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County Clerk/Registrar of Voters (CC/ROV) Memorandum #12254 **Corrected**

TO: All County Clerks/Registrars of Voters

FROM: 
Jennie Bretschneider
Assistant Chief Deputy and Counsel

RE: Voter Registration: California Online Voter Registration (COVR)

Overview

The Secretary of State (SOS), the Department of Motor Vehicles (DMV), and California's three Election Management System (EMS) vendors – DIMS, DFM, and Votec – have developed and are in the final stages of testing an online voter registration application system called California Online Voter Registration (COVR). The SOS anticipates COVR will be available to the public in early September.

Anyone who is eligible to register to vote in California can use COVR to submit an electronic voter registration application. The website application – which will be very similar to the application that has been online at www.sos.ca.gov/elections/register-to-vote since ~~September 2009~~ ~~Spring 2011~~ – will allow people to fill out and submit a California voter registration application online. The COVR website will also allow absent military and overseas (UOCAVA) voters to complete and submit a Federal Post Card Application (FPCA) online to apply to register to vote and request a special absentee ballot.

When a person fills out a voter registration application on the COVR website, the SOS will match the applicant's California driver license or identification card number (CDL/ID), date of birth (DOB), and last four digits of the social security number (SSN4) against the DMV database. If an exact match is found, the DMV will send the applicant's electronic signature image on file with the DMV to the SOS.

At regular intervals, each of the 58 county EMS' will retrieve from the SOS system the electronic voter registration applications, including those with and without DMV signature images, for applicants from their county. For applicants where there is no DMV signature match or the applicant does not have a CDL/ID or SSN4, the COVR system will generate a printable, pre-filled voter registration application, similar to the one that has been available at www.sos.ca.gov/elections/register-to-vote since ~~September 2009~~ ~~Spring 2011~~, and instruct the applicant to print, sign, and mail it to their county elections office. The SOS will still send the applicant's electronic voter registration file to the county EMS.

Once an applicant's signature arrives in the mail, the county elections official can add the signature to the voter registration file and then process the application just as he or she would process a paper application (or an electronic application that contains a DMV signature) to determine if the applicant is eligible to register to vote. The process will be virtually identical for UOCAVA voters who need to submit an FPCA.

Mandatory EMS Upgrade

The three EMS vendors have modified their systems to retrieve electronic voter registration files for each county. The EMS upgrades allow each county to import, display, process, store, and otherwise make available to the county the voter registration data submitted by COVR applicants, including DMV signature images. The EMS upgrades include new database fields corresponding to the FPCA, such as ballot receipt preferences.

The EMS upgrades will be sent electronically to all 58 counties by August 24, 2012. Each county must immediately install the upgrade and take part in a WebEx training, which will be provided by the EMS vendors during the week of August 27, 2012.

The cost to design, build, and roll out COVR is paid for by the SOS using federal Help America Vote Act (HAVA) and Federal Voting Assistance Program (FVAP) grant funds. *There is no cost to the 58 county elections offices to accept and use the EMS upgrade* to receive electronic voter registration files. To the contrary, counties should experience cost savings because fewer voters will submit paper voter registration applications and FPCAs. Instead of manually entering data from paper voter registration applications and FPCAs, counties will receive electronic voter registration applications that can be imported into the EMS. The DMV has electronic signature images on file for an estimated 94% of California citizens, eliminating the need for most people to sign a paper voter registration application or FPCA.

Statewide Policies and Procedures for Online Voter Registration

It is critical to keep in mind that while COVR allows a voter's registration application to be delivered to county elections officials in an alternate fashion and to include a digitized signature from the DMV instead of an original "wet" signature, California's laws, policies, and procedures for processing online voter registrations ***are identical*** to those that apply to paper voter registration applications.

Therefore, the following statewide policies and procedures apply:

1) COVR is open to any California resident who is eligible to vote.

All Californians who are eligible to register to vote may apply to do so using the COVR website, including people who have no CDL/ID or SSN4. UOCAVA voters may use the COVR website to apply to register to vote and request a special absentee ballot. County elections offices will receive an electronic voter registration application file for each online applicant, including those for whom no signature is found at the DMV and those who do not have a CDL/ID or SSN4, and the upgraded county EMS will identify which files contain no DMV signature.

2) The deadline to register to vote using the COVR website is 12:00 midnight on E-15.

The COVR system will attach a timestamp to each online voter registration application the instant it is completed and submitted via the COVR website. To be eligible to vote in the November 6, 2012, General Election, applicants must complete and submit a COVR application online prior to midnight on October 22, 2012. This is consistent with Elections Code sections 2102 and 2107, which require all voter registration applications to be received or postmarked on or before E-15 for an applicant to be eligible to vote in that subsequent election.

3) COVR applications submitted by E-15 are timely, even *without* a DMV signature.

As noted above, each online applicant will be asked to submit a CDL/ID, DOB and SSN4 in order for the SOS to match and retrieve a DMV signature. At the end of the COVR website interview, the applicant will select "Submit." At this time a timestamp will attach to the application. If a DMV signature is found, the applicant will be instructed to print a one-page receipt, which will contain the timestamp. If no DMV signature is found or if the applicant does not enter a CDL/ID or SSN4, the applicant will be instructed to print, sign, and mail the completed voter registration application (or FPCA). A timestamp will be contained in the electronic voter registration application transmitted to the county and will appear on both the printable receipt and the voter registration application (or FPCA). All COVR applications submitted prior to 12:00 midnight on E-15, whether or not they contain a DMV signature image, are timely. This is consistent with Elections Code sections 2102, 2107 and 2153.

4) County elections officials must mail voter registration forms to COVR applicants missing DMV signatures.

County elections officials have an affirmative duty to collect missing information, including a missing signature, for voter registration applications received or postmarked by E-15. If the missing information cannot be collected by telephone (e.g., a missing signature),

Elections Code section 2153(c) requires the county elections official to mail the applicant a voter registration application. For any COVR application time-stamped prior to 12:00 midnight on E-15, but missing a DMV signature image, the county elections official must mail the applicant a voter registration application to sign and return. However, the county elections official may, at his or her discretion, wait to see if the applicant follows the instructions on the COVR website and prints, signs, and mails the application with a signature. For example, the county elections official may choose to schedule mailings to occur after the usual time it takes for mail to be delivered within the county (e.g. three business days). This allows time for an applicant to mail in a signature before the county mails a voter registration application to the voter to collect the signature. This is consistent with Elections Code section 2153 and California Code of Regulations 20108.18, which apply to voter registration applications received or postmarked by E-15.

Making COVR Available to the Public

The existing SOS Register to Vote button will automatically link to the COVR website when COVR is deployed. The website address www.registertovote.ca.gov will also direct the public to the COVR website. County elections officials are encouraged to add the Register to Vote button or a link to www.registertovote.ca.gov to their websites and any UOCAVA voter information webpages. To add the Register to Vote button go to www.sos.ca.gov/elections/bug/register-to-vote and follow the instructions.

Pursuant to Elections Code section 2157(d), county elections officials are precluded from offering their own downloadable voter registration applications. County elections officials who may have been unaware of this law change should immediately remove any downloadable voter registration applications. Instead, visitors should be directed to www.sos.ca.gov/elections/register-to-vote, which was established in *September 2009* ~~Spring 2011~~, pursuant to Elections Code section 2157(e). When the COVR website is released to the public, the same URL (www.sos.ca.gov/elections/register-to-vote) will link to the COVR website.

The COVR website will offer online voter registration applications in English and Spanish and will provide fillable, downloadable versions of the National Mail Voter Registration Form in the eight other languages required in California pursuant to the National Voting Rights Act: Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese.

If you have any questions, please feel free to contact Jennie Bretschneider, COVR Project Director, at (916) 651-8297. Thank you.