



Electronic Voter Registration: Modernizing our Democratic Process

NALEO Educational Fund
October 2015





A C K N O W L E D G M E N T S

NALEO Educational Fund would like to express its sincere gratitude to The James Irvine Foundation for its generous support which helped make this report possible. We produced this report in conjunction with the work of the Future of California Elections (FoCE), a collaboration between election officials, civil rights organizations and election reform advocates to examine and address the unique challenges facing the State of California's election system. Any findings, opinions, recommendations or conclusions expressed in this report do not necessarily reflect the views of the Foundation or FoCE members.

The publication of this report involved the efforts of several individuals who provided invaluable assistance with its research, writing and production. On the staff of NALEO Educational Fund, Erin Hastings was largely responsible for the research and writing of the report. Yesenia Martinez and Doris Parfaite-Claude provided research assistance, and Rosalind Gold provided editing assistance. Freddy Pech was responsible for the design and layout of the report, and Paula Valle coordinated the production process. Finally, several NALEO Educational Fund interns also contributed to the research efforts for the report: Susana Barragan, Victor Lopez, Alexis Saucedo and Mark Voltaire.

INTRODUCTION

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The voter registration process is a singular feature of American elections, and plays a significant role in determining the breadth and scope of access to the ballot box in this country. In most corners of the United States, jurisdictions continue to require voters to take initiative in advance of elections in order to vote, and to complete procedures that may not be much different from those required of voters 100 or more years ago, as registration requirements became standard practice around the country. Some historians¹ attribute the rise of registration mandates during the 19th century to concerns about the changing face of America and desire to limit the ability of immigrants and people affected by slavery to participate in elections and influence political decision-making.

In present day America, the voter registration process still functions as a gate-keeper which can prevent or deter some citizens from participating in the nation's elections. While we have made progress with the enactment of laws to prevent policymaking premised on keeping disfavored citizens from voting, we can also make significant improvements in the administration of the voter registration process which will make our democracy more representative of all of its diverse communities.

The effects of successfully completing, or failing to complete, voter registration procedures are far-reaching. Where it is required, advance voter registration is not only a necessary prerequisite to casting a ballot that counts, but also the principal determinant of whether an individual receives materials about voting from, and is personally encouraged to vote by, both elections officials and candidates for office. Being asked to vote is, in turn, an important positive influence on potential voters' propensity to turn out for elections. Voter registration statistics are used in planning allocations of poll workers, voting machines, and other limited resources, and may be used to help divide jurisdictions into equal and fair districts that give underrepresented communities tangible opportunities to elect representatives of their choice. Information about voter registrations is also a critical component to analysis of the state of political engagement in the country.

Unfortunately, in spite of their enduring significance, our voter registration systems do not uniformly reflect our modern technological capacity, and are a barrier to participation for too many Americans who want to vote. Calls regularly come into NALEO Educational Fund's bilingual voter assistance hotline, 888-VE-Y-VOTA ("Go and vote!"), from people who are prevented from voting by registration-related problems. Some citizens qualified to vote do not know there is a registration requirement, or that registration must be completed as much as a month in advance of an election in some states. Some citizens' registration applications are not correctly processed. Additionally, with the imposition by some states of unfair proof of citizenship requirements for registration, some citizens do not discover until it is too late that their registration applications were denied for failure to provide documentary proof of citizenship, or because an outdated driver's license or Department of Homeland Security record

¹ E.g., ALEXANDER KEYSSAR. THE RIGHT TO VOTE: THE CONTESTED HISTORY OF DEMOCRACY IN THE UNITED STATES (2001).

erroneously indicated that a naturalized citizen was still in non-citizen status. A mistake as simple and common as a piece of mail getting lost and going undelivered can and does result in a failed registration attempt, and the potential disfranchisement of a person who has a fundamental right to a voice in our government.

In 2012, NALEO Educational Fund conducted nationwide polling of unregistered and non-voting members of the Latino electorate to find out more about what factors prevented these individuals from taking part in elections. The responses we collected affirmed that lack of information about the registration process is a barrier to voting that continues to negatively affect many individuals. For example, of survey respondents who were not then registered to vote, 44% acknowledged that they did not know how to complete the process. Moreover, 13% of all unregistered Latinos cited their lack of understanding of the registration process as the main reason they had not signed up to vote.

In sum, the many potential difficulties that Americans may confront as they attempt to register can interfere with the registrations of even well-informed intending voters, and very likely contribute to relatively low levels of voter registration in the United States in 2015. According to Census Bureau data for the November 2014 mid-term Congressional election, just 51.3% of Latino adult U.S. citizens were registered to vote; among all American voting-age citizens, just 64.6% were registered to vote in 2014.

Once they are registered, Americans also must worry about the ongoing validity of their registration records. NALEO Educational Fund's repeated contacts with voters have made it clear to us that many Americans are not knowledgeable about the necessity of proactively updating their voter registration records to reflect name changes and moves to new residences, and to correct typos and other transcription errors. Studies confirm that significant numbers of voter registration records – as many as 8%, or 16 million records, according to the Presidential Commission on Election Administration's conclusions – are outdated or otherwise contain the wrong information.

Problems with registering to vote and with incorrect voter registration records disproportionately impair the political participation of underrepresented communities including Latino and African American citizens. While just 2.5% of white voters reported experiencing some problem with voter registration in 2012 to the Survey of the Performance of American Elections, 3.7% of African American voters and 4.2% of Latino voters reported such problems. Similarly, the 2008 Survey of the Performance of American Elections revealed that 16.5% of registered, non-voting whites, compared to 31.9% of registered, non-voting Latinos, 37% of registered, non-voting African Americans, and 78.2% of registered, non-voting Asian Americans said that a problem with their registration records was a factor driving their non-participation in the General Election. Registration-related discrepancies take extra time to resolve at polling places, and lead to the formation of inordinately long lines for voting, increased used of provisional ballots whose processing is expensive and time-consuming, and increases in the numbers of absentee ballots unreturned and uncounted. Such problems have been estimated to result in the loss of as many as three million votes in a Presidential General Election that would have otherwise been cast.²

² E.g., BRENNAN CENTER FOR JUSTICE AT NEW YORK UNIVERSITY SCHOOL OF LAW, THE CASE FOR VOTER REGISTRATION MODERNIZATION 6 (2013) (noting that Prof. Stephen Ansolabehere estimates that 3 million votes were lost in 2008 to registration problems experienced by people who thought they were validly registered).

For those who seek to address the barrier to voting that registration operations may present, state agencies are a necessary focus. In the more than twenty years since the National Voter Registration Act (NVRA) first required that most states' Departments of Motor Vehicles (DMVs³) and other public assistance agencies offer voter registration opportunities, transactions at these agencies have become one of the most prolific sources of new and updated voter registration applications. The single largest source of registration applications that states reported to the Election Assistance Commission in 2014 was their DMVs, which accounted for 35.4% of all applications whose source was reported.

DMVs were also the location where a plurality of Americans reported that they had registered in response to the Census Bureau's 2014 Voting and Registration Supplement to the Current Population Survey. Accordingly, in recent years, elections experts have embraced reforms that would improve, in particular, the administration of voter registration through state agencies. For example, a major 2010 paper and an associated 2011 conference on modernizing elections spearheaded by the Pew Center on the States produced key recommendations that all directly concerned DMVs and other state agencies.⁴

In this report, NALEO Educational Fund sets forth its analysis of why the effective implementation of electronic voter registration at public agencies in California, beginning with the DMV, would offer the public a more accessible opportunity to register and would improve the accuracy of the state's voter rolls. The report also evaluates innovations that hold promise to reduce voter difficulties with the registration process and potentially increase voter registration. We examine the experiences of other states that have implemented electronic registration, and explore the factors that are conducive to the adoption of these systems. In addition, we make specific recommendations to California state officials around full automation of voter registration processes at the DMV and other state agencies subject to the NVRA.

As of this writing, legislative and administrative developments are in motion that promise to alter how voter registration is initiated and processed for California DMV customers. California Governor Edmund G. Brown Jr. signed into law AB 1461, which seeks to ensure that each DMV customer attests to his/her qualifications to vote in the course of obtaining a driver's license or state identification.

AB 1461, which was championed by California Secretary of State (SOS) Alex Padilla and Assemblymember Lorena Gonzalez, requires that at the least, the signatures of DMV customers who accept voter registration be sent to the SOS in electronic format. In addition, the California DMV has initiated discussions with the SOS and is planning improvements in its NVRA compliance which we believe will include the implementation of electronic voter registration at the DMV by April 2016. Finally, in order to meet federal requirements regarding election systems and to improve election administration, California is in the process of modernizing its statewide voter registration database, VoteCal, and the state anticipates that VoteCal will be

³ Throughout the remainder of this document, we use the term "DMV" to refer to state agencies responsible for issuing drivers licenses and state identification cards, though these agencies are known by a variety of names in various states. The agency that issues drivers' licenses in New Jersey, for example, is known as the "Motor Vehicle Commission" or MVC.

⁴ THE PEW CENTER ON THE STATES, UPGRADING DEMOCRACY: IMPROVING AMERICA'S ELECTIONS BY MODERNIZING STATES' VOTER REGISTRATION SYSTEMS (2010).

fully operational by June 2016. Thus, the state is in the process of addressing some of the issues raised in this report, and may already anticipate adopting some of the recommendations we have made in the course of their planning. We present our recommendations in the context of the on-going dialogue and developments around voter registration in the state, with a view to help informing the state's work as it moves forward.

ELECTRONIC REGISTRATION

Electronic registration through NVRA-designated state agencies is an increasingly-common innovation among states, aimed at improving the efficiency of the registration process and the accuracy of voter records thereby created. Electronic registration is a term used to describe automation of voter record creation at the DMV and public benefits agencies, and of the transfer of voters' information from those public benefits agencies to the authorities responsible for administering elections. Instead of collecting or creating paper voter registration applications that require further processing by elections officials, agencies in electronic registration states create voter data files in electronic format for elections officials' use, which arrive with registration applicants' digital signatures attached and with unique identifying numbers (driver's license/state ID number or social security number) already verified.

Over the course of the past fifteen years, the state agencies that have taken some steps toward implementing electronic registration through DMVs have employed varied methods for providing customers the opportunity to register:

- *Customer-initiated, paper-based application:* In some states, paper applications that must be completed to obtain services from an agency have included a section that inquires whether the customer wants to register to vote, and, if so, collects the customer's party affiliation and any other necessary voting-specific information. It is generally up to customers in these states to read and complete this section on their own initiative to become registered in the process of completing a DMV transaction.
- *Customer-initiated, electronic application:* There is also an electronic version of the customer-initiated registration application: in some states, customers obtain DMV services by completing forms online or entering information into a self-service computerized kiosk at agency locations. Where customers enter personal information into a computer system instead of writing it on a paper form, customers can initiate voter registration by clicking on a box or otherwise choosing the registration option incorporated into the computerized form(s) they are completing.
- *Agency-initiated, oral application:* Some state agencies instruct their employees to verbally offer the opportunity to register to customers who must appear in person to obtain services, and, in those instances in which agency employees provide services by phone or in-person home visits.
- *Services in languages other than English:* State agencies vary dramatically in their ability to offer the opportunity to register to customers in languages other than English. While some states have gone beyond applicable federal and state legal requirements to make forms and assistance broadly available in Spanish and other languages, in other states all communications from the DMV are in English only. A full

survey of all of the linguistic accommodations offered by DMVs around the country is beyond the scope of the present report.

Information collection methods have also varied somewhat between states.

- *Data entry by employees based on oral reporting:* In an increasing number of states, during a person-to-person interaction between an agency employee and a customer, the agency employee will ask for necessary information orally and enter answers directly into a computer terminal. In many, but not all, states in which records on residents are created manually by employees, customers have the opportunity to review the information entered by the agency employee before the transaction is completed and processed.
- *Data entry by customers – no reporting:* In some states, however, customers who are physically able to do so directly enter the information necessary to complete voter registration into a computerized kiosk or an electronic pad of the sort commonly used to complete credit card transactions. Some states rely on customers to enter personal information into electronic forms even where a state employee is present and serving the customer individually and in-person.
- *Data entry by employees based on written reporting:* In some states and at some agencies that use paper forms, customers write out the necessary information and agency employees transcribe it from paper into a computer terminal. Again, customers may, but do not necessarily, have the opportunity to review the electronic version of their personal record for accuracy before it is transmitted for processing by elections officials.

Current Practices in Key States

As of October 2015, over half of all U.S. states have taken steps toward automating, or already fully automated, transmissions of information between, at minimum, their DMVs and election administrators. According to our research and the most recent information available from organizations that monitor state election-related policymaking⁵, the following states have at least partially implemented automation, or have announced plans or enacted legislation to do so in the near term: Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Jersey, New Mexico, New York, North Carolina, Oregon⁶, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Washington, and West Virginia.

To ensure the currency of our assessment of best practices in electronic registration, the NALEO Educational Fund canvassed 15 representative states about their current voter registration procedures at DMVs, and about how registration applications are presently being transferred from those agencies to election officials. The states chosen include jurisdictions with diverse

⁵ These organizations include the Brennan Center for Justice at New York University School of Law, and Common Cause. See, e.g., Brennan Center for Justice, *Voter Registration Modernization in the States* (Aug. 31, 2015), available at <http://www.brennancenter.org/analysis/voter-registration-modernization-states>; Common Cause, *Registration and Voting Systems* (June 23, 2015), available at <http://www.commoncause.org/issues/voting-and-elections/registration-and-voting-systems>.

⁶ Oregon enacted automatic voter registration legislation in March 2015, and will implement new voter registration procedures through its DMVs by January 2016. As the state begins automatically registering DMV customers who do not opt out of the process – procedures which reach beyond the scope of the present report – it expects to begin transferring records containing DMV customers' pertinent personal information in electronic format to the Elections Division in the SOS's office.

populations most closely resembling California's, and jurisdictions that have earned reputations for innovating early and making the best use of advanced technology. Detailed findings on current practices in the following states are set forth in the Appendix to this report: Arizona, Colorado, Delaware, Florida, Georgia, Indiana, Kansas, Maryland, Michigan, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, and Texas.

Although states have experimented with varied uses of paper forms, registration-only kiosks, and other registration methods that require customers to take some initiative at DMV locations, their practices are today converging around the model pioneered by states like Delaware and Pennsylvania. In these and increasing number of states, voter registration questions are a routine part of the credential application process (generally, the process by which DMV customers apply for or renew driver's licenses or state identification cards). Customers are prompted to answer the questions, either orally or by entering information directly into a computerized system, by both live employees and computer systems. DMVs are producing electronic records that include digital signatures, and are compatible with and can be incorporated directly into state voter registration databases.

The Benefits of Electronic Registration

Electronic voter registration has earned universal praise from experts on election administration with such entities as the Election Assistance Commission's Committee on State Voter Registration Databases, the Presidential Commission on Election Administration, the Pew Center on the States, the Bipartisan Policy Center and the National Conference of State Legislatures (NCSL). Analysis from these and other organizations consistently cites the following improvements in states which have successfully implemented electronic voter registration at state agencies:

- Reduced inaccuracies in voter records;
- Reduced costs to the state and taxpayers;
- Increased voter registration at state agencies;
- Increased ability to implement future registration reforms because of more effective communication between officials responsible for administering elections and DMV representatives;
- Improved language assistance; and
- Increased access for people with disabilities.

Electronic Registration Reduces the Amount of Incorrect Information in Voter Registration Records

By reducing the need for manual data entry, and by increasing the likelihood that agency customers review their personal information and spot and correct transcription errors before they are transmitted to elections officials, electronic voter registration decreases errors in registration records. More accurate registration information, in turn, helps to reduce confusion and the length of lines at polling places on Election Day. The magnitude and impact of complications caused by human error should not be underestimated. A 2009 working paper by Caltech and MIT's Voting Technology Project found that in New York City, 20 percent of voter

registration records contained typos or errors in transcription that could have prevented or delayed individuals' attempts to cast ballots. Nationally, a 2010 report by the Pew Center on the States estimated that about 24 million registration records were then inaccurate or no longer valid, causing nearly 8 million Americans to experience difficulties at the polls or to be unable to vote at all in 2008.

Improved registration record accuracy is of particular importance and benefit to communities of underrepresented voters. A prominent reason for this is that African Americans, Latinos, and Native Americans, and Native Hawaiians and Pacific Islanders are all notably more likely than their white non-Hispanic peers to have recently moved to a new address within the same county, according to data from the Census Bureau's 2014 American Community Survey 1-year estimates on geographic mobility. Greater mobility means that in order to guarantee their access to the ballot, more individuals will need to update their voter registration records or request registration anew more frequently. In turn, the more times that these individuals undertake error-prone registration processes, the more likely it is that errors will occur in their registration records at some point, potentially preventing them from taking part in the political process.

Evidence that electronic registration significantly helps to improve the quality of registration records, and to improve efficiency in the voting process, includes the following examples:

Kansas - According to a 2013 Project Vote report, Kansas election officials found anecdotally that electronic registration smoothed many Election Day bottlenecks previously caused by lost or misplaced paper forms. State officials also reported that electronic registration reduced instances of registration records containing incorrect information due to typing errors and indecipherable writing on registration forms. Electronic voter registration reduced the number of times that voters' information had to be manually re-transcribed, creating less opportunity for errors to emerge in the registration database.

Maricopa County, Arizona - According to a 2010 Brennan Center for Justice report, Maricopa County determined that voter registrations initiated on paper were five times as likely to contain errors as registrations processed electronically. By 2009, the County received just 15.5% of registration applications on paper, but this relatively small number of applications accounted for more than half of registrations placed in "suspense" status because they contained incomplete or incorrect information (such as a social security number entered in a voter's computerized registration record that did not match Social Security Administration records). Maricopa County officials attributed the improvements resulting from electronic registration to both the reduction in manual data entry, and the fact that electronic registration made it easier for voters to update their own information. More accurate voter rolls reduced the use of provisional ballots by voters in the County, as well as the volume of its list maintenance work.

Michigan - A March 2015 NCSL newsletter noted that Michigan's use of the same electronic database for DMV and voter registration records ensures that officials keep better track of voters' address changes than in other states in which these two lists are maintained separately. According to the newsletter, because electronic registration results in more accurate information in registration records about voters' residences, Michigan voters use between 10 and 100 times fewer provisional ballots than voters in other states.

Electronic Registration Saves States Significant Sums Over the Long-Term

States have consistently reported to researchers and elections experts that once it is in place, electronic registration also improves efficiency by saving money. There are several reasons for this, including that the process reduces expenditures to produce, distribute, and collect paper registration forms as well as staff time needed for data entry and verification of voters' addresses and unique identifying numbers. Agencies are also able to serve more customers in less time: in Delaware, for example, electronic registration decreased the transaction time required to register a customer at the DMV from 90 seconds to 30 seconds. At a time when state and local budgets have shrunk and face continuing pressure, and when Help America Vote Act (HAVA)⁷ funds are no longer available to cover significant looming expenses for replacement of obsolete voting equipment and other necessary upgrades, cost-saving election administration initiatives that do not detract from the quality and reliability of polling operations are all the more important. Electronic registration states' documented savings include the following examples:

Delaware – With a one-time expenditure of \$600,000 of HAVA funds to create an exemplary electronic voter registration process, the state saves at least \$50,000 per year compared to the amounts it spent for registration processing by the DMV and elections officials prior to implementation. The savings have enabled the state to cut the budgets of its Department of Elections and DMV without endangering the integrity of elections.

Arizona – Maricopa County invested \$139,000 in an electronic voter registration system and obtained \$370,000 of savings within a year of implementation alone.

Washington – The state spent \$279,000 to implement its electronic registration system and saved \$126,000 within a single year from the state budget, not including county-level budget savings.

Kansas – Although they did not provide concrete numbers, Kansas officials have also reported cost savings to the Brennan Center for Justice stemming from adoption of their electronic registration system.

Electronic Registration Increases Voting Registration at State Agencies and Could Potentially Promote Increased Voter Turnout

Because it incorporates equipment and procedures with which Americans are very familiar and comfortable, and because it builds reliable, automated registration prompts into credential transaction processes that a strong majority of Americans already access, electronic registration has frequently led to significantly increased numbers of registrations initiated through state agencies subject to the NVRA.

⁷ The Help America Vote Act of 2002 established minimum standards for voting equipment and processes in states, and provided hundreds of millions of dollars in funding to states and localities to upgrade elections infrastructure through the Election Assistance Commission.

According to 2013 and 2010 Brennan Center reports, voter registrations submitted through DMVs increased dramatically in the following states within a year of adoption of electronic voter registration:

- South Dakota – 700 percent increase.
- Rhode Island – over 200 percent increase.
- Kansas – nearly a 100 percent increase.
- Washington – approximately a 100 percent increase.
- Arizona – a 192 percent increase.

While electronic voter registration streamlines and improves the accuracy of registrations, and may increase the percentage of DMV and other NVRA agency customers invited to register, its use alone is unlikely to lead to the significantly increased degree of civic engagement that a fully effective democracy demands. Implementation of electronic registration correlates to increased numbers of registration applications submitted through state agencies, but this reform does not appear to have consistently produced increases in the overall number of registration applications submitted in the states that have adopted it. Many states that have electronic voter registration reported, in submissions to the Election Assistance Commission, more total registration applications received from all sources after implementation than before, even after discounting for natural increases in the voting-eligible population. However, the same was generally true over comparable time frames in states that have not yet adopted electronic registration.

Additional research is needed to determine with more precision whether, and how much, adoption of electronic registration increases overall registration rates and turnout, particularly among subgroups of underrepresented voters. It has been difficult to identify the effects of electronic registration in part because factors such as discriminatory election lawmaking, the amount of resources invested in contacting and engaging eligible voters, and the strength of voter interest in particular elections have an influence on overall registration rates that is potentially equal to or greater than that of the quality of the registration experience at the most heavily-used state agencies subject to the NVRA.

Nonetheless, electronic registration could potentially increase, or at least slow the decrease of, ultimate voter turnout rates. In part, this is because the improved accuracy of registration records ensures that more of those who make an effort to cast a ballot are found on the rolls and use regular ballots, instead of provisional ones. Pennsylvania's experience illustrates how electronic registration furthers increased voter participation. Since the state implemented electronic registration, officials have found that they can resolve apparent discrepancies that come to light during elections more quickly and easily. When, for example, a Pennsylvanian who is a Pennsylvania Department of Transportation (PennDOT) customer wants to vote but cannot be found on the registration list, the existence of an electronic "paper trail" enables the state's contractor for records management to rapidly access information about when and where the person last interacted with PennDOT, and whether or not the customer intended to register to vote. An individual seeking to vote can be approved to cast a regular ballot virtually on the spot, after a quick call to officials and search of records, where formerly an investigation into whether and how an attempted registration went astray might have taken an extended period of time.

Electronic Registration Lays a Foundation for Improved Collaboration Between State Agencies, Better NVRA Compliance, and Future Technological Advances

To implement electronic registration, a high degree of coordination between DMV and election administration leadership is a necessary prerequisite. The success of electronic registration projects to date has helped to ensure that these collaborations between state agencies have been, and will continue to be, positive experiences for all involved that encourage ongoing cooperation. Such positive working relationships – the existence of which officials from several electronic registration states confirmed to NALEO Educational Fund – portend well for future improvements in outreach to voters and election administration. One such way that a good experience with electronic registration can inspire other positive reforms is by opening up lines of communication around NVRA compliance. Subsequent to implementation of electronic registration, administrators at the Pennsylvania Secretary of State’s office report, for example, that they have maintained a series of regular consultations with PennDOT leadership around NVRA mandates.

Because electronic registration implementation frequently requires upgrades to equipment and software across agencies, the process also is conducive to inspiring additional technological advances. For example, in states in which DMV and voter registration databases were not interoperable prior to installation of electronic registration capabilities, programming and other improvements can enable election officials to conduct HAVA-mandated verification of registrants’ unique identifying numbers quickly and efficiently through electronic exchange between databases, where election administrators formerly had to conduct manual, labor-intensive inquiries with DMVs.

Electronic Registration Makes It Easier and Less Expensive for States to Provide More Language Assistance with Voter Registration

Many electronic registration systems in use around the country ask agency customers to enter some or all of their own information into a computer terminal or on a pad, and some also employ a screen facing customers that displays information about procedures and/or a copy for review of what the agency employee is entering into the system. Generally, it is relatively easy for states to program such systems to display instructions, information, and forms in multiple languages, which, if done, makes it possible for many more citizens who are less than fully fluent in English to register to vote or get information about registration in the language they understand best, regardless of agency employees’ linguistic skills.

For example, at Pennsylvania’s PennDOT locations, a screen facing the customer walks individuals through the registration process and asks for confirmation of citizenship and party affiliation. Customers can choose to view and enter this information in Spanish or English, thus ensuring that more Pennsylvanians experience a higher degree of comfort with the process even if there are not Spanish-speaking staff available to help them, and particularly outside of the three counties in the state currently subject to federal voting language assistance requirements.

Electronic Registration Systems Can Make Registration More Accessible To People with Disabilities

Registration through paper forms can be a challenge for some people with disabilities, as can the use of some electronic systems. Electronic voter registration systems can help address these difficulties by providing accessible options and ensuring that people with disabilities review their records for accuracy prior to processing. For example, agencies can incorporate the best features of accessible websites into the programming of customer-facing computer terminals and pads, so that customers can choose to see large text, or to have a screen reader application read the text through a headset, or to have the computer obey voice commands. Even at agencies that take information orally from customers to be inputted directly into a computer, terminals that require customers to review and affirm that their personal information is captured correctly can ensure that communication difficulties, difficulty writing legibly and other barriers do not cause recording of incorrect information about voters with disabilities.

In sum, electronic voter registration strengthens democracy by reducing errors, discrepancies, and linguistic and other barriers to the ballot box. It also frees funds that could be put toward such vitally important projects as voter education and voting machine replacement, by both reducing material costs and by alleviating demands on agency and election administration staff time. It is a worthwhile pursuit, but does require cross-agency commitment to reforming operating procedures, as well as to investment of resources.

Prerequisites Necessary to Implement Electronic Registration

In states that have been successful in overcoming hurdles to implementation of electronic registration, multiple and varied factors have been pivotal. Some of these have even been unrelated to the voting process and policymaking themselves: in Colorado, for example, constituents' complaints to their local and state representatives about wait times at driver's license-issuing locations led to the allocation of special funding to upgrade the Department of Revenue's computer systems, which in turn made electronic registration possible, and relatively easy to implement. To spotlight some key factors – federal funding, state legislation and funding, receptive leadership, agencies' willingness to build relationships, and legal complaints – we first present case studies from two representative states, Delaware and Pennsylvania.

Delaware: Hailed today as models for other states, Delaware agencies adopted electronic registration as a result of both push and pull factors. HAVA funding served as an incentive to think creatively and implement changes that would serve the state well for the long term. The availability of extra funding from a source other than the state budget made the prospect of reforms more palatable to many of the policymakers involved. The leadership of forward-thinking agency administrators also made major change possible, according to Delaware Commissioner of Elections Elaine Manlove, who credits current Secretary of Transportation and former Director of the Division of Motor Vehicles Jennifer Cohan with ensuring that reforms advanced. Elections officials and the DMV were also greatly aided in their efforts to implement reforms by their ability to depend upon the expertise and in-house capacity of a state agency dedicated to managing computer systems and security for all of state government, the Department of Technology and Information.

However, before current, seamless procedures were fully implemented, Delaware experienced a push in the direction of electronic registration in the form of formal complaints about error-prone procedures formerly in use. For a period of time after it gained the ability to send electronic records to elections officials, the DMV lacked equipment for capturing signatures in electronic format. Therefore, DMV staff had to print forms for voters to sign, and forward these forms in hard copy to county registrars' offices in order for registrations to be fully valid and active. According to Project Vote's account of events, NVRA non-compliance resulted when these signature-bearing papers were occasionally lost or misdirected. In 2008, state legislators held hearings on problems with voter registration at the DMV during which, according to the NCSL, concerned individuals presented piles of registration forms which had never processed. In addition, during the 2008 election season state courts issued more than 50 orders to accept voter registrations without signatures, in instances in which voters should have been added to the rolls but were not. The legislature's and courts' activities helped to persuade the DMV to make the changes necessary to begin accepting and electronically transferring digital signatures.

Pennsylvania: Although PennDOT adopted electronic systems in 1995 following the passage of the NVRA, it was not until 2003 that a state legislative mandate, in tandem with availability of federal HAVA funds, led to the development of the state's electronic voter registration database management system ("SURE") and the advent of electronic transfer of files from PennDOT to SURE, which is maintained by the Secretary of State's (SOS) office. What started with a few counties turned into a statewide practice once it became apparent that electronic registration was quicker, easier, and improved the quality of records and record-keeping. Pennsylvania officials with the SOS's office also report that they enjoy positive, collaborative relationships with PennDOT counterparts that have promoted effective use and maintenance of the electronic registration process.

The Future of Electronic Voter Registration in California

As of this writing, California DMV customers must complete separate paper voter registration forms or a separate online registration process to register while conducting credential transactions. None of the information the DMV holds in electronic form is shared with the SOS or county registrars; instead, the DMV transmits completed paper applications to county registrars or refers customers directly to websites maintained by elections authorities to begin the registration process.

To implement its own electronic registration program, California will need to embrace opportunities created by factors like those in Delaware and Pennsylvania, and thereby obtain the requisite infrastructure and cross-agency cooperation. Some such factors are already at play: several non-profit organizations and voters filed a complaint with the SOS' office in February 2015 alleging that the state DMV was not meeting its obligations under the NVRA. The complaint is the first step toward formal litigation, and a possible legal mandate to improve registration practices at state agencies. Subsequent to the filing of this complaint, Governor Brown requested a revision to the current state budget to designate \$2,350,000 for "upgrades to Secretary of State (SOS) and Department of Motor Vehicle (DMV) Voter registration systems that electronically transmit voter registration information from the DMV to the SOS" (this request is also known as the "May revise"). The legislature approved a revised budget in June 2015,

and the existence of funding and staff commitment to make procedural changes bodes well for California's ability to overcome its foreseeable technological hurdles. The signing of AB 1461 creates statutory directions to the DMV that will lead it in the direction of adopting electronic registration and building database interoperability with systems in use and development by the SOS.

In summary, deliberations and negotiations that will shape the future of California elections are in progress as of this writing, and while their outcomes remain to be determined, promising steps have been taken in the direction of increased automation. It is our hope that the recommendations herein will help the state, in the course of the efforts in progress, to design the best possible technological infrastructure, operational standards, and training, outreach, and education plans.

California's Technology Needs: Computerized Record-Keeping Capacity and Database Interoperability

Many, if not all, states that have successfully implemented electronic registration have had to obtain new equipment such as servers and signature pads, and have had to dedicate resources to paying for programming of new and existing equipment. As California state government moves forward to implement VoteCal, it seems likely that some work and acquisitions will be needed to ensure that DMV and voter registration databases are maintained with compatible, up-to-date, secure software and hardware. Indeed, acquisition of enhanced technological capacity is presumed in AB 1461, which requires the DMV to begin transferring digitized signatures to the SOS within one year of certification that VoteCal is operational. It is critical to ensure that the DMV can prospectively create and transmit electronic files that the VoteCal system will be able to read and add to its collection of registration records.

Beyond upgrading equipment and its programming in use at DMV locations and by the SOS and County Registrars, California may need to implement completely new computerized record-keeping systems for some of its NVRA registration agencies to achieve an ideal, fully paperless NVRA registration system. A wide variety of state agencies are required to provide registration services in California:

- Welfare offices that administer CalFresh (SNAP), CalWORKs (TANF), Medi-Cal, WIC, and In Home Supportive Services Program.
- The Cal State Health Benefits Exchange.
- Offices of the State Department of Rehabilitation.
- Independent Living Centers.
- Department of Developmental Services Regional Centers.
- Department of Social Services locations that provide Office of Deaf Access services.
- State and County Mental Health Providers.
- Armed Forces Recruitment Centers.
- Franchise Tax Board District Offices.
- State Board of Equalization District Offices.

Some of these entities reportedly transact much of their business with customers on paper, and provide services not only at office locations but also over the phone and through home visits, during which employees may not have access to any means of creating or editing electronic

records. Some do not collect signatures on signature pads and do not have any electronic signature files for any of their customers, and these agencies' information collection and record-keeping systems might need redesign from scratch to enable inclusion of graphic signature files transferable to sister agencies. Such reforms require not only funding but agency leadership's openness to innovation, particularly where the necessary innovations may involve significant changes to an agency's central operating methods.

Recommended Features of and Best Practices in Electronic Registration

California can draw upon the lessons already learned from the states which have already implemented electronic registration systems, and combine the best ideas from peer states to build a system that meets its unique needs. We recommend, in the interest of reaching and serving the broadest possible cross-section of California's diverse electorate, that the SOS, County Registrars, and the DMV and other state agencies subject to the NVRA create systems with the following features and functions. We note again that efforts that will result in adoption of at least some of these recommendations are likely already in progress as a result of ongoing discussions between the DMV, the SOS, and advocates involved in relevant litigation:

Hardware and Software

- As fully electronic registration is implemented, the registration process should be interwoven into all DMV and other state agency transactions. The provisions in AB 1461 do not explicitly require this, but do allow for the embedding of registration procedures as a routine step in a paperless credential transaction process at the DMV. Agencies' computer systems should be designed to prevent records from being completed and processed until a live choice is recorded between "yes" and "no" (as to whether the customer will register or is eligible to register), whether transactions take place online, person to person, or via standalone computerized kiosk.
- Consistent with strong protection of customers' confidentiality, state officials should examine the feasibility of enabling agency databases to securely exchange information both ways about residents' registration status, so that state agency computer systems (and employees, where no customer-facing screen is available) are able to communicate customers' registration status in the course of transacting business. Thus, instead of simply asking, "Would you like to register to vote?" of every customer, online and computerized interfaces, or agency staff, might communicate the message: "It looks like you are not registered to vote at this address: would you like to register?" Customers with existing registrations could simply be informed that they appear to be registered and offered the opportunity to update their records or contact elections officials with any questions.
- State agencies subject to the NVRA must work towards having electronic signature file capture abilities, as AB 1461 guarantees that the DMV will do. Employees who visit customers in remote locations should be equipped with tablets or similar mobile equipment that can record or scan a signature or hand stamp. All systems must be able to transfer, in the same electronic format, not only signatures but registered hand stamps used by customers who are unable to produce signatures.

- Agency computer interfaces should adopt the widely-praised accessibility features built into California’s online voter registration portal, which include:
 - Focus on content above visual presentation;
 - Multiple input options provided with forms, including voice-recognition, on-screen and keyboard entry; Braille keyboard available to in-person customers upon request;
 - Text that is viewable and legible in various sizes;
 - Screen readers that can navigate text, and headphones that are available as appropriate to ensure the privacy of people who choose to have text read out loud to them;
 - Use of simple language with a limited amount of information on any single page; and
 - Display of information inputted for review and confirmation before processing.
 Accessible voting machines made by Dominion also earn praise for their usability by people with disabilities.
- Computerized systems should offer customers the option to obtain human assistance with registration. Websites and computer kiosks in unstaffed locations should connect customers to phone- or web-based services upon request; kiosks placed in staffed locations should alert on-site employees whenever customers request help.
- If, as the state plans for necessary upgrades to equipment and programming, certain agencies must be selected as top priorities, the state should use registration source tracking information available to it pursuant to SB 35 (2012) to identify those agencies that produce the largest numbers of registration applications and, insofar as it is possible to determine, those agencies that produce the largest percentages of registration applications relative to the number of customer transactions conducted in total.
 - The SOS’s office and County Registrars should strive to work collaboratively with state agency leadership by providing agencies with information about the cost-effectiveness of adopting electronic registration capabilities, and by seeking out agencies’ ideas and recommendations around installation of new equipment and processes.
- Information technology security must be, and remain, a top priority for state officials. One method to consider for building protections into computer systems is the state of Pennsylvania’s delayed-update process. The state maintains the master statewide registration list separate from an electronic version available to the public. Updates to registration files from outside the SOS’s office are processed into the master list after a one-day delay. Maintaining the public and master list separately helps to guard against hacking and introduction of security-compromising programs via public access points.

Operational Procedures

- As AB 1461 requires with respect to the DMV, all address changes reported to state agencies should be transferred to elections authorities, unless a customer affirmatively opts out of having the information shared with the SOS. As of this writing, the Governor has also signed into law a bill, AB 1020, that will require that moves between California counties reported to the DMV be applied automatically to voter registration records unless a voter opts out, effective upon VoteCal’s activation date. Once VoteCal is in active use statewide, the SOS should confer with the DMV to ensure that its systems are set up to electronically transfer all such address changes.

- Registration procedures should include a query regarding customers' needs for accommodations at the polls. Any relevant information about customers' language preferences should also be recorded and shared with elections officials. Written instructions and information about registration should be available in all of the languages in which state agencies provide their own forms and information.
- While transacting business, customers should be asked to contemporaneously review and confirm the accuracy of their newly-submitted personal information whenever practicable. Where services are provided person-to-person, either customer-facing screens or agency employees themselves should repeat personal information as transcribed back to customers to obtain confirmation of accuracy. Where services are provided online or at a computerized kiosk, a non-bypassable screen should display information and require customers to confirm its accuracy in order to proceed.
- Insofar as is possible, customers should be given a menu of options for completing registration procedures, including the option to enter voting-specific information such as party affiliation directly into a computer system (instead of disclosing that information aloud to an agency employee who inputs it into the agency record-keeping system).
- Consistent with the recommendation of the National Research Council's Committee on State Voter Registration Databases, California should support further development of, and make every effort to comply with, national standards for data-exchange formats for databases relevant to voter registration. Greater database interoperability would result from widespread adoption of standardized field definitions, into which all databases' records would be converted when prepared for export and comparison with other databases.

Training, Outreach and Education

- As it navigates the technically-complex process of initiating electronic registration, the state should seek advice from the Election Assistance Commission (EAC). The EAC has rulemaking authority under the NVRA, and is well-positioned to assist with ensuring compliance with it.
- The DMV and SOS should consult regularly with advocates and other stakeholders as they implement new procedures, in the interest of ensuring that voter registration is optimally accessible to customers with special needs. In particular, the agencies should consult with two of the SOS's advisory committees: the Statewide Voting Accessibility Advisory Committee, which provides recommendations to the SOS as to how voters with disabilities can vote independently and privately; and the Language Accessibility Advisory Committee, which includes stakeholders with experience and expertise in providing assistance to voters who are not yet fully fluent in English. Consultation should be complemented with usability test runs: the agencies should recruit individuals with disabilities and citizens who are likely to need language assistance when voting to try out new interfaces and provide feedback.

- The DMV and SOS should also consult with stakeholders with expertise in information technology and automated interfaces to ensure that any new acquisitions and procedures are built around the most advanced, adaptable, and appropriate equipment the agencies are able to acquire.
- To achieve the greatest possible return on investments in infrastructure and system re-design, the DMV and SOS should collaborate around robust outreach and education efforts which inform potential voters of recent changes and the increased ease of registering through the DMV, and, eventually, other state agencies that adopt electronic registration. To prepare potential registrants for the streamlined processes they will encounter when they conduct credential transactions, the DMV and SOS should conduct outreach efforts through a variety of approaches, including Public Service Announcements, materials provided or displayed at DMV offices, appearances by agency officials on ethnic media public affairs programs, and social media.
- In conducting community outreach, the DMV and SOS should work with community stakeholders to develop effective messages in multiple languages and for diverse formats. Community-based organizations should be engaged in helping to spread information for voters through their ethnic and social media contacts.
- Agency employees who provide services person-to-person should receive thorough training on registration procedures, new technological capabilities and interfaces, and adaptations for customers who need language assistance and customers with disabilities. Every frontline employee should be able to recognize and help customers with special needs, and should also be able to assist with the registration process and explain to any customer how the DMV collects personal information and transmits it to elections officials.

CONCLUSION

For as long as voter registration remains a necessary prerequisite to full participation in American elections, it will be worth advocates' efforts and government officials' investment of attention and resources to streamline the registration process and improve the accuracy of the lists of eligible voters that are its end product. Majorities of all Americans who successfully register do cast ballots in major federal elections, but even in the elections that attract the most participation, tens of millions of registrants still fail to participate, and they constitute a significant percentage of the American electorate. In addition, looking more closely, disparities are disproportionately large between the numbers of registrants and voters among communities of underrepresented voters. The Census Bureau estimates that in 2014, for example, about 50,000,000 registered voters overall did not vote. While 67.2% of registered white non-Hispanic voters cast ballots, only 62.6% of African American registrants, 55.5% of Asian American registrants, and 52.7% of Latino registered voters did so.

Persistent gaps between the numbers of voter registrations and actual voters point to the strong need to complement electronic registration and other registration modernization reforms with voter education and engagement that encourage non-voting registrants to vote. Surveys and research, including NALEO Educational Fund's 2012 work with focus groups of low-propensity voters, have revealed that being asked to vote, and instructed in the process, by respected and trusted messengers are among the most effective influences in motivating those who are able to vote to do so. Implementing reliable and efficient electronic registration is an excellent first step toward increasing active participation in California elections, so long as efforts like those recommended herein are followed by consistent and coordinated efforts to speak to and convert registrants into regular voters.

SPECIAL THANKS

NALEO Educational Fund extends grateful thanks to the following individuals and all others who graciously shared their thoughts and recommendations with us as we conducted the research upon which the present report is based. The affiliations for individuals listed below reflect their positions at the time we interviewed or consulted with them. Any mistakes of fact in this document are NALEO Educational Fund's alone, and the views expressed in this report do not necessarily reflect the perspectives of the individuals listed below.

Raul Alvarez

Deputy Director for Field Operations, New Mexico Motor Vehicle Division

Stanley Anderson

Office of the Delaware State Election Commissioner

Dan Carroll

Elections Program Manager, Arizona Secretary of State

Bryan Caskey

Director of Elections, Kansas Secretary of State

Judd Choate

Director, Division of Elections, Colorado Department of State

Jennifer Cohan

Delaware Secretary of Transportation

Michelle Kanter Cohen

Election Counsel, Project Vote

Thomas Connolly

Deputy Director of Public Information, New York State Board of Elections

Sue Cullen

Assistant Director, Accessible Technology Initiative, California State University

Maxine Daniels

Director of Voter Registration and Elections, DeKalb County, Georgia

Cydney DeModica

Constituent Services Administrator, Motor Vehicle Division, Arizona Department of Transportation

Jim Dickson

Vice President, Organizing and Civic Engagement, American Association of People with Disabilities

Katrinia Ferguson

Division of Elections, Florida Department of State

Linda Ford

Director, State Elections Division, Georgia Secretary of State

Robert Giles

Director, New Jersey Division of Elections

Jerry Gonzalez

Executive Director, Georgia Association of Latino Elected Officials

Selika Josiah Gore

Deputy Administrator of Operations, State of New Jersey Motor Vehicle Commission

Timothy Hanson

Director, Program Development Division, Bureau of Elections, Michigan Department of State

Twyla Hart

Registration Supervisor, DeKalb Co., Georgia Registration and Elections Office

Charles Hollis

Assistant Administrator, Rhode Island Division of Motor Vehicles

Ted Jackson

Community Organizing Director, California Foundation for Independent Living Centers

J. Bradley King

Co-Director, Election Division, Indiana Secretary of State

Deanna Kitamura

Supervising Attorney, Democracy Project, Asian Americans Advancing Justice | Los Angeles

Stephen Leak

Executive Director, Credential Programs, Indiana Bureau of Motor Vehicles

David Lindsay

Driver License Operations Director, Colorado Division of Motor Vehicles

Bernadine Lucero

Elections Division, New Mexico Secretary of State

Elaine Manlove

State Election Commissioner, State of Delaware

Jonathan Marks

Commissioner, Bureau of Commissions, Elections, and Legislation, Pennsylvania Department of State

Chris Miller

Manager, License Control Division, Pennsylvania Department of Transportation

Alexander Mosca

Operations and Management Consultant in the Office of the Director, Florida Division of Elections

Kurt Myers

Deputy Secretary for Driver and Vehicle Services, Pennsylvania Department of Transportation

Dana Olvera

Operations Review Specialist, Florida Highway Safety and Motor Vehicles

Minerva Padron

Elections Division, Colorado Secretary of State

Tammy Patrick

Senior Advisor to the Democracy Project, Bipartisan Policy Center

Cheryl Pruitt

Director, Accessible Technology Initiative, California State University

Christopher Ramos

Programmer, Office of the Delaware State Election Commissioner

Rob Rock

Director of Elections, Rhode Island Secretary of State's Office

Marian Schneider

Deputy Secretary of State for Elections, Pennsylvania Secretary of State's Office

Betsy Schonhoff

Voter Registration Division, Texas Secretary of State

Howard Sholl

Deputy Director, New Castle County, Delaware Department of Elections

Lori Shellenberger

Voting Rights Project Director, ACLU of California

Jonathan Stein

Voting Rights Attorney, ACLU of California

Kathy Stevenson

Lane Manager, Wilmington, Delaware Division of Motor Vehicles

Thomas Surock

Program Manager, Maryland Motor Vehicle Administration

Anna Svizzero

Director of Election Operations, New York State Board of Elections

Scott Vien

Director, Delaware Department of Transportation

Mary Wagner

Director, Voter Registration Division, Maryland State Board of Elections

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APPENDIX

Electronic Registration Practices in Key States

The descriptions in this Appendix are of practices in use as of July 2015. They are likely to be accurate as of publication in October 2015: among the fifteen states profiled, only four have legislatures that meet throughout the year. In the remaining eleven states, the 2015 state legislative session was concluded by the end of June 2015.

Arizona

When a customer appears in person to apply for a new or renewal identification card or driver's license (services commonly known, and henceforth referred to in this Appendix, as "credential transactions"), s/he completes a paper form that includes a section on voter registration. Customers must indicate whether or not they want to register, and, if they are registering, whether they would like to vote by mail. Personnel with Arizona's Office of Motor Vehicle Services (MVD) manually enter the information from the form into the agency's computer system, and customers then review the resulting computer record for accuracy. The MVD's system subsequently transfers information electronically to the Secretary of State's (SOS) system for those individuals who ask to be registered. Customers conducting their business online are given an option to complete online voter registration procedures from the same landing page - <http://servicearizona.com> - from which they can start the process of informing the MVD of an address change, renewing vehicle registration, or obtaining certain other services. In addition, the MVD's online service system prompts customers who are ordering duplicate documents and providing changes of address to indicate, as part of their applications for services, whether or not they would like to register to vote or update their existing registration records. In-person MVD customers have the alternative option of using one of 34 self-service kiosks placed in its office locations around the state, each of which offer the options available to potential voters through the Service Arizona website to apply for or update registration. The MVD provides forms, but not necessarily live assistance, in Spanish, and the Service Arizona website offers online voter registration in Spanish as well.

Colorado

At office locations of Colorado's Division of Motor Vehicles (DMV), voter registration is integrated into the process of conducting a credential transaction, and DMV employees must determine whether customers would like to register to vote before any transaction can be completed. As of this writing, though, information is still collected from customers on paper forms. In-person customers who wish to register so indicate on the paper form they complete for both credential and registration purposes, and staffers enter their registration-specific information into the DMV computer system along with the information also needed for the credential transaction. The staffer then separates the part of the paper form pertaining to voter registration and sends it to the appropriate county clerk. The customer's personal information is also sent as an electronic file to the county elections official, without any digitized signature. The electronic information

can be used to manually begin the process of creating a voter file, but cannot be integrated directly into the voter registration database, and at present the registration cannot be completed until the corresponding paper application is received.

As of this writing, Colorado is in the process of instituting completely paperless procedures at DMVs, with completion expected by November 2015. Once this process is in place, county clerks will receive new registrations and updates to existing records in an exclusively electronic format that is compatible with the state's voter registration database software. Employees will offer registration orally to customers using a script supplied by elections officials, and registering customers will provide digital signatures and answer voting-specific questions about their qualifications and party affiliation through credit card-style transaction pads.

In addition to in-person services, Coloradans applying for a benefits program or updating personal information through the state services website, <https://www.colorado.gov>, are offered the opportunity to register. Registration procedures are integrated into some benefits applications, while online customers renewing driver's licenses or submitting changes of address to the DMV are asked about registration at the conclusion of their DMV transaction. Online DMV customers who wish to register are redirected to the state's online voter registration site to submit all necessary information electronically. This online voter registration site - <https://www.sos.state.co.us/voter-classic/secuRegVoterIntro.do> - is available in Spanish, but neither forms nor live assistance are necessarily available in Spanish from the DMV. All successful applicants who register either in person or online receive confirmation of new or updated registration through the mail.

Delaware

Delaware implemented fully electronic voter registration through the Division of Motor Vehicles (DMV) in 2009. Before any in-person transaction can conclude, whether service is provided by a self-serve kiosk located at a DMV office or by a live DMV employee, customers must choose whether they would like to register to vote. Where service is provided by an employee, the employee asks the customer about registration verbally. If a customer wants to register or update registration, the DMV's computer system automatically requests additional details needed for registration. When a customer is at a counter interacting with an employee, the customer reviews his or her personal information, enters party affiliation, and provides an electronic signature through a credit card processing-type terminal on the DMV counter. All necessary information, including the customer's signature in electronic format, is transmitted directly to Delaware's statewide voter registration database upon completion of the transaction. Delaware residents cannot conduct credential transactions online, so the DMV's website does not provide any direct link to nor ability to complete online voter registration. Voter registration forms and live assistance from the DMV also are not uniformly provided in Spanish. Once applications are processed, elections officials send polling cards to new registrants through the mail.

Florida

Florida Department of Highway Safety and Motor Vehicles (DHSMV) employees are required, and reminded by a computer prompt, to ask adult customers conducting a credential transaction in person if they would like to register to vote. Whenever the DHSMV computer system prompts them to ask, employees are required to input a response as to whether a customer would like to register or not. If a customer agrees to register, s/he must confirm eligibility and indicate a party preference in response to oral employee inquiries; customers' responses are inputted into the DHSMV computer system by employees. Towards the end of any credential transaction, a customer is required to provide a signature, which is collected in digitized format. Completed voter registration applications are uploaded in electronic format into the Florida Department of State's voter registration database, called Voterfocus. The DHSMV also provides printed copies of digitally-submitted registration applications to customers. Once such applications are processed by the SOS's office, newly-registered voters receive voter registration cards. Customers who obtain services through the DHSMV's website cannot complete registration-related transactions through that portal; instead, the DHSMV's website provides information about registration and a link to the Florida Division of Elections' website on a webpage that is separate from its online transaction process and pages. Forms and live assistance are available in Spanish from both the DHSMV and the Division of Elections.

Georgia

At Georgia's Department of Driver Services (DDS), customers completing in-person credential transactions are asked whether they would like to register to vote. Customers who update or replace a state-issued credential through the DDS's website can also register to vote or update their existing voter registration in the process of completing their online transaction. During in-person visits, DDS employees directly enter the necessary additional information into a computer record of the transaction in process, and customers affirm their desire to register when they provide their signatures on a computerized pad. Customers are not contemporaneously asked to review their personal information for clerical errors, but do receive a printed receipt documenting their transaction and can review that document on their own initiative. The SOS's office receives registration applicants' information and signatures digitally; as of January 2015, the SOS was receiving 77% of all new voter registration applications through the DDS electronic registration system. The SOS forwards applicants' digital information to county clerks' offices, which review each new record and update they receive electronically for errors or duplication before integrating them as appropriate into the voter database. Voter registration forms, online services, and live assistance are not generally provided in Spanish by either the DDS or SOS.

Indiana

The Indiana Bureau of Motor Vehicles (BMV) registers electronically those customers conducting credential transactions in person. No voter registration services are currently made available through the BMV's website. Customers seeking any other BMV-provided service who wish to be registered to vote are given and must complete paper voter registration forms. BMV branch employees ask customers applying for credentials if they want to register to vote, and cannot continue these transactions unless a response box is checked on their computers. If a customer

wants to register, the branch employee asks for voting-specific information orally and records answers in the BMV computer system. The Indiana SOS receives registration applications from the BMV electronically. The SOS directly integrates the electronic applications, which contain the applicants' signatures, into the statewide voter registration database, and the appropriate county voter registration office receives a supplemental paper copy of each new or updated registration record. Voter registration forms, online services, and live assistance are not generally provided in Spanish by either the BMV or SOS. Each registrant receives a voter registration card from his/her county registration office after the SOS approves his/her application.

Kansas

Most voter registration transactions at the Kansas Division of Vehicles (DV) occur when customers conduct a credential transaction. Agency employees must ask customers during credential transactions if they want to register to vote, and record a choice before the transaction can be processed. The only exception applies when a customer provides a personal identification document that indicates that s/he is not a U.S. citizen, in which case the branch employee will refrain from offering voter registration. The SOS receives registration applications containing applicants' signatures from the DV electronically. An elections official must review each application before integrating it into the official voter registration rolls. If additional information is required, such as proof of citizenship, the elections official sends a mailed request for the appropriate documents. If customers are transacting other, non-credential-related business in-person at a DV location and express interest in voter registration, they are given paper forms to complete. Customers submitting address changes to the DV online are also offered the opportunity to register, or update their existing registration, and must check one of three choices for their transactions to be successfully processed. Kansas's DVs do not provide services in Spanish, so branch employees print Spanish-language voter registration forms from the SOS website as needed. The SOS sends a notice of disposition to each voter registration applicant who submits a voter registration application through the DV or other state agency.

Maryland

Maryland's Motor Vehicle Administration (MVA) electronically registers customers to vote who conduct credential transactions. Customers who conduct an in-person transaction at MVA locations are asked to choose whether they would like to register, and are asked to enter voting-specific information as needed, through a touchscreen to which employees are also connected, so that they see the information that customers enter on the screen. When customers choose to register, a system query identifies whether or not they are already registered, and the MVA's system then takes customers through the appropriate screens. For example, if a customer is already registered, then the kiosk or touchscreen presents the customer with his or her current party affiliation, which the customer can update. The SOS receives registration applications from the MVA electronically on a nightly basis. The SOS does not directly integrate the registration records until an elections official has reviewed each. After adding the records to the voter rolls, the SOS sends confirmation notices to those who registered through the MVA. Registration is also available when customers change their addresses online through the MVA website. Translated registration forms are available in Spanish at MVA branch sites, and customers can translate online and kiosk screens with the push of a button. Some MVA locations also have Spanish-speaking staff on site who can provide the full range of services in-language.

Michigan

In Michigan, both driver licensing operations and elections fall under the authority of the SOS. At SOS offices that provide vehicle services, customers can register to vote while conducting a credential transaction. The SOS' website also alerts customers submitting address changes to the opportunity to register to vote, and links to a registration form that can be printed and submitted in hard copy, but new registration applications cannot be electronically processed online. Employees at licensing offices record customers' information on computer terminals, then print registration forms for contemporaneous review and signature for those customers who have never been registered in Michigan. These paper forms are forwarded to local jurisdictions, as are electronic files that include digital signatures for all customers completing a new registration application as well as customers who are updating existing registrations.

Electronic files are transferred daily directly into the SOS's Qualified Voter File, and then forwarded electronically to county, city, and township elections officials. All new registrants from any source receive a mailed voter identification card. Today, the SOS's office receives 80% or more of all new voter registration applications through its driver's license-issuing offices. All voter registration applications, whether printed or in digitized format, are available in English or Spanish.

New Jersey

Individuals who are eligible to vote in New Jersey may register at any Motor Vehicle Commission (MVC) location while conducting a credential transaction. The MVC's computer system uses the information entered for these transactions and runs a search to determine whether the customer is registered. When a customer is not yet registered, the system prompts a branch employee to ask if the customer would like to register. If the customer is already registered, the system queues up a query as to whether the customer would like to use any new personal information submitted to also update his or her registration record.

As of this writing, for new registrations, branch employees print a voter registration card (available only in English) which customers sign on the spot to affirm their U.S. citizenship and other qualifications to vote. For MVC transaction purposes, customers also sign a computerized credit card transaction-style pad. Both signed cards and electronic files containing digitized signatures are transferred to the SOS, because regulations require elections officials to maintain the record of voters' confirmation of their qualifications that MVC registrants presently provide through their signature on the printed card. The MVC is working on adapting transaction pads to offer instructions in both English and Spanish, and to make it possible for voters to affirm their qualifications by making entries on the electronic pad. Once that functionality is introduced, which state officials hope will happen in early 2016, the use of printed cards will be discontinued and the registration process through MVC locations will become fully paperless. The SOS directly integrates electronic files into the central voter registration list, and elections officials send successful registration applicants voter registration cards. Additionally, paper applications are made available in English, Spanish, and Korean at MVC locations.

New Mexico

In response to a 2010 court order requiring improvement in the implementation of NVRA-mandated state agency voter registration procedures, the New Mexico Motor Vehicle Division (MVD) installed computer kiosks in its locations that offered only voter registration services. These kiosks transmitted electronic registrations to elections officials, and started operating in 2014. The state found, however, that MVD registrations slowed dramatically after the installation of the kiosks, because many customers did not devote the extra time and effort needed to re-enter their personal information in a second, separate transaction using the registration-only kiosk.

Therefore, the state briefly reverted to using paper registration applications at public agencies before implementing electronic registration procedures fully integrated into the process of transacting MVD business in May 2015. After these changes, both in-person and online transactions are handled similarly except that customers provide digitized signatures on a signature pad when they appear in person, while customers conducting business online are registered, or their registrations updated, using digitized signatures already on file with the MVD. As soon as practicable after initiation of a credential transaction, the MVD's computer system checks for an existing voter registration record for each customer. The system then alerts the customer to his or her registration status, or prompts the employee to do so during in-person transactions, and requires entry of a choice to 1) start a new registration, 2) update an existing record, or 3) decline registration. If a customer chooses to register or update registration, s/he provides voting-specific information on a new screen, or through the signature pad if transacting business in-person. The MVD then sends registration information electronically to both county elections officials and the SOS's office. Although the MVD offers some live assistance by phone in Spanish, in-person and online MVD services are not uniformly available in Spanish, nor are forms posted on the MVD's or SOS's websites available in Spanish.

New York

Although New York Department of Motor Vehicle (DMV) customers can utilize electronic voter registration procedures that reflect some of the best practices in the field, the registration process is not yet fully automated with respect to the entry of registration information into county registration rolls. Customers who visit a DMV location in person are asked whether they would like to start a new registration application or update an existing registration through a customer-facing computer screen, and must enter an answer using the screen in order to complete their DMV transactions. Customers who choose to register or update registration are asked to view and confirm the accuracy of their personal information on file with the DMV using the computer screen, and to answer voting-specific questions that a DMV employee asks orally and records the answers to contemporaneously in the DMV's database system. A registration query is not built into online services requests; instead, customers must affirmatively choose to register before or after completing DMV business through the agency's website. Completed registration applications are electronically transferred with digitized signatures attached to County Boards of Elections, whose employees review them individually for validity. Instead of being integrated directly into voter registration databases, approved applications are printed from PDF files and entered manually as new records or as updates to existing records by staff

with the county Boards of Election. Unsuccessful applicants are accordingly notified, while successfully registered voters receive new voter cards. Online DMV services, voter registration forms, and live assistance from the DMV are all available in Spanish, but one must be able to navigate the State Board of Elections' English-only website in order to locate the link therein to a Spanish registration form.

Pennsylvania

The Pennsylvania SOS primarily relies on an electronic system to obtain voter registrations from the Pennsylvania Department of Transportation (PennDOT), receiving an average of 225,000 - 300,000 each year. As a backup measure, the SOS also sends 20,000-25,000 blank paper voter registration applications to PennDOT locations annually. Since 2005, PennDOT customers have been asked, both by computer systems in self-service kiosks and by live employees, whether they would like to register to vote as a routine step in the process of completing a credential transaction. When a customer chooses to register, the computer interface or customer-facing touchscreen at in-person locations takes the customer through voting-specific questions and data entry step by step, with supplemental assistance available from employees. Applications and applicants' digitized signatures, which are entered into credit card processing-type pads at PennDOT locations, are electronically transferred to the SOS's voter registration record management system. The SOS's office in turn transfers approved applications and updates to county offices.

Customers who notify PennDOT of address changes through its website are also asked whether they want to send their address change to the SOS for voting purposes, and information about customers who answer in the affirmative is also transferred electronically between the agencies. However, as of this writing, new voter registration applications cannot be initiated through PennDOT's online services site - instead, the website encourages customers who have never registered to vote but are interested in doing so to contact county elections officials. Registration services at PennDOT locations, including those offered through self-serve kiosk, are available in Spanish, but the SOS is not notified that a particular customer chose the Spanish option and, presumably, would also prefer to vote using Spanish-language materials. Online registration and a printable voter registration form on the SOS's website are available in Spanish, but PennDOT's website is not available in Spanish.

Rhode Island

The Rhode Island Division of Motor Vehicles (DMV) employees are required to ask customers conducting credential transactions in person if they want to register to vote, and if so, what party affiliation they choose. After a DMV employee records answers to those initial questions, customers view and respond to, through an interactive touchscreen system, additional voting-specific questions including a citizenship affirmation inquiry, which customers may elect to view and answer in English or Spanish. After completing data entry, customers provide their signatures on an electronic signature pad and receive a receipt (in either English or Spanish, as appropriate) instructing them to maintain the record of their registration application until receiving notice from their local Board of Canvassers that the application has been received and

processed. Completed applications are electronically transferred along with digitized signatures to the SOS, whose staff verifies each individual's eligibility and forwards electronic applications through the statewide voter registration database to the attention of officials for the appropriate electoral jurisdiction. Local officials are alerted when there are new applications ready for them to review and approve. DMV customers who renew a license or state identification card online are also offered the opportunity to register to vote, and when they choose to do so, their personal information is electronically transferred to elections officials. Customers who change their address on file with the DMV through its website, however, are not asked whether they would like to initiate a new registration application or update an existing registration record. All successful registrants receive voter registration cards.

Texas

The Texas Department of Motor Vehicles (DMV), a sub-department of the Department of Public Safety, offers customers the opportunity to register to vote as a component of its provision of credentials requested by in-person application. Customers must affirmatively check a box for voter registration, and write out answers to voting-specific questions, on paper application forms; DMV employees do not ask customers aloud about voter registration. When customers choose to register, their choice and supplemental information are entered into the DMV's computer system by an employee, triggering the automatic electronic transfer of the individual's information from the DMV to the SOS. Customers can also choose to have address changes submitted to the DMV through its website electronically transferred to the SOS for the purpose of updating their registration records, but only when they move within the same county. The SOS' office forwards electronic files that include digitized signatures to county officials for processing. Each record is reviewed by a county employee, then, if approved, integrated directly into the computerized list of registered voters. Paper credential/voter registration application forms used at DMV locations, information on the DMV's website, and voter registration information and materials on the SOS's website are all available in Spanish, but live assistance is not necessarily provided by either agency. All new registrants receive registration certificates, and information about accessing the SOS's voter registration website for more information.