



LEAGUE OF WOMEN VOTERS®
WISCONSIN

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December 15, 2014

Patrick Fernan, Administrator
WisDOT Division of Motor Vehicles
4802 Sheboygan Ave, Room 225
Madison, WI 53705

Re: EmR 1421, an emergency rule and proposed permanent rule that will renumber and amend Wis. Admin. Code. Ch. Trans 102 Relating to Operator's Licenses and Identification Cards

Dear Mr. Fernan:

It has come to our attention that the DMV is seeking feedback on proposed rules for the process by which individuals can apply for a free state ID for voting purposes. The League of Women Voters of Wisconsin continues to oppose the voter photo ID law as an unneeded measure that unfairly burdens many qualified Wisconsin citizens and will no doubt completely disenfranchise some. However, if we must have voter ID, we offer the following recommendations to DMV as you promulgate the rules. These recommendations are designed to minimize the burden the voter photo ID law places on eligible citizens who only want to exercise their right to vote.

1. Unlike the *privilege* to operate a motor vehicle, the *right* to vote is fundamental citizen right. Therefore we urge you to write rules that offer maximum opportunity for citizens to obtain a free state ID for voting by imposing the minimum level of burden required by law. You have included a measure that will not allow an ID card issued with insufficient documentation to be used to obtain a driver's license, so that is not a concern.

The rule should not include any excessive requirements for documentation beyond what is required for voting.

2. Write the rules to minimize the financial burden on citizens who need to obtain a free ID to vote. The Economic Impact Analysis of the proposed rules states that the rules will have no direct or indirect financial impact on individuals; that is incorrect. Any trip to a DMV service center has a cost, whether for transportation or lost wages. Thus, the DMV should have solicited input from individuals who will be affected by the rules before drafting them.

If an individual also has to travel to another government agency to retrieve documents (which themselves may cost money) and/or make more than one trip to the DMV, the transportation costs rise. In addition, multiple trips could potentially take multiple days, as people attempt to fit them into their schedules. Citizens could easily run out of time to obtain an ID before an election.

We urge you to make the record verification process as streamlined as possible, so that the individual seeking a free ID for voting does not have to make multiple trips.

Wisconsin DOT, Division of DMV
December 15, 2014

3. While the proposed rules offer a process for establishing identity without a birth certificate, they do not address other documents which might be needed, such as name-change, marital, divorce or naturalization papers. Some of these issues affect women disproportionately. The Wisconsin Supreme Court ruled in *NAACP v. Walker* that applicants should be able to obtain an ID card for voting without payment of any fee to a government agency.
4. Current DMV hours and locations were not established to meet the needs of citizens who must interface with the agency in order to exercise a fundamental, constitutionally protected citizen right. This poses a particular problem for people in rural areas. They do not have a driver's license, and the transportation services in such areas are limited. DMV services for voting IDs should be expanded to more locations and less restrictive hours.

We appreciate the opportunity to respond to the proposed rules. If you would like more information, please contact me at the address on this letterhead or by email at Kaminski@lwvwi.org.

Sincerely,



Andrea Kaminski
Executive Director