Chances are that in most states, there are not many services being provided to the public that are executed in the same basic way they were 100 years ago—with the exception of how we register our voters.

In more than half the states, any time residents want to register to vote or update their existing registration they still are required to complete a paper form and return it to their local election administrator either in person or by mail. However, the nation’s population is becoming more mobile over time and that creates a challenge with ensuring that voter registration rolls remain accurate. A recent study found that as many as 8 percent of voter registration records nationally were inaccurate—voters had either moved or were no longer eligible. In some states, that number was as high as 15 percent of voter registration records.1

The U.S. Census Bureau reports that 12 percent of the population moves each year.2 Couple the transient nature of our voting population with commonly held beliefs by voters that their registration is mobile and will follow them automatically when they update their information with the post office or the department of motor vehicles,3 and the situation becomes dire.

In the 2012 general election, survey data showed that more than 5 million voters waited for longer than an hour to vote. In some parts of the country, the wait to vote was upward of seven hours.4 President Obama declared in his 2013 State of the Union address that he was creating the Presidential Commission on Election Administration to “fix that.” The commission conducted meetings and hearings all across the country with election administrators, academics, usability experts, stakeholders and the voters themselves. The foundation of America’s democracy is the registration process, and the commission found that our foundation is crumbling.

The presidential commission made a number of recommendations that will help remedy the situation. First, enforce existing laws such as the National Voter Registration Act—also known as Motor Voter—and the Help America Vote Act. Secondly, modernize the voter registration system, such as online voter registration. Lastly, expand data-sharing programs, both intrastate and interstate.

The Law

National Voter Registration Act
42 U.S. Code § 1973gg–2(a)(1)
The National Voter Registration Act calls for two very specific requirements with which many states don’t currently comply. First, a voter registration application at the Department of Motor Vehicles may be “made simultaneously with an application for a motor vehicle driver’s license” and can require no duplication of information that is provided by the applicant on the driver’s license application. This means states simply providing a voter registration form are not in compliance with federal law. Information provided by the applicant that is shared in the two processes (name, address, date of birth, etc.) must auto-populate the voter registration application and cannot require duplicative effort by the voter.

The voter registration act clearly states “each state motor vehicle driver’s license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application” and that “an application for voter registration submitted … shall be considered as updating any previous voter registration by the applicant.”
This brings us to the second failing of compliance. In many states, the modification of an existing voter registration record with information provided to the Department of Motor Vehicles occurs as an “opt-in” process rather than the default outlined in the National Voter Registration Act. The law states that, “Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver’s license shall serve as notification of change of address for voter registration with respect to elections for federal office for the registrant involved unless the registrant states on the form that the change of address is not for voter registration purposes.”

Nationally, less than a third of all new voter registration applications come through the DMV according to the Election Assistance Commission National Voter Registration Act survey. Yet, interactions by the public with the DMV occur practically synonymously with triggering life events: moves, name changes, etc. In seven states and the District of Columbia, more than half of the registrations come from the DMV. States that are compliant with the federal voter registration law see better results.

**Help America Vote Act**
42 USC 15483.(a)(1)(A)(iv)
When the Help America Vote Act was passed in 2002, the vision was that all states would have a single voter registration list that would be used in conjunction with other state agency lists. HAVA specifies “the computerized list shall be coordinated with other agency databases within the State.”

The Help America Vote Act provides specific instruction for the DMV to collaborate with the chief state election official. “The chief State election official and the official responsible for the State motor vehicle authority of a State shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the motor vehicle authority to the extent required to enable each such official to verify the accuracy of the information provided on applications for voter registration.”

**The Good News**
There are solutions to these problems that perfectly balance access and integrity, outreach and security, and make better use of public resources while meeting voter expectations. The basic modernizations states should be considering is to offer online voter registration integrated with other state systems—such as the DMV—and utilizing technology to capitalize on efficiencies that can be gained by such integration, both with intrastate list comparisons as well as interstate compacts.

Arizona was the first state to offer online voter registration to its residents in 2002. The Arizona Department of Motor Vehicles, at that time, began offering address updates and modifications online. Election officials believed that to maintain compliance with the National Voter Registration Act, it was essential to expand the voter registration efforts to coincide with this modernization at the DMV.

Arizona’s integration of online voter registration has had many benefits during the ensuing 13 years. A 2007 study conducted in Maricopa County found that for every application submitted through the online network rather than by a paper form, the county saved 80 cents in putting that voter on the rolls. There have been additional savings in time and materials; annual printing costs for voter registration forms have decreased by an average of 85 percent. Although the cost of instituting online voter registration is about $250,000, the cost savings is considerable and investments are quickly recovered. California recovered its invested money after the first month online voter registration was in service.

States already offering online voter registration have the ability to improve and capitalize on their existing infrastructure. Washington state expanded its online system to be adaptable to endless registration points—National Voter Registration Act agencies, voter registration drives, etc.—via the simple creation of URL extensions to its official website. This low-cost solution not only allows for tracking of NVRA compliance, but also performance reporting for registration drives and is more secure because reports only contain the personal information allowed under state law.

Michigan and Delaware are two states that have exemplary programs for their NVRA compliance with the DMV. The seamless integration of applicant information and data transmission between the state agencies results in the highest performance in the nation.

As states modernize their various agency system infrastructures or expand their services online, it is critical that their voter registration requirements be built into the system from the beginning. The efficiencies found in integrating processes benefits
other state agencies as well as the elections office. In Delaware, the DMV was able to shave 60 seconds—or two-thirds of their processing time—off of their customer interaction designated for voter registration activities. Lines can form at the polls on Election Day when voter registration lists are inaccurate. Integrating registration responsibilities at the DMV not only helps with that problem, but also has the added benefit of reducing transaction time and thus reducing lines at the DMV—something with which every state struggles.

Good list maintenance doesn’t end at the state line. There are two programs that currently assist with identifying voters who have moved out of state and potentially could be registered in two locations. The first is the Interstate Voter Registration Cross Check—commonly known as the Kansas Cross Check—and the Election Registration Information Center, also known as ERIC. The former is a one-to-one comparison of two states’ voter registration lists that occurs after each federal general election. The latter is a sophisticated data-matching program that takes a state’s voter registration list, its DMV lists, the U.S. Postal Service’s National Change of Address list and the National Death Index and provides potential duplicate registrations, not only from one state to the other, but also within a state. The ERIC reports also identify potentially eligible but unregistered voters that the election administrators are required to reach out to, and are run on an ongoing basis. ERIC was developed by IBM, with funding by the Pew Center on the States, in consultation with election administrators from more than a dozen states. It is now run completely by the state consortium.

States that have joined the ERIC program have experienced a reduction in their provisional voting, have identified duplicate registrations within their states as well as in the other member states, and have registered voters well before the traditional rush that occurs in the last days before the registration deadline for a federal election. A study of the pioneer states in ERIC found:

- **Total voter registration**: ERIC states showed a net improvement in registration of 1.23 percentage points over non-ERIC states.

- **New voter registration**: ERIC states showed a net improvement in new registrations of 0.87 percentage points over non-ERIC states.

- **Voter turnout**: ERIC states showed a net increase in voter turnout of 2.36 percentage points over non-ERIC states.

- **Provisional ballots**: ERIC states showed a smaller increase in the use of provisional ballots. ERIC states also showed less growth in the rejection of provisional ballots.

- **Not registering**: ERIC states showed improvements over non-ERIC states in numbers of residents who did not register to vote because they missed deadlines or did not know where or how to register.

- **Not voting**: ERIC states showed a net improvement in the percentage of people not voting due to registration problems.

- **Voter file errors**: State officials are finding the data ERIC makes available enables them to make valuable corrections to birthdates and other fields in voter files. States participating in ERIC and in the Interstate Voter Registration Cross Check, those who have implemented online voter registration and instituted intrastate data sharing programs, are both “blue” states and “red” states. Voter registration enjoys not only bipartisan support, but also nonpartisan support. The Presidential Commission on Election Administration recommended these administrative solutions because of this very fact. The National Conference of State Legislatures advises, “allowing citizens to register to vote online has proven to be astoundingly cost effective in some cases, and has improved accuracy in our nation’s voter rolls. It’s also a rare issue in elections administration that appeals to Democrats and Republicans alike.”

The tools necessary to modernize the foundation of our democratic process exist and some states are taking advantage and taking action. The question remains, is your state one of them?

**Notes**

1. Stephen Ansolabehere and Eitan Hersh, Voter Registration: The Process and Quality of Lists, in The Measure of American Elections, Table 1 (Barry C. Burden and Charles Stewart III eds.)


3. Pew Center on the States presentation at National Conference of State Legislatures Dec. 11, 2014, Improving Motor Voter: “nearly 1 in 3 respondents was unaware that they could register to vote at a motor vehicle agency” and “About 1 in 4 mistakenly believe that if they move, election officials or the U.S. Postal Service automatically update


5 www.eac.gov.


About the Author

Tammy Patrick is a Senior Advisor of the Democracy Project with the Bipartisan Policy Center, focusing on implementation of the recommendations of the Presidential Commission on Election Administration (PCEA). Former Federal Compliance Officer for Maricopa County Elections Department for 11 years, Ms. Patrick was tasked with serving more than 1.9 million registered voters in the greater Phoenix Valley. She collaborates with community and political organizations to create a productive working relationship with the goal of voter participation. In May of 2013 she was selected by President Obama to serve as a Commissioner on the Presidential Commission on Election Administration (www.supportthevoter.gov) which has led to the position at the Bipartisan Policy Center to further the work of the PCEA.