(2) otherwise qualified to vote.

§ 10–314 Closing of the polls.

(a) (1) The local board shall provide election judges with detailed procedures for the closing of the polls, specific to the voting system used.

(2) The procedures shall include directions on:

(i) the tabulation, recording, and reporting of votes if these activities are undertaken in the polling place;

(ii) the preparation, signing, and sealing of documents and other election materials;

(iii) the security of all equipment and materials in the polling place; and

(iv) the return of equipment and materials to the local board.

(b) If election results are produced in the polling place, the election judge shall admit watchers to hear the announced results.

(c) A chief judge shall release an election judge from duty after the completion of the election judge's assigned tasks.

Appendix E: *Relevant Provisions of the Code of Maryland Regulations*

33.07.07 Challengers or Watchers

.01 Designating Entities.

A. State Board as Designating Entity. The State Board may:
   (1) Designate an individual as an accredited challenger or watcher if the individual submits a written request that includes polling places in more than one county; and
   (2) Require the individual to attend a training session, read any State Board issued information, or both.

B. Local Board as Designating Entity. A local board may:
   (1) Designate an individual as an accredited challenger or watcher if the individual submits a written request that includes polling places in its jurisdiction; and
   (2) Require the individual to attend a training session, read any State Board issued information, or both.

C. Other Designating Entities. If a designating entity other than the State board or a local board intends to distribute instructions to the individual or individuals it designates, the designating entity:
   (1) May not provide information that conflicts with the Election Law Article, Annotated Code of Maryland, Title 33 of COMAR, and other State Board issued information; and
   (2) May submit a written draft of the instructions to the State Board for review.

D. Certificate.
   (1) A designating entity shall provide each challenger or watcher it designates with a signed certificate, in the form prescribed by the State Board.
   (2) The certificate shall be signed by:
      (a) If a candidate is the designating entity, the candidate;
      (b) If a political party is the designating entity, an officer, executive director of the entity, or other person authorized to sign on behalf of the entity; or
      (c) If a group of voters is the designating entity, the chairman or treasurer of the political committee.
   (3) An original signature on the certificate is not required.
   (4) A designating entity shall provide the local board with:
      (a) Copies of completed certificates; or
      (b) A list of individuals designated as challengers and watchers.

.02 Permissive Activities of Accredited Challengers or Watchers.

A. In General. An accredited challenger or watcher may perform the activities defined in Election Law Article, §10-311(b), Annotated Code of Maryland.

B. Before Voting.
   (1) Except as provided in §B (2) of this regulation, before voting begins on election day, an accredited challenger or watcher may observe the election judges setting up the voting room, including:
      (a) Observing the election judges print voting system reports and review these reports;
      (b) Verifying the number of voters who have been checked-in and the number of votes that have been cast; and
      (c) Verifying that required security seals have been applied on the voting system.
   (2) An election judge shall not permit an accredited challenger or watcher entry to the polling place during the 30 minutes immediately before the opening of the polls.

C. During Voting Hours.
   (1) (a) The Chief Judges shall determine the location of accredited challengers or watchers in the voting room.
      (b) When determining the location of the accredited challengers and watchers in the voting room, the Chief Judges shall ensure:

(i) The accredited challenger or watcher may see and hear each person as the person offers to vote; and
(ii) The efficient management of the voting room.
(c) The Chief Judges are not required to locate the accredited challengers and watchers directly behind the check-in table or in a position where they can directly view the electronic pollbook.
(2) During voting hours, an accredited challenger or watcher shall, accompanied by a Chief Judge and at a convenient time for the election judges:
(a) Verify the security seals on voting units to which voters have not been assigned; and
(b) Verify the number of voters who have been checked in to vote.

D. After Voting.
(1) To observe the post-voting hours procedures, an accredited challenger or watcher shall be in the polling place before voting hours end.
(2) During this time, an accredited challenger or watcher may:
(a) Observe the election judges print voting system reports and review these reports;
(b) Verify that required security seals have been applied on the voting system; and
(c) Observe the transmission by modem of election results if the local board has instructed the Chief Judges to perform this task.

.03 Prohibited Acts of Challengers or Watchers.

A. Prohibited Acts. A challenger or watcher may not:
(1) Perform or attempt to perform the activities defined in Election Law Article, §10-311(d), Annotated Code of Maryland;
(2) Bring into a polling place any device listed in COMAR 33.07.04.02 or political materials, newspapers, or news magazines;
(3) Wear clothing or accessories with a political message;
(4) Act or attempt to act as an advocate for one or more voters;
(5) Exercise or attempt to exercise political influence while in a polling place;
(6) Communicate or attempt to communicate with a voter while inside a polling place or within the electioneering boundary defined in Election Law Article, §16-206(b), Annotated Code of Maryland; or
(7) Challenge or attempt to challenge an act of an election judge.

B. Removal. A challenger or watcher may be removed by an election judge if the challenger or watcher is interfering with the work of the election judges.

.04 Election Judges.

Election judges shall:
A. Protect a challenger or watcher in the exercise of the rights of a challenger or watcher; and
B. If an accredited challenger or watcher arrives at least 30 minutes before a polling place opens, admit the accredited challenger or watcher upon arrival.

33.07.08 Challenging Voters

.01 Scope.

This chapter applies to accredited and non-accredited challengers or watchers.

.02 Grounds for Challenge.

A challenger may challenge an individual's right to vote only if the challenger has a reasonable basis for asserting that the individual seeking to vote is not the registered voter that the individual claims to be.

.03 Challenge Record.

A. In General. If a challenge is made to a voter's identity and the challenged individual does not present any of the forms of identification specified in Election Law Article, §10-312(a)(2), Annotated Code of Maryland, the Chief Judge or Chief Judges shall record the proceedings on an identity challenge record, in the form that the State Administrator prescribes.

B. Contents. The form shall contain appropriate places for:

(1) Each of the challenger and the challenged voter to sign an oath or affirmation, under penalties of perjury, that the individual's responses and statements are true;

(2) The signature of the Chief Judge who administered each oath;

(3) The reason given for the challenge.

33.17.06 Early Voting Activities

.08 Challengers and Watchers.

A. Designating Entities. The procedures specified in COMAR 33.07.07.01 apply to designating entities appointing challengers or watchers for early voting.

B. Permissive Activities of Accredited Challengers or Watchers. An accredited challenger or watcher may perform the activities defined in Election Law Article, §10-311(b), Annotated Code of Maryland, and COMAR 33.07.07.02.

C. Prohibited Acts of Challengers or Watchers. The prohibited acts and removal process specified in COMAR 33.07.07.03 apply during early voting.

D. Election Judges. The requirements for election judges specified in COMAR 33.07.07.04 apply during early voting.

.09 Challenging Voters.

A. The process specified in COMAR 33.07.08 for challenging voters applies during early voting.

B. Grounds for Challenge. A challenger may challenge an individual's right to vote only if the challenger has a reasonable basis for asserting that the individual seeking to vote is not the registered voter that the individual claims to be.

C. Challenge Record.

(1) In General. If a challenge is made to a voter's identity and the challenged individual does not present any of the forms of identification specified in Election Law Article, §10-312(a)(2), Annotated Code of Maryland, the Chief Judge or Chief Judges shall record the proceedings on an identity challenge record, in the form that the State Administrator prescribes.

(2) Contents. The form shall contain appropriate places for:

(a) The challenger and the challenged voter to sign an oath or affirmation, under penalties of perjury, that the individual's responses and statements will be the truth;

(b) The signature of the Chief Judge who administered each oath; and

(c) The reason given for the challenge.

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Appendix F: *Contact Information for the Local Boards of Elections*

Allegany County
701 Kelly Road, Suite 213
Cumberland MD 21502-3401
301-777-5931

Anne Arundel County
7320 Ritchie Highway, Second Floor
Glen Burnie MD 21061
P.O. Box 490, Glen Burnie MD 21060-0490
410-222-6600

Baltimore City
Charles L. Benton Bldg., Room 129
417 East Fayette Street
Baltimore MD 21202-3432
410-396-5550

Baltimore County
106 Bloomsbury Avenue
Catonsville MD 21228
410-887-5700

Calvert County
30 Duke Street, Lower Level
Prince Frederick MD 20678
P.O. Box 798, Prince Frederick MD 20678-0798
410-535-2214

Caroline County
Health and Public Services Building
403 S. Seventh Street, Suite 247
Denton MD 21629-1335
410-479-8145

Carroll County
300 South Center Street, Room 212
Westminster MD 21157-5248
410-386-2080

Cecil County
200 Chesapeake Boulevard, Suite 1900
Elkton MD 21921-6395
410-996-5310

Charles County
201 East Charles Street
La Plata, MD 20646
P.O. Box 908, La Plata MD 20646-0908
301-934-8972

Dorchester County
501 Court Lane, Room 105
Cambridge MD 21613
P.O. Box 414, Cambridge MD 21613-0414
410-228-2560

Frederick County
Winchester Hall
12 E. Church Street
Frederick MD 21701-5447
301-600-8683

Garrett County
2008 Maryland Highway, Suite 1
Mountain Lake Park MD 21550
301-334-6985

Harford County
133 Industry Lane
Forest Hill MD 21050
410-638-3565

Howard County
9770 Patuxent Woods Drive, Suite 200
Columbia MD 21046
410-313-5820

Kent County
135 Dixon Drive
Chestertown MD 21620-1141
410-778-0038

Montgomery County
18753-210 N. Frederick Avenue
Gaithersburg MD 20879
P.O. Box 4333, Rockville MD 20849-4333
240-777-8500

Prince George's County
1100 Mercantile Lane, Suite 115A
Largo MD 20774
301-431-7300

Queen Anne's County
132 North Commerce Street
Centreville MD 21617
P.O. Box 274, Centreville MD 21617-0724
410-758-0832

St. Mary's County
41650 Tudor Hall Rd.
Leonardtown MD 20650
P.O. Box 197, Leonardtown MD 20650-0197
301-475-7844

Somerset County
11916 Somerset Avenue
Princess Anne MD 21853
P.O. Box 96, Princess Anne MD 21853-0096
410-651-0767

Talbot County
142 North Harrison Street
Easton MD 21601
P.O. Box 353, Easton MD 21601-0353
410-770-8099

Washington County
35 W. Washington Street, Room 101
Hagerstown MD 21740
240-313-2050

Wicomico County
123 Bateman St.
Salisbury MD 21804
P.O. Box 4091, Salisbury MD 21803-4091
410-548-4830

Worcester County
100 Belt Street
Snow Hill MD 21863-1310
410-632-1320

Appendix G: *Provisional Voting and Identification Requirements*

Provisional Voting

Provisional voting is a safeguard that ensures that no individual who asserts that he or she is registered and eligible to vote is prevented from casting a ballot. A provisional ballot will only be counted after the local board of canvassers has reviewed the provisional ballot application and made a determination that the individual is registered and eligible to vote.

An individual may be issued a provisional ballot for the following reasons:

1. The voter's name was not on the election register – The most common reason that an individual's name is not on the list of voters for that county for early voting or in that precinct on election day is that the individual moved and did not update his or her voter registration.
2. The voter was not able to provide required identification – See "Identification Requirements" below for an explanation of this requirement.
3. The voter has not yet met the verification requirement – An individual must provide a driver's license or social security number on his or her voter registration application and the number provided must be verified or the indivdiual must present alternate identification.[1]
4. The voter is not eligible to vote a regular ballot – The voter has either moved more than 21 days before election day and did not provide his or her new address to the local board of elections or the election register indicates that the voter received an absentee ballot or has already voted (either during early voting or earlier on election day).
5. In a primary election, the voter claims that he or she is affiliated with a political party other than the one shown in the precinct register.
6. The voter's identity was challenged.

Identification Requirements

Under Maryland law, most registered voters do **not** need to present identification before voting. There are three categories of individuals who are required to show ID before voting:

1. Individuals who registered to vote by mail after January 1, 2003, and have not yet satisfied the federal ID requirement;
2. Individuals who applied to register to vote after January 1, 2006, provided a driver's license or full or partial social security number that could not be verified by the Motor Vehicle Administration or Social Security Administration, and have not yet provided alternate ID; and
3. Voters whose identity is challenged by either an accredited or non-accredited challenger.

The individuals described in #1 and #2 above are clearly marked in the electronic pollbook as needing to show ID. No other voter should be asked to present ID.

When a voter described in #1 checks in to vote, the election judge will ask him or her for acceptable ID. If the voter presents acceptable ID, the election judge will record the ID the voter provided and the voter will be permitted to vote on the voting unit. If the voter does not provide acceptable ID, the voter will be required to vote a provisional ballot. The voter will have until the start of the provisional ballot canvass (2nd Wednesday after the election) to present acceptable ID and have his or her provisional ballot counted.

[1] An individual who does not have either a driver's license or social security number must check the appropriate box on the voter registration application. Neither federal nor State law requires an individual to have a driver's license or social security number to register and vote.

If an individual described in #2 checks in to vote, he or she will only be permitted to vote by provisional ballot because his or her registration is not yet complete. The provisional ballot judge will ask the individual to show ID and will record on the back of the provisional ballot application the ID presented. If the individual does not present acceptable ID, he or she will have until the start of the provisional ballot canvass (2nd Wednesday after the election) to present acceptable ID and have his or her provisional ballot counted.

The forms of acceptable ID are different for voters described in #1 and #2 than for challenged voters. Refer to the answer to Question #18 of this manual for a list of acceptable ID for challenged voters. Voters described in #1 and #2 above will be asked to present one of the following forms of ID:

1. Current and valid photo ID (*i.e.*, Maryland driver's license or MVA-issued ID card, student, employee, or military ID, U.S. passport); or
2. Current utility bill, bank statement, government check, paycheck, or other government document with the voter's name and current address.