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THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 871 **Election Law - Enhanced Automatic Voter Registration System**

Testimony by Delegate Vaughn Stewart
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HB 871 Is a Common-Sense Election Administration Upgrade

HB 871 modernizes Maryland’s voter registration “motor voter” process in a way that improves election integrity and voter roll accuracy, while also reducing the risk that non-citizens inadvertently trigger serious legal consequences.

Maryland’s current AVR approach effectively asks customers, during a fast-paced agency transaction, whether they want to register to vote. That structure creates a predictable problem: some non-citizens mistakenly select “yes” (language barriers, misunderstanding, rushing, or confusion about eligibility). And while rare, there are also instances nationally where non-citizens intentionally try to register. Either way, it creates administrative headaches, fuels distrust, and—most importantly—can expose non-citizens to life-altering consequences.

HB 871 fixes the structure of the interaction: it uses the nature of the documents presented during a REAL ID transaction to determine whether voter registration information should be transmitted in the first place.

What HB 871 Does

HB 871 requires the MVA to implement an Enhanced Automatic Voter Registration System by January 1, 2029.

In a REAL ID transaction, the system would:

1. Not transmit voter registration information if the applicant presented documentation demonstrating they are not a U.S. citizen at the time of the transaction.

2. Transmit address/name updates for people already registered—so the voter file stays current when Marylanders move.
3. Transmit a new registration only when the person’s REAL ID transaction includes documentation demonstrating U.S. citizenship, along with age/residency information.
4. Provide a clear opt-out after the transaction via a mailed notice, including the ability to decline registration and select party affiliation.

This is similar to how other states structure “secure” or “back-end” systems—Delaware’s public notice, for example, explicitly conditions AVR on citizenship status being confirmed by the DMV.

Why This Matters: Clean Rolls, Fewer Errors, Less Fuel for Fraud Narratives

1) It prevents improper registrations—before they happen.

Oregon’s experience shows why this matters: the state found large numbers of registrations sent through its motor voter pipeline without proof of eligibility (even though many later proved citizenship). Oregon’s own Secretary of State explains the core failure mode: people “should not have been sent into the voter registration system” when proof of citizenship was not provided.

HB 871’s design directly targets that failure mode by blocking transmission when documents indicate non-citizenship.

2) It protects lawful non-citizens from catastrophic “wrong-click” consequences.

Even when no vote is cast, being placed on the rolls can create serious personal risk and confusion. Colorado election officials have noted that for non-citizens, the consequences of voting or improper participation can be severe.

HB 871 reduces the chance that a non-citizen is ever put in that position.

3) It keeps addresses current—one of the biggest drivers of “dirty rolls.”

A huge share of voter list problems are not about fraud—they’re about **mobility**: people move and their registration doesn’t. The Bipartisan Policy Center describes list maintenance as the “backbone” of election administration and specifically highlights that DMV transactions are one of the best opportunities to learn when a voter has moved, but outdated systems and weak coordination limit timely updates.

Colorado’s DMV reform analysis found that switching to fully automatic updates corrected addresses for hundreds of thousands of already-registered voters who otherwise would have remained out of date—reducing misdirected election mail and Election Day headaches.

HB 871 brings that same “clean rolls” benefit to Maryland by ensuring address changes at the MVA flow reliably into the voter file.

4) It improves confidence by tightening document traceability in REAL ID workflows.

HB 871 also directs the MVA to reliably record and validate the specific REAL ID-compliant documents presented, consistent with federal REAL ID document rules, including retention requirements. Federal REAL ID rules require states to retain copies/images of source documents and protect personally identifiable information.

That strengthens auditability and quality control—exactly what voters want when they say they want “clean elections.”

A Note on Participation

Once the system is properly integrity-guarded, it also helps ensure eligible citizens aren’t missing from the rolls simply because a DMV transaction is rushed or confusing.

NCSL’s neutral summary of AVR notes that AVR is designed to update existing records and register eligible individuals, with opt-out mechanics that vary by state (some at the counter, some by mail). Delaware’s experience after upgrading to a mailer-based opt-out model showed a measurable increase in DMV registrations and a very low opt-out rate.

But to be clear: the principal case for HB 871 is not partisan turnout—it is administrative accuracy, preventing error, and protecting the integrity of the voter file.

Why the Committee Should Give HB 871 a Favorable Report

HB 871 is an election administration bill that should appeal across parties because it:

- Reduces improper registrations by preventing the wrong records from being transmitted in the first place.
- Protects non-citizens from accidental selection errors that can carry severe consequences.
- Improves list maintenance through automatic address updates—cleaner rolls, fewer duplicates, fewer stale addresses.
- Modernizes systems using document validation and retention practices aligned with REAL ID rules.
- Preserves voter choice through clear notices and opt-out procedures.

For these reasons, I respectfully urge a Favorable Report on HB 871.