



**DIRECTIVE 2018-21**

July 9, 2018

To: All County Boards of Elections  
Directors, Deputy Directors and Board Members

Re: Automatic Confirmation of Address Safeguard

**BACKGROUND**

Under the National Voter Registration Act (NVRA), a change of address submitted to the registrar of motor vehicles also serves as a change of address for voter registration purposes.<sup>1</sup> This has the additional effect of changing that voter's status from "active-confirmation" to "active-active," and stopping the four-year clock toward cancellation if the voter previously received a confirmation card. Though not addressed by the NVRA, if an elector's interaction with the Ohio Bureau of Motor Vehicles (BMV) can serve to *update* automatically his/her voter registration address, it follows that an elector's interaction with the BMV also can serve to *confirm* automatically the elector's registration address.

This Directive instructs county boards of elections on a new Automatic Confirmation of Address Safeguard being implemented by my office. This Confirmation Safeguard will ensure that an Ohioan who renews his/her driver's license or state identification card and provides the BMV with the same address as his/her voter registration address will be credited as having confirmed that address for purposes of Ohio's general program of voter list maintenance. Over time, this may result in fewer registered voters flagged as "active-confirmation" and possibly fewer voters cancelled for lack of activity following issuance of a confirmation card.

**INSTRUCTIONS**

**A. Confirmation Safeguard List**

The Automatic Confirmation of Address Safeguard seeks to exclude from Ohio's general program of voter list maintenance a voter who might have moved and needs to update his/her voter registration but whose interaction with the BMV confirms the voter's current voter registration address.

Pursuant to this safeguard, each county board of elections will receive a monthly list of voters who have appeared at the BMV to apply for, update, or renew a driver's license or state identification card and did not change their residential address with the BMV. The monthly list will be posted on the BOE Portal on the right-hand side of the screen under "Confirmation Safeguard." Each month's list will include those voters (and their

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<sup>1</sup> 52 U.S.C.A. §20507(c)(2)(A).

identifying information) who have appeared at the BMV during the previous month to apply for, update, or renew a driver's license or state identification card and did not change his/her residential address with the BMV. The board must logon to the BOE Portal, retrieve, and review its county's list each month. The board must compare and verify the information provided on the list for each voter with the information for that voter in the county voter registration system before making any updates to the voter's record.

## **B. Initial Confirmation Safeguard Lists: July, August, and September 2018**

The initial list of voters will be posted on the BOE Portal on July 9, 2018. Prior to mailing confirmation notices for the 2018 Supplemental Process, each board must logon to the Portal, retrieve, and review this initial list. After comparing and verifying the voter's information, the board must exclude from its 2018 Supplemental Process any voter in "active" or "active-active" status who appears on the list. The board must indicate in the voter's record that the voter appeared on the list and therefore was excluded from the 2018 Supplemental Process.<sup>2</sup>

Secondly, if any voter appears on the list and is in "active-confirmation" status pursuant to any previous year's general voter records maintenance program, the board must reset that voter to "active-active" status. The date of voter activity for the voter's record is the date that appears on the list with the voter's information under either "BMV\_PERSON\_RECORD\_CHANGE\_DATE" or "BMV\_DRIVER\_RECORD\_CHANGE\_DATE" – whichever date is later. The fact that the voter appeared at the BMV on this date and did not change his/her address serves as automatic confirmation that this voter still resides at the same address.

The second and third lists will be posted on the BOE Portal on August 9, 2018 and September 9, 2018. Each board must logon to the Portal, retrieve, and review its list after it is posted. After comparing and verifying the voter's information, the board must compare the August and September lists to the list of voters who were mailed a confirmation notice pursuant to the 2018 Supplemental Process. If any voter appears on either the August or September list and was mailed a confirmation notice pursuant to the 2018 Supplemental Process, the board must indicate in the voter's record that the voter confirmed his/her voter registration address and move the voter from "active-confirmation" status to "active-active" status.

Secondly, if any voter appears on either the August or September list and is in "active-confirmation" status pursuant to any previous year's general voter records maintenance program, the board must reset that voter to "active-active" status. The date of voter activity for the voter's record is the date that appears on the list with the voter's information under either "BMV\_PERSON\_RECORD\_CHANGE\_DATE" or "BMV\_DRIVER\_RECORD\_CHANGE\_DATE" – whichever date is later. The fact that the voter appeared at the BMV on this date and did not change his/her address serves as automatic confirmation that this voter still resides at the same address.

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<sup>2</sup> If the board is unable to insert this information into a voter's record, it may retain this information in a spreadsheet.

**C. Subsequent Confirmation Safeguard Lists: October 2018 and After**

Starting with the list of voters posted in October of 2018 and for each subsequent list, the board must logon to the BOE Portal, retrieve and review its list. If any voter appears on the Confirmation Safeguard list and is in “active-confirmation” status pursuant to any year’s general voter records maintenance program (i.e., 2018 or any prior year), the board must reset that voter to “active-active” status. The date of voter activity for the voter’s record is the date that appears on the list with the voter’s information under either “BMV\_PERSON\_RECORD\_CHANGE\_DATE” or “BMV\_DRIVER\_RECORD\_CHANGE\_DATE” – whichever date is later. The fact that the voter appeared at the BMV on this date and did not change his/her address serves as automatic confirmation that this voter still resides at the same address.

If you have any questions regarding this Directive, please contact the Secretary of State’s elections counsel assigned to your county at (614) 466-2585

Sincerely,



Jon Husted