



State of California

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Report #244

October 26, 2018

The Honorable Edmund G. Brown, Jr.  
Governor of California

Pedro Nava  
Chairman  
Sean Varner  
Vice Chairman

The Honorable Toni Atkins  
President pro Tempore of the Senate  
and members of the Senate

The Honorable Patricia Bates  
Senate Minority Leader

David Beier  
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Cynthia Buiza  
Anthony Cannella  
Senator  
Chad Mayes  
Assemblymember

The Honorable Anthony Rendon  
Speaker of the Assembly  
and members of the Assembly

The Honorable Brian Dahle  
Assembly Minority Leader

Don Perata  
Bill Quirk  
Assemblymember  
Richard Roth  
Senator

**Re: Losing 1.4 Million Eligible Voters (so far) a Bad Prescription for Healthy Democracy:  
Do the Secretary of State and DMV Have the Right Medicine?**

Dear Governor and Members of the Legislature:

While the Legislature has done its part to improve voter registration and participation, the Commission has found that in the first quarter of the New Motor Voter Program, over 1.4 million eligible voters were not registered to vote under the program, either because they opted out of registering or their intent to register was unclear. No data is being collected and analyzed to determine why so many eligible voters aren't signing up. At a cost of \$436,000, the Secretary of State (SOS) sends a postcard to some, (about 25 percent of opt outs in July and 38 percent in August), there is no follow up to determine whether this outreach works or is worth the money. Neither does the SOS collect data on the 16 and 17-year olds who decline registration while at the Department of Motor Vehicles (DMV).

In addition, there have been serious rollout issues with the New Motor Voter Program since its implementation in April 2018. More than 70,000 voter records have been negatively altered and 1,500 people have been improperly registered to vote.

In large part, the legitimacy of elections depends upon faith in the electoral process. The topic of election integrity is on everyone's mind, whether it's Russian interference or some 400-pound guy in a basement. Government errors or other failures with the New Motor Voter Program may serve to shake, if not seriously undermine, such faith. The findings and recommendations in this letter report are intended to assist the new administration and Legislature in taking needed action to correct the persistent problems afflicting the New Motor Voter Program.

## **Challenges and Opportunities**

The Commission believes that the incoming administration and Legislature should be aware of the ongoing challenges with the New Motor Voter Program and take prompt action. Sustained commitment and diligence is needed to ensure that no Californian who is eligible to vote is left voiceless and behind in any election due to government error or other failures.

### **Recommendation No. 1.**

Despite the partial success of the New Motor Voter Program, far too many eligible Californians who conduct transactions at the DMV still opt out of the program, fail to provide voter preference or give clear intent as to whether they want to register to vote. In the first quarter of the program's implementation, over 1.4 million people were not registered through the program.<sup>1</sup> The Secretary of State does not engage in any activities to find out why the program has not been successful for these eligible voters.<sup>2</sup> Thus, there is no light shed on who these groups of individuals are or why they fail to register to vote, despite the convenience of the program. Without gathering this type of data, it will be difficult, if not impossible, to improve the New Motor Voter Program.

Therefore, measures should be implemented requiring the Secretary of State to engage in activities to find out why Californians who are eligible to vote opt out of the New Motor Voter Program, fail to provide voter preference, or give clear intent as to whether they want to register to vote. In addition, on an annual basis, the Secretary of State should report to the Legislature its findings and, where appropriate, any remedial actions taken or to be taken to the program.

### **Recommendation No. 2.**

As of August 24, 2018, the number of individuals eligible to vote but who opted out of the New Motor Voter Program or provided unclear information or missing information is over 1.4 million.<sup>3</sup> That large of a number is unacceptable. While the Secretary of State follows up with these individuals by sending outreach postcards, the office does not collect, track, or analyze data on how many individuals take action to vote after receiving the postcard.<sup>4</sup> Certainly, time, expense, and resources are expended on this outreach. Further, the August 2018 data from the Secretary of State shows that not all individuals who fail to register to vote through the program have been sent outreach postcards. The Commission thus calls for evaluation of the outreach program.

Measures should be implemented requiring the Secretary of State to develop policies and procedures to measure and determine the effectiveness and cost efficiency of the office's New Motor Voter Program outreach efforts. The Secretary of State should also consider and implement other outreach approaches, where appropriate.

### **Recommendation No. 3.**

The DMV and California Department of Technology (CDT) have had serious problems with ensuring that the New Motor Voter Program works as intended and promised. The spirit and intent of the law will disappear without effective implementation and long-term planning. Moreover, voter confidence in a fair and legitimate electoral process will be undermined, if not shattered. The Secretary of State has

called for an independent third party to audit the DMV and CDT and correctly so. An independent audit is appropriate, because partisan interest, whether perceived or real, should not be an issue in a review of governmental conduct that is so fundamental to democracy. Given their unique expertise in conducting independent program audits of state departments, the California State Auditor is well suited and qualified to perform an independent performance audit of the DMV and CDT relative to the New Motor Voter Program.

Therefore, the California State Auditor should be directed to conduct an immediate program audit of the DMV and CDT relative to the New Motor Voter Program with recommendations for corrective action where appropriate.

## **Background**

The Commission began this study in May 2017 following the historic 2016 election to learn about California's voter participation landscape and to consider the impact of important legislative changes on voter participation rates. The Commission heard from researchers at the Public Policy Institute of California and the California Civic Engagement Project. Elections officials in three counties – Orange, Sacramento and Santa Cruz –shared predictions for how voting reforms may shape participation in their communities and discussed challenges to implementing recent changes in law. Representatives from critical voting rights organizations described how the new election laws could ease the voter registration process and improve voter turnout; yet, they also warned against potential barriers, particularly for individuals with disabilities and non-native English speakers. Representatives from the California Secretary of State and the Department of Motor Vehicles shared strategies and plans to implement California's new election laws and address concerns from the stakeholder community.

Representatives from Los Angeles County told the Commission about planned election improvements to modernize the voting experience in the county, including efforts by local election officials to modernize the county's voting system. Representatives from voting rights organizations as well as community organizations, including California Calls and Community Coalition, spoke about the readiness for election-administration improvement in the County of Los Angeles. They described extensive grassroots efforts to engage underrepresented communities and offered suggestions for reaching new and infrequent voters in the county.

The president of the California Voter Foundation explained opportunities and potential pitfalls California may encounter in implementing changes to the voting process. A representative from Rock the Vote also shared lessons from decades of work mobilizing young voters and suggested additional opportunities to amplify civic education and awareness as a means to increase voter participation. Commission staff conducted extensive research and interviewed election researchers, civic advocates and members of the public.

## Legislative Reforms Aimed at Increasing Voter Participation

Low registration rates and turnout at the polls have historically plagued California. Notably, young voters, ages 18-24, turn out to vote at significantly lower rates than older voters.<sup>5</sup> This is particularly troubling because research shows that people who get involved in the political process at a young age are more likely to become lifelong voters.<sup>6</sup>

**AB 30 (2009) and SB 113 (2014) combined to allow pre-registration for eligible 16 and 17 years olds who meet certain criteria.**

Since 1993, the National Voter Registration Act (NVRA), also known as the Motor Voter Law, has been credited with helping millions of people to register to vote and update their voter information during a driver license or ID card transaction at the California Department of Motor Vehicles (DMV).<sup>7</sup> In January 2016, AB 1461 (Gonzalez), California's New Motor Voter Program, was enacted into law.<sup>8</sup> The law, designed to increase further the state's voter rolls by simplifying the voter registration process, requires DMV to electronically transmit to the California Secretary of State information about DMV customers who are eligible to vote. The California Secretary of State then adds those who are eligible to the voter rolls, unless they opt out of registration. California became only the second state in the nation to adopt an automatic voter registration system. Oregon had enacted a similar law earlier in 2015.<sup>9</sup>

Although AB 1461 took effect in January 2016, DMV was given one year to commence implementation following the certification of the statewide voter registration database, VoteCal. In September 2016, the California Secretary of State certified VoteCal.<sup>10</sup> Lawmakers also approved a funding request by DMV related to implementation.<sup>11</sup> The DMV partnered with the Department of Technology (CDT) to develop applications needed to implement AB 1461.<sup>12</sup> Regulations developed by the California Secretary of State became operative in October 2017, and the DMV launched the New Motor Voter Program in April 2018.<sup>13</sup> Since its launch, CDT has continued to work with the DMV to modify the New Motor Voter Program applications, streamline and improve operations, and train DMV staff to provide ongoing maintenance and support for the application.<sup>14</sup>

The New Motor Voter Program falls short of requiring automatic voter registration, as the Oregon law does. In California, no one who is eligible to vote will be registered or pre-registered to vote without their knowledge, since there is an "opt-out" choice. DMV representatives explained the process this way: "Rather than asking DMV customers if they would like to register to vote, eligible applicants will be automatically registered to vote unless they affirmatively decline and opt out of registration, or respond that they are ineligible to register to vote."<sup>15</sup> In Oregon, there are no questions about voter registration at the point of service. Rather, the Oregon Driver and Motor Vehicle Services Division forwards relevant customer information to the Oregon Secretary of State. Those deemed eligible to vote receive a card in the mail that informs them of their registered status and allows them to pick a political party or to opt out of registration.<sup>16</sup>

In addition to the New Motor Voter Program, SB 450 (Allen), known as the Voter's Choice Act (VCA), is aimed at improving voter participation. On or after January 1, 2018, the VCA authorizes 14 counties to conduct any election as an all-mailed ballot election, if certain conditions are met. Beginning January 1, 2020, any county may follow the VCA model, except the County of Los Angeles which may pilot a slightly modified model without all-mailed ballots. In contrast to traditional polling places, which operate only on Election Day, the VCA requires vote centers to remain open seven days a week and provide services not provided by polling places, such as same day voter registration, print on-demand ballots for every

jurisdiction in the county, ballots in various languages and accessible voting machines for voters with disabilities.<sup>17</sup> Just 5 of the 14 counties – Madera, Napa, Nevada, Sacramento and San Mateo – opted to change their voting processes under the VCA. Counties that opted out of participating in the new voting model continue using polling places.

## **New Motor Voter Program**

### **Voter Registration Numbers Increase**

Prior to the implementation of the New Motor Voter Program, DMV customers could, if they chose, register to vote, re-register to vote or update their residence address. Between April through August 2017, roughly 820,146 eligible DMV customers decided to take advantage of this opportunity.<sup>18</sup> In only two and a half months, the New Motor Voter Program, which launched on April 23, 2018, came close to meeting that 2017 voter registration number.<sup>19</sup> On July 25, 2018, Secretary of State, Alex Padilla, announced that a total of 792,851 voter registration transactions were completed through the DMV. Those transactions included new voter registrations, re-registrations and updated residence addresses.<sup>20</sup> As of August 24, 2018, that 700,000 plus number jumped to 1,391,236.<sup>21</sup>

The number of pre-registrations for 16 and 17 year olds also increased, although not entirely due to the New Motor Voter Program. The data from the Secretary of State shows that as of September 20, 2018, 209,577 16 and 17 year olds had pre-registered to vote by way of the California online voter registration website or at the DMV.<sup>22</sup>

### **Voter Registration Increases Do Not, Unfortunately, Show an Accurate Picture**

While the voter registration increases appear promising, the New Motor Voter Program is not a success story, at least not yet, because the number of DMV customers eligible to vote but who opt out of registering is too high. The data from the Secretary of State as of August 24, 2018, shows that in the first quarter of the program's roll out 1,148,700 eligible DMV customers opted out of registering to vote. (Exhibit A.) That's not the only negative high number. The data from the Secretary of State also shows that in the first quarter of the program's rollout 272,089 DMV customers eligible to vote did not clearly indicate if they intended to register or update their registration. Consequently, those individuals were not registered through the program. (Exhibit B.) When the opt-out and unclear intent registration numbers are combined, the number of eligible voters who were not registered to vote through the New Motor Voter Program rises to 1,420,789. That is a sizeable number of missed registrations.<sup>23</sup>

The Secretary of State does take follow up action, however, by sending outreach postcards to eligible voters who do not effectively utilize the New Motor Voter Program to register to vote or who opt out of registering. (Appendix B) Based on the August 24, 2018, data for the months of July and August 2018, the Secretary of State has not sent postcards to all individuals who opted out of registering. In July, 412,588 individuals opted out and, as of August 24, only 106,423 outreach postcards have been sent to those individuals. In August, 214,969 individuals opted out and, as of August 24, only 82,375 postcards have been sent to those individuals.<sup>24</sup>

To date, the Secretary of State has spent more than \$436,000 on printing and mailing the outreach postcards.<sup>25</sup> Whether the Secretary of State's outreach efforts are effective is unknown. The Secretary of State does not collect data on how many individuals take action to register to vote after receiving an outreach postcard. The office also does not currently engage in any activities to learn why individuals fail to indicate clearly their voter preference, decline to update their voter registration or opt out of registering to vote. In addition, the Secretary of State does not collect any data on the number of 16- and 17-year olds who decline pre-registration while at the DMV.<sup>26</sup> Without collecting and evaluating this type of data, it is unlikely that effective and meaningful improvements can be made to the New Motor Voter Program.

The failure to collect and analyze data concerning non-participation may pale in comparison to errors and mistakes that have been made in implementing the New Motor Voter Program. A month after the launch of the New Motor Voter Program, the Secretary of State's Office reported that 77,000 voter records were affected by software errors. Two voter registration forms were created for one eligible voter.<sup>27</sup> In September 2018, additional DMV errors were reported that affected approximately 23,000 registrations. The errors affected political party affiliation, vote-by-mail, and opt-out preferences of eligible voters.<sup>28</sup> In October 2018, the DMV reported that approximately 1,500 people were improperly registered—some who may not be eligible voters. The Secretary of State has stated that all 1,500 have been removed from the voter rolls<sup>29</sup> and directed the DMV to temporarily stop transferring voter data. In the meantime, the Department of Finance is overseeing an extra review process to verify the accuracy of voter registration information collected by the DMV before it is sent to county election offices and the Secretary of State.<sup>30</sup>

Pursuant to Governor Brown's order, the Department of Finance is conducting a performance audit of DMV, which will evaluate field office operations, the customer experience, computer problems and the DMV's governance structure. Of relevance to this letter report, the audit will also examine an estimated 23,000 errors at DMV offices when customers either were unknowingly registered to vote or had mistakes made in their registration status.<sup>31</sup> The audit will cost about \$800,000, \$700,000 of which is expected to be reimbursed to the department by the DMV.<sup>32</sup> The audit is also expected to result in a report with recommendations that will be released to the public in March 2019.<sup>33</sup>

This audit, however, has not satisfied Secretary Padilla. On October 8, 2018, he wrote a letter to the Department of Motor Vehicles and the California Department of Technology calling for them to hire immediately an independent third party to audit certain specified issues related to the implementation of the New Motor Voter Program.<sup>34</sup> He also demanded to see a copy of the final report and recommendations.

## **Conclusion**

Eligible voters in California should be heard and counted. While the New Motor Voter Program has improved voter registration rates, that is not the complete or accurate picture. Far too many eligible voters are being lost. In addition, the nagging and persistent problems with the New Motor Voter Program requires immediate action to correct; otherwise, the rich diversity of California's population will be limited in voice and fairness, and the legitimacy of elections called into question. The New Motor Voter Program must be scrutinized and evaluated under an objective watchful eye. This letter report is

intended to assist the next administration and the Legislature in taking affirmative action to correct the troubling problems plaguing the New Motor Voter Program.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'PN' with a stylized flourish.

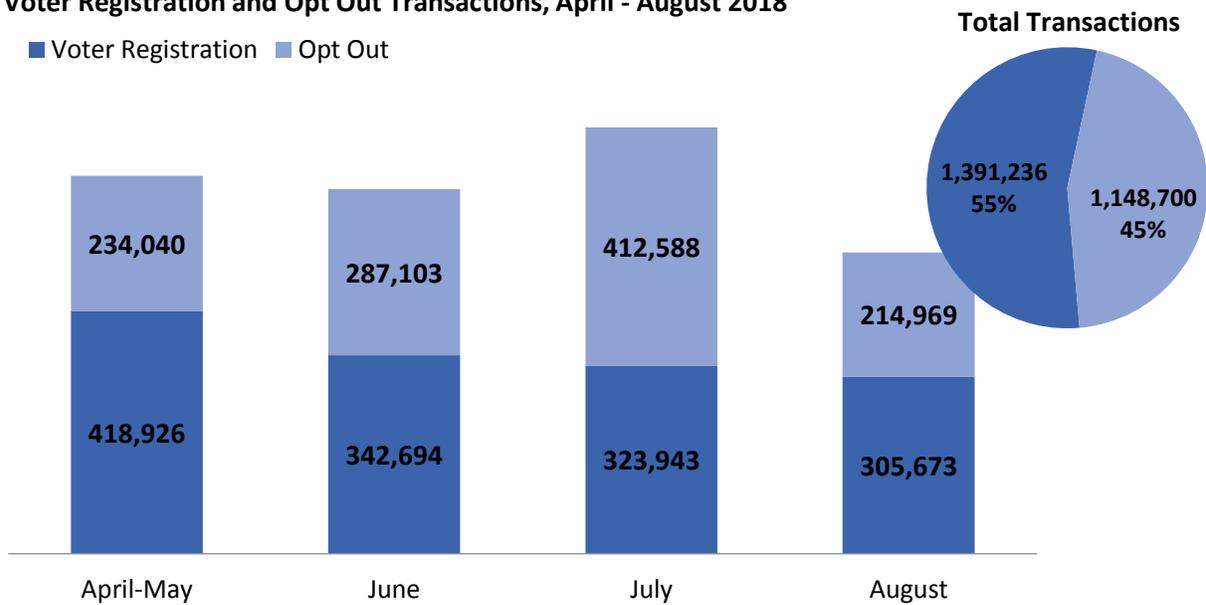
Pedro Nava  
Chairman

CC: Alex Padilla, California Secretary of State  
Jean Shiomoto, Director, California Department of Motor Vehicles

## Exhibit A: Department of Motor Vehicles (DMV) New Motor Voter Transactions

### Voter Registration and Opt Out Transactions, April - August 2018

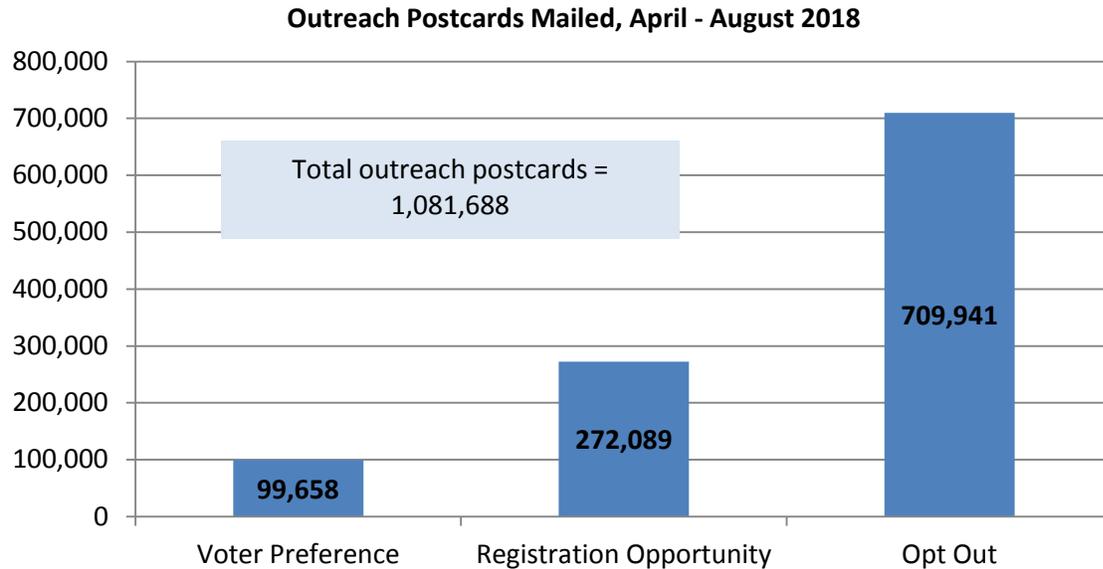
■ Voter Registration ■ Opt Out



\* Because the New Motor Voter Program was launched in April and May 2018, the registration totals for these months have been combined.

Source: California Secretary of State. NVRA Reports. 3. DMV New Motor Voter Registration Transactions Monthly and Yearly Totals by Category, April 2018 to Present. Accessed October 12, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.

## Exhibit B: Secretary of State New Motor Voter Program Outreach Postcards



The Secretary of State distinguishes the types of postcards as follows:

**Voter Preference Postcard:** Postcard mailed to DMV customers who did not select a political party, ballot material language, or vote-by-mail preference. Individuals receiving this postcard were registered to vote or had their voter registration updated.

**Registration Opportunity Postcard:** Postcards mailed to DMV customers who renewed or applied for a DL/ID card or changed their address but did not clearly indicate if they wanted to register or update their registration. Individuals receiving this postcard were not registered.

**Opt Out Postcard:** Postcards mailed to DMV customers who were eligible to register, but opted out of voter registration. Individuals receiving this postcard were not registered, or if they were previously registered, their registration was not updated.

Source: California Secretary of State. NVRA Reports. 3. DMV New Motor Voter Registration Transactions Monthly and Yearly Totals by Category, April 2018 to Present. Accessed October 12, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.

## Appendix A: Public Hearing Witnesses

The lists below reflect the titles and positions of witnesses at the time of the hearings.

### ***Public Hearing on Voter Participation May 25, 2017 Sacramento, California***

Bill Davidson, Chief Deputy Director, Department of Motor Vehicles	Ronda Paschal, Deputy Secretary, Legislation, California State Transportation Agency
Neal Kelley, Registrar of Voters, Orange County	Gail Pellerin, County Clerk, Santa Cruz County
Deanna Kitamura, Voting Rights Project Director, Asian Americans Advancing Justice	Mindy Romero, Director, California Civic Engagement Project, UC Davis Center for Regional Change
Jill LaVine, Registrar of Voters, Sacramento County	Dora Rose, Senior Director of Civic Engagement, League of Women Voters of California
Eric McGhee, Research Fellow, Public Policy Institute of California	James Schwab, Chief of Legislative Affairs, Office of the California Secretary of State
Ofelia Medina, Director of State Civic Engagement Policy, NALEO Educational Fund	Lori Shellenberger, Consultant, ACLU of California
Fred Nisen, Supervising Attorney for Voting Rights, Disability Rights California	

### ***Public Hearing on Voter Participation September 28, 2017 Los Angeles, California***

Kim Alexander, President & Founder, California Voter Foundation	Rosemarie Molina, Civic Engagement Coordinator, Community Coalition
Kathay Feng, Executive Director, California Common Cause	Paul Spencer, Staff Attorney for Voting Rights, Disability Rights California
Rosalind Gold, Senior Director of Policy, Research and Advocacy, NALEO Educational Fund	Gabriel Taylor, Voting Rights Advocate, Disability Rights California
Deanna Kitamura, Voting Rights Project Director, Asian Americans Advancing Justice	Jen Tolentino, Director of Policy & Civic Tech, Rock the Vote
Dean Logan, Registrar of Voters, Los Angeles County	James Woodson, Organizing Coordinator, California Calls

## Appendix B: New Motor Voter Outreach Postcards

### Voter Preference Postcard

Secretary of State  
Elections Division  
1500 11th Street  
P.O. Box 944260  
Sacramento, CA 94244-2600

FIRST-CLASS MAIL  
US POSTAGE PAID  
PERMIT 1597  
SACRAMENTO CA

RETURN SERVICE REQUESTED



#### IMPORTANT VOTER REGISTRATION INFORMATION

MV1

Congratulations, you are registered to vote!

Thank you for registering to vote at the Department of Motor Vehicles (DMV). We noticed that your application **did not include** additional important voter information, such as your **political party preference** or **language preference** for receiving election materials.

#### How to Update Your Voter Information:

- Quickly and conveniently re-register online at [RegisterToVote.ca.gov](http://RegisterToVote.ca.gov) with a computer or most smart phones, or
- Complete and return a paper voter registration form. Voter registration forms are available at your county elections office, public libraries, post offices, DMV offices, and other state offices. You can also have a form mailed to you by contacting the number listed on this card.

#### Questions?

Call our office at (800) 345-VOTE (8683) or contact your county elections official. You can find your county elections official at [www.sos.ca.gov/county-elections-offices](http://www.sos.ca.gov/county-elections-offices).

MV1



## Registration Opportunity Postcard

Secretary of State  
Elections Division  
1500 11th Street  
P.O. Box 944260  
Sacramento, CA 94244-2600

FIRST-CLASS MAIL  
US POSTAGE PAID  
PERMIT 1597  
SACRAMENTO CA

RETURN SERVICE REQUESTED



### IMPORTANT VOTER REGISTRATION INFORMATION

MV2

During your recent Department of Motor Vehicles (DMV) transaction, the voter registration information you provided was either incomplete or unclear. We could not process your voter registration application.

If you meet the eligibility requirements below and want to register to vote or update your current voter registration, please visit our website at [RegisterToVote.ca.gov](http://RegisterToVote.ca.gov).

**To register to vote in California, you must be all of the following:**

- A United States citizen, and a resident of California,
- At least 18 years old,
- Not currently in state or federal prison or on parole for the conviction of a felony, and
- Not currently found mentally incompetent to vote by a court.

MV2

**To pre-register to vote in California, you must:**

- Be 16 or 17 years old, and
- Meet all of the other requirements to vote.

Once pre-registered, you will automatically be registered to vote on your 18th birthday.

If you have any questions or would like a paper voter registration card, please contact our office at (800) 345-VOTE (8683) or contact your county elections official. You can find your county elections official at [www.sos.ca.gov/county-elections-offices](http://www.sos.ca.gov/county-elections-offices).

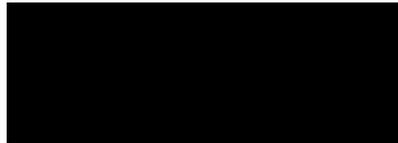


## Opt Out Postcard

Secretary of State  
Elections Division  
1500 11th Street  
P.O. Box 944260  
Sacramento, CA 94244-2600

FIRST-CLASS MAIL  
US POSTAGE PAID  
PERMIT 1597  
SACRAMENTO CA

RETURN SERVICE REQUESTED



### IMPORTANT VOTER REGISTRATION INFORMATION

MV3

During your recent Department of Motor Vehicles (DMV) transaction, you indicated that you are eligible to register to vote, but chose not to register to vote.

If you meet the eligibility requirements below and want to register to vote or update your current voter registration, please visit our website at [RegisterToVote.ca.gov](http://RegisterToVote.ca.gov).

**To register to vote in California, you must be all of the following:**

- A United States citizen, and a resident of California,
- At least 18 years old,
- Not currently in state or federal prison or on parole for the conviction of a felony, and
- Not currently found mentally incompetent to vote by a court.

**To pre-register to vote in California, you must:**

- Be 16 or 17 years old, and
- Meet all of the other requirements to vote.

Once pre-registered, you will automatically be registered to vote on your 18th birthday.

If you have any questions or would like a paper voter registration card, please contact our office at (800) 345-VOTE (8683) or contact your county elections official. You can find your county elections official at [www.sos.ca.gov/county-elections-offices](http://www.sos.ca.gov/county-elections-offices).



Source: Alex Padilla, California Secretary of State. May 7, 2018. Memorandum #18109 to All County Clerks/Registrars of Voters regarding Vote Cal Guidance Documents. Accessed October 15, 2018, at <https://elections.cdn.sos.ca.gov/ccrov/pdf/2018/may/18109cik.pdf>.

## Notes

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<sup>1</sup> California Secretary of State. NVRA Reports. 3. DMV New Motor Voter Registration Transactions Monthly and Yearly Totals by Category, April 2018 to Present. Accessed October 12, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.

<sup>2</sup> Izchel Montelongo, Legislative and Constituent Affairs, California Secretary of State. September 11, 2018. Personal communication with Commission staff.

<sup>3</sup> California Secretary of State. NVRA Reports. 3. DMV New Motor Voter Registration Transactions Monthly and Yearly Totals by Category, April 2018 to Present. Accessed October 12, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.

<sup>4</sup> Izchel Montelongo, Legislative and Constituent Affairs, California Secretary of State. September 11, 2018. Personal communication with Commission staff.

<sup>5</sup> The California Civic Engagement Project. October 2014. Policy Brief Issue 8. California's 2014 Youth Voter Turnout: Decline and Future Opportunities. Accessed August 29, 2018, at <https://static1.squarespace.com/static/57b8c7ce15d5dbf599fb46ab/t/57ffcb8b8a79bec49c6c6f0/1476394169143/UCDavisYouthVoteBrief8.pdf>.

<sup>6</sup> AB 30 (Price). Chapter 364, Statutes of 2009. September 8, 2009. Assembly Floor Analysis. Also, SB 113 (Jackson). Chapter 619, Statutes of 2014. August 19, 2014. Assembly Floor Analysis.

<sup>7</sup> The United States Department of Justice. Title 42, Chapter 20, National Voter Registration. Accessed August 9, 2018, at <https://www.justice.gov/crt/title-42-public-health-and-welfare-chapter-20-elective-franchise-subchapter-i-h-national-voter>. Also, California Secretary of State. National Voter Registration Act Compliance at Department of Motor Vehicles Offices. Accessed August 9, 2018, at <http://www.sos.ca.gov/elections/voter-registration/nvra/voter-registration-agencies/dmv/>.

<sup>8</sup> AB 1461 (Gonzalez), Chapter 729, Statutes of 2015.

<sup>9</sup> Jessica Calefati. October 10, 2015. Gov. Jerry Brown signs 'motor voter' law, automating voter registration through the DMV. *The Mercury News*. Accessed August 29, 2018, at <https://www.mercurynews.com/2015/10/10/gov-jerry-brown-signs-motor-voter-law-automating-voter-registration-through-the-dmv/>.

<sup>10</sup> California Secretary of State. September 26, 2016. Secretary of State Padilla Certifies VoteCal Statewide Voter Registration Database. Accessed August 29, 2018, at <http://www.sos.ca.gov/administration/news-releases-and-advisories/2016-news-releases-and-advisories/secretary-state-padilla-certifies-votecal-statewide-voter-registration-database/>.

<sup>11</sup> Bill Davidson, Chief Deputy Director, Department of Motor Vehicles and Ronda Paschal, Deputy Secretary of Legislation, California Transportation Agency. May 25, 2017. Written testimony to the Commission.

<sup>12</sup> Stephanie Dougherty, Deputy Secretary, Transportation Safety and Enforcement, California State Transportation Agency. October 17, 2018. Personal communication with Commission staff.

<sup>13</sup> California Code of Regulations. Title 2, Division 7, Chapter 1, Article 4.5 California New Motor Voter Program. Also, California Secretary of State. July 25, 2018. Nearly 800K Voter Registration Transactions Completed Since April Launch of California Motor Voter. Accessed August 29, 2018, at <http://www.sos.ca.gov/administration/news-releases-and-advisories/2018-news-releases-and-advisories/nearly-800k-voter-registration-transactions-completed-april-launch-california-motor-voter/>.

<sup>14</sup> Stephanie Dougherty, Deputy Secretary, Transportation Safety and Enforcement, California State Transportation Agency. October 17, 2018. Personal communication with Commission staff.

<sup>15</sup> Bill Davidson, Chief Deputy Director, Department of Motor Vehicles. May 25, 2017. Testimony to the Commission.

<sup>16</sup> Oregon Secretary of State, Elections Division. September 2017. Oregon Motor Voter Registration Manual. Accessed August 29, 2018, at <https://sos.oregon.gov/voting/documents/oregon-motor-voter-registration-manual-final.pdf>.

<sup>17</sup> SB 450 (Chapter 832, Statutes of 2016).

<sup>18</sup> California Secretary of State. NVRA Reports. 7. DMV Voter Registration: Yearly and Monthly Totals 1995 to March 2018. Accessed September 28, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.

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- <sup>19</sup> California Secretary of State. NVRA Reports. 3. DMV New Motor Voter Registration Transactions Monthly and Yearly Totals by Category, April 2018 to Present. Accessed October 12, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.
- <sup>20</sup> California Secretary of State. July 25, 2018. Nearly 800K Voter Registration Transactions Completed Since April Launch of California Motor Voter. Accessed August 29, 2018, at <http://www.sos.ca.gov/administration/news-releases-and-advisories/2018-news-releases-and-advisories/nearly-800k-voter-registration-transactions-completed-april-launch-california-motor-voter/>.
- <sup>21</sup> California Secretary of State. NVRA Reports. 3. DMV New Motor Voter Registration Transactions Monthly and Yearly Totals by Category, April 2018 to Present. Accessed October 12, 2018, at <https://www.sos.ca.gov/elections/voter-registration/nvra/reports/>.
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