

Rule 183-1-6-.04 Accessibility for Elderly and Handicapped Voters

(1) Preamble. In order to implement the provisions of the Voting Accessibility for the Elderly and Handicapped Act (P.L. 98-435), the State Election Board promulgates the following rules and regulations.

(2) Definitions. As used in this Rule, the terms:

(a) "Accessible" shall mean that a facility has a continuous unobstructed path connecting the parking area and the area within the facility which is being used for voting or voter registration, whichever the case may be, which complies with the relevant provisions of Sections 3 and 4 of American National Standards Institute specifications A117.1-1980 for making buildings and facilities accessible to and usable by physically disabled individuals.

(b) "Disabled" shall mean a temporary or permanent physical disability.

(c) "Elderly" shall mean persons 65 years of age or older.

(d) "Polling place" means the room provided in each precinct for voting at a primary or election.

(e) "Registration place" shall mean any place, either temporary or permanent, designated by the registrars of a county or municipality as a place to be used for voter registration.

(3) Polling Places. All polling places in the State of Georgia shall be accessible to disabled and elderly electors.

(4) Reserved.

(5) Implementation.

(a) Polling Places. The election superintendent of each county and municipality shall conduct, or cause to be conducted, an on-site inspection of each polling place located within the county or municipality to determine if the polling place is accessible. This inspection shall be reported to the Secretary of State on forms prepared by the Secretary of State at such times as the Secretary of State shall prescribe. Any polling place found not to be accessible shall either be made accessible prior to its use in a primary or election or shall not be used as a polling place.

(6) **Waivers. No waiver shall be granted for polling places which are not accessible.**

(7) Printed Instructions. The Secretary of State shall provide instructions for use by election superintendents at polling places and registrars at voter registration places, printed in large type, to assist visually and hearing impaired electors in voting and registering to vote.

(8) Notice and Advertisement.

(a) Each election superintendent shall mark or cause to be marked in a prominent manner the accessible path for elderly and disabled voters at all polling places.

(b) The display of the international disabled access symbol shall be sufficient marking of a polling place if the symbol is of a size and is located such that it can easily be seen by the public and if the

accessible path from the parking area to the polling place is the same as the path used by non-disabled persons.

(c) Election superintendents shall take reasonable steps to inform disabled and elderly electors of the availability of accessible polling places.

(9) Voting Aids. The election superintendent of each county and municipality shall provide at least one magnifying glass at each polling place during each primary and election for use by visually impaired electors.

(10) If the voting equipment is not accessible to a disabled voter, the disabled voter shall be permitted to use a paper ballot.

(11) Enforcement.

(a) Election superintendents and boards of registrars shall investigate all complaints concerning accessibility to polling places and voter registration places and shall take such corrective action as may be necessary to ensure compliance with these rules concerning accessibility.

(b) Election superintendents and boards of registrars shall report in writing to the State Election Board through the Secretary of State all complaints concerning accessibility, the results of the investigation of the complaints, and any corrective actions taken.

(c) The State Election Board may, in its discretion, investigate these complaints further and take such actions as it deems appropriate to ensure that these rules concerning accessibility are implemented and effectuated.