

# FEDERAL LAW AND VOTER ACCESS: The Breakdown

## The Voting Rights Act of 1965

The Voting Rights Act (VRA) of 1965 prohibits known discriminatory practices and mandates that jurisdictions with a history of discrimination report any changes in election administration to the U.S. Department of Justice prior to making any changes. Section 208 of the VRA provides that “any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter’s choice, other than the voter’s employer or agent of that employer or officer or agent of the voter’s union.”<sup>i</sup>

## The Voting Accessibility for the Elderly and Handicapped Act of 1984

The Voting Accessibility for the Elderly and Handicapped Act (VAEHA) requires accessible polling places during federal elections and for materials to be provided in accessible formats. The VAEHA allows for alternate methods of voting when polling places cannot be made accessible and allows voters to ask to move to the front of the line.<sup>ii</sup>

## The Americans with Disabilities Act of 1990

Title II of the ADA requires state and local governments to ensure that people with disabilities have a full and equal opportunity to vote. The ADA’s architectural accessibility guidelines apply to polling places, even if the location in use is not typically covered by the ADA.<sup>iii</sup>

## The National Voter Registration Act of 1993

The National Voter Registration Act (NVRA or Motor Voter Act) of 1993 requires states to offer voter registration opportunities at offices that provide public assistance and services to people with disabilities, such as Vocational Rehabilitation services and Independent Living Services.<sup>iv</sup>

## The Help America Vote Act of 2002

The Help America Vote Act (HAVA) mandates that voters with disabilities have the same opportunity to vote “privately and independently” by requiring that every polling place have at least one voting system that is accessible to people with disabilities. Additionally, HAVA created the PAVA program as a direct charge to P&As to assist in HAVA’s implementation and ensure voter access for people with disabilities from registration to casting a ballot.<sup>v</sup>

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<sup>i</sup> [https://www.ada.gov/ada\\_voting/ada\\_voting\\_ta.htm](https://www.ada.gov/ada_voting/ada_voting_ta.htm)

<sup>ii</sup> <https://www.justice.gov/file/69411/download>

<sup>iii</sup> [https://www.eeoc.gov/eeoc/history/35th/videos/ada\\_signing\\_text.html](https://www.eeoc.gov/eeoc/history/35th/videos/ada_signing_text.html)

<sup>iv</sup> <https://www2.ncdhhs.gov/info/olm/manuals/dsb/VR/man/Voter%20Registration.htm>

<sup>v</sup> [https://www.ada.gov/ada\\_voting/ada\\_voting\\_ta.htm](https://www.ada.gov/ada_voting/ada_voting_ta.htm)