I am writing to provide some information in response to some questions this office has recently received relative to the conduct of future elections. Accordingly, below please find the questions and answers. Please note that these answers are based on state law. We have no authority to waive or change these requirements.  
  
  
  
**Q**. Can we conduct our municipal election entirely by mail? Can we simply mail ballots to all voters for our municipal elections?  
  
**A**. No. State laws require each city and town have polling places for each precinct (G.L. c. 54, Â§ 24) and hours (G.L. c. 54, Â§ 64) for voting on election day. You can, however, encourage voters to vote early by mail or by absentee ballot for any municipal election being held before June 30th. However, please note that any voter who wants to vote early or absentee, must first submit an application. While you can't send every voter a ballot, you could send every voter an application for either an early ballot or absentee ballot for any election held before June 30th.  
  
  
  
**Q**. Can we allow for drive-thru voting?  
  
**A**. No. Under our state laws, you must have polling places, which must be accessible. There are a host of other issues with the concept of drive-through voting, both logistical and legal. Some of those include how to process voters who come to the polling place via carpool or in a senior center van and are registered in different precincts. Then there's the issue of voters who do not have cars or who normally walk to the polling place. Additionally, the AutoMark must be available for all voters, which wouldn't be compatible with voting in your car. In short, the process for voters voting in a polling place must be equal to all voters. Also, all polling places must provide an area for observers, even if you've never had them in the past, they are legally allowed to be there.  
  
Some other issues includes weather. If it's raining or just humid, the ballots will likely be affected and having your tabulators outside could cause damage. In addition, the ability to run power to those tabulators would be an issue. Additionally, since the voter is supposed to insert the ballot into the tabulator on their own, that cannot happen from a car. Further, the liability from a public safety perspective is huge, in my opinion. No matter how many lanes you set up, one bad driver (or impatient one who doesn't want to wait while the inactive voter in the car in front of them fills out their affirmation and has to dig through the back seat to get their purse to find their ID) will shut down your entire election and could result in bodily harm to poll workers and other voters.  
  
  
  
**Q**. Can we conduct voting outside?  
  
**A**. Maybe. As noted above, you must have a "polling place" for each precinct and each such polling place must be accessible. So, conceivably, you could set up a polling place outdoors, but the same issues with drive-thru voting are applicable in additional to other considerations. Whatever area you propose to use would need to be "suitably equipped" including a level surface (so no fields-must be paved and all level), adequate lighting and security around the area. Power for the equipment and covering for the area would also be necessary. If it were windy on election day like it was on Monday, you wouldn't be able to conduct the election safely if it were outside, even under a tent, which would likely just blow away.  
  
Please note that any space you use for voting must be set up as a polling place. Accordingly, it must have a check-in table, voting booths (including an accessible booth), the AutoMark, a check-out table, and the tabulator or ballot box. These must be inside a guard rail and set up separately for each precinct.  
  
  
**Q**. Can we reduce the hours the polls are open?  
**A**. Maybe. Under the provisions of General Laws chapter 54, section 64, the BOS can set the hours for polls to be open. However, if you have a bylaw that sets your voting hours, you'll need to consult with your town counsel about how the bylaw affects the ability to change hours.  
  
**Q**. Can we set aside separate voting hours for voters over 60 (like the grocery stores offer for shopping)?  
**A**. No. The law does not allow for different hours for different voters. You can, however, encourage such voters to vote early by mail.  
  
We hope this is helpful.  
  
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