



Office of the Secretary of the State
State of Connecticut

**MEMORANDUM OF UNDERSTANDING BETWEEN THE OFFICE OF THE
SECRETARY OF THE STATE OF CONNECTICUT AND THE CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES REGARDING THE EXECUTION OF THE
NATIONAL VOTER REGISTRATION ACT OF 1993**

WHEREAS, the Secretary of the State of Connecticut (hereinafter "SOTS") is the commissioner of elections and chief elections official of the State of Connecticut pursuant to Connecticut General Statutes Section 9-3 and has various duties concerning the administration of elections in the state under Title 9 of the Connecticut General Statutes;

WHEREAS, the National Voter Registration Act of 1993 (hereinafter "NVRA"), 52 U.S.C. 20501 et seq., commonly referred to as the "motor voter law," is a federal statutory scheme intended, inter alia, to make voter registration more convenient for eligible United States citizens and thereby increase the number of registered voters;

WHEREAS, the NVRA specifically provides that the states, through their motor vehicle departments, are required to provide the opportunity for simultaneous voter registration or voter registration update when a person who is eligible to vote applies for a motor vehicle operator's license or identity card (hereinafter "credentials"), renews such credentials or changes such person's address;

WHEREAS, the State of Connecticut has enacted section 9-19h of the Connecticut General Statutes to comply with the provisions of the NVRA;

WHEREAS, 52 U.S.C.A. § 20509 provides in full: “Each State shall designate a State officer or employee as the chief State election official to be responsible for coordination of State responsibilities under this chapter,” and General Statutes Section 9-23k in pertinent part provides: “The Secretary of the State shall be the chief state election official responsible for coordination of state responsibilities under the National Voter Registration Act of 1993, P.L. 103-31 . . .,” SOTS is responsible for the coordination of Connecticut’s activities under the NVRA.

WHEREAS, the Commissioner of the Connecticut Department of Motor Vehicles (hereinafter “DMV”) is responsible for issuing credentials, renewing credentials and maintaining current address information for credential holders;

WHEREAS, SOTS and the DMV recognize that they can more efficiently carry out the process contemplated by the NVRA and section 9-19h of the Connecticut General Statutes through the use of technology, specifically by establishing an automatic voter registration (hereinafter “AVR”) system that generates a simultaneous, electronic application for a credential and for voter registration or a change in a person’s voter registration status or record;

NOW, THEREFORE, in furtherance of streamlining and simplifying the voter registration process contemplated in the NVRA and related Connecticut laws, SOTS and the DMV hereby agree that:

1. On or before August 1, 2016, the DMV, with the assistance of SOTS, shall implement a system to access data that is in the records of the DMV to populate a paper and/or electronic voter registration application or application to change voter registration status at the time a person applies for or renews a credential. The person shall complete such form or electronic record with the additional information that is required under the NVRA and sign such form or electronic record, attesting that he or she meets the eligibility requirements stated on the

application. Such paper and/or electronic voter registration application or application to change voter registration status shall be an interim step preceding the implementation of the AVR system. To the extent that the interim process described herein has components that are not electronic, the parties shall continue to collaborate to generate and transmit fully electronic voter registration applications during development of the AVR system.

2. On or before October 1, 2016, SOTS and DMV (hereinafter "Parties") shall collaborate to carry out the project described herein. The Parties shall assign and make available persons from each agency who are responsible for legal, information technology and programmatic aspects of the AVR system. In furtherance of the Parties' mutual goal of implementing the AVR system as soon as possible, SOTS agrees to make available sufficient staff resources to DMV, for a period to be mutually agreed to by the Parties, to provide technical and subject matter expertise on NVRA requirements and integration of DMV data into existing voter registration systems.
3. On or before October 1, 2016, each of the Parties shall designate a sponsor for the AVR system.
4. On or before October 1, 2016, the Parties shall designate a project manager from each agency responsible for coordinating efforts described herein on behalf of each agency.
5. On or before December 1, 2016, the Parties shall identify preliminary funding needs, sources and methods of funding development, implementation and maintenance of the AVR system. Should budgetary approval be required, such funding sources and methods shall be included in the SOTS budget proposal for the 2017 legislative session.
6. On or before July 1, 2017, the Parties shall develop a written plan describing the method, timeline and process by which they will jointly develop and implement, not later than August

7, 2018, the AVR system. The plan shall include: (1) the estimated cost of implementing and maintaining the AVR system, (2) any source of funding for such implementation and maintenance, (3) the projected allocation of staff resources, (4) a description of how the system will operate (“system design”), and (5) a description of how customers will interact with the system.

7. The system for AVR described in the previous paragraphs shall:

(a) Establish a schedule and method for the DMV to electronically provide to the registrars of voters the records of each person who submits an original or renewal application for a credential. Such method shall include but not be limited to an interactive display, provided by the DMV or a designated third-party vendor that performs licensing functions, that allows the applicant to complete the voter registration process pursuant to the NVRA;

(b) Provide a means through which a person who submits an original or renewal application for a credential may change such person’s voter registration status or record;

(c) Include a means for the DMV to provide to the registrars of voters, in a manner, method and format to be determined by the Parties, the following information associated with each person who submits an original or renewal application for a credential:

(1) Name;

(2) Date of birth;

(3) Connecticut driver’s license or identification card number or last four digits of the applicant’s social security number;

(4) Both of the following, as contained in the DMV records:

(A) Residence address;

(B) Mailing address;

(5) Gender;

(6) Digitized signature;

(7) Telephone number, if available;

(8) Whether the person affirmatively declined to become registered to vote during a transaction with the DMV;

(9) A notation that the applicant has attested that he or she meets all voter eligibility requirements, including United States citizenship and that such person will be eighteen years old on or before Election Day;

(10) Party Preference;

(11) Previous name or voting address; and

(12) Any other information required by law.

(d) Provide a means for records transmitted by the AVR system to constitute a completed application for voter registration and for the registrar of voters to register the person to vote, unless:

(1) The applicant's record reflects that he or she affirmatively declined to become registered to vote during a transaction with the DMV;

(2) The applicant's record does not reflect that he or she has attested to meeting all voter eligibility requirements pursuant to section 9-12 of the Connecticut General Statutes; or

(3) The registrar of voters determines that the person is ineligible to vote;

(e) Be designed so that if a person who is registered to vote does not provide a party preference, his or her party preference shall be designated as “unaffiliated”;

(f) Provide a means by which each applicant shall swear or affirm to the following as part of the application for voter registration:

(1) I am a US Citizen;

(2) I live at the address provided with my application;

(3) I am at least 17 years old;

(4) I have not been convicted of a disfranchising felony, or, if so, I am eligible to register to vote; and

(5) The information I have provided is true.

8. The Parties shall conduct an analysis of the Driver’s Privacy Protection Act, 18 U.S.C section 2721 et seq. and section 14-10 of the Connecticut General Statutes, as well as any laws pertaining to the disclosure of voter registration information, to develop a policy for access to and disclosure of information that is obtained through the AVR system.

9. The DMV shall not electronically provide records through the AVR system of a person who:

(a) Obtained an operator’s license under section 14-36m of the Connecticut General Statutes, which authorizes the issuance of an operator’s license to a person who was not legally present in the United States at the time of issuance; or

(b) Obtained a credential but was not a citizen of the United States at the time DMV issued the credential, provided the person’s citizenship status is available in DMV records.

10. This Memorandum constitutes the entire agreement between the Parties, and any amendments to the Memorandum shall be in the form of a signed writing executed by both Parties.

11. This Memorandum shall commence upon execution by both Parties, and shall continue until modified, amended or terminated.

12. IN WITNESS WHEREOF, the Parties hereto have caused this Memorandum to be duly executed by their authorized representatives intending to be bound by the terms and conditions herein set forth.

Office of the Secretary of the State of Connecticut

By 

Date: 5-16-16

James F. Spallone, Deputy Secretary

Connecticut Department of Motor Vehicles

By 

Date: 5-16-16

Michael R. Bzdyra, Commissioner