



TITLE:	MOTOR VOTER REGISTRATION: COLORADO CASE STUDY
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Introduction

Across the country, states are improving motor voter registration services provided as part of driver's license transactions – through modernized policy and updated technology. Consistent with that trend, over a 5-year period, the Colorado Department of State (CDOS), the Colorado Department of Revenue (CDOR), (which houses the Division of Motor Vehicles), and the Colorado County Clerks' Association (CCCA) upgraded the technology underlying the state's motor voter program and also moved from the NVRA's traditional "opt-in" voter registration process to an "opt-out" process offered at the point-of-service of the driver's license transaction. As part of this transition, CDOS kept and maintained scrupulous data to understand the impact of the changes. Significantly, the state was able to make the vast majority of these modifications administratively, with no need for authorizing legislation.

Colorado's upgrades and modifications transformed the state's motor voter process. From a technical perspective, the technological and process improvements modernized an inefficient paper process to become a streamlined electronic process with better customer service and higher usage of voter registration services. At a governmental services level, the more consequential transformation occurred in the relationship among the three institutions that share responsibility for the state's implementation of the "motor voter" portion of the National Voter Registration Act. That relationship transformation is what cleared the path for the process flow improvements.

After the three agencies fully implemented the technology and process upgrades, the Colorado legislature passed SB19-235, requiring implementation of "Oregon style" automatic voter registration. Under this type of system, an individual's information is automatically transferred from the DMV to state election offices, elections officials use already available information to confirm voter eligibility, and a mailer is sent informing the individual that he or she will be automatically registered to vote unless he or she returns the mailer indicating a desire not to be registered.¹ With regard to the purpose of the bill in the face of an already well-functioning system, a bill sponsor acknowledged, "Colorado already has a leading elections system in the country, however, there are ways we can improve it even more. This bill ensures our voter rolls are secure, accurate, up to date and that everyone who is eligible to vote can not only receive their ballot but send and access their ballot."² Thus, as of July 1, 2020, Colorado will no longer be using the point-of-service opt-out system previously implemented by the three agencies.

Nevertheless, because of the breadth of the upgrades and the robust data available about the impact of the state's administrative motor voter process improvements, an examination of the state's most recent prior system is instructive for states that will not adopt an Oregon style automatic voter registration system. What follows is the story of Colorado's administrative transformation, the resulting improvements in DMV-based customer service, and the resulting increased rate of motor voter registration. It is a story of persistence, relationship-building, communication, and resource allocation.

IN THE BEGINNING: ORIGINAL NVRA PROCESS AND VISION FOR CHANGE

In 2009, at the time the current Colorado Elections Director Judd Choate assumed his position, the state's motor voter registration process –jointly developed by the Secretary of State's office and the state's Division of Motor Vehicles-- was paper-based and opt-in, meaning that each customer had to affirmatively choose to register to vote. As part of the Colorado driver's

¹ Danielle Root, "The Case for Back-End Opt-Out Automatic Voter Registration" (May 28, 2019), *a*

² John Bowden, "Colorado lawmakers send automatic voter registration bill to governor's desk," *The Hill* (May 2, 2019) (*quoting* state Rep. Daneya Esgar), *available at* <https://thehill.com/homenews/state-watch/441920-colorado-lawmakers-send-automatic-voter-registration-bill-to-governors> (last reviewed September 16, 2019).

When Choate started as election director, he asked veteran (now former) Michigan Elections Director Christopher Thomas, how Michigan achieved sustained high levels of voter registration through its motor vehicles offices. Thomas educated him on the way Michigan's motor voter program operated, specifically Michigan's system of automatic voter registration address updates (in conjunction with driver's license address updates). Michigan's law required a citizen's voter registration address to be the same as his or her driver's license address so if one of those addresses changed, the other was automatically updated. When Choate brought the idea back to Colorado, he learned from CDOR, the Attorney General's office, and the Information Technology staff at CDOS that, to adopt a similar system, Colorado would need (1) a statute change; (2) a process improvement including training and procedure changes for DMV clerks; and (3) a significant technology upgrade.

Choate hoped these changes could be accomplished in five to seven years. His first step in the plan was to establish a relationship with the head of the Division of Motor Vehicles at CDOR. In 2011, Mike Dixon joined the Colorado Department of Revenue's Division of Motor Vehicles as its Senior Director. Shortly after taking on his new role within then-the new Governor John Hickenlooper Administration, Choate held a meeting with Dixon and his team to discuss CDOR's obligations under the NVRA.

NVRA WORKING GROUP: TRANSFORMING RELATIONSHIPS BETWEEN CDOR, CDOS, AND CCCA

When Dixon came on the job as head of the Division of Motor Vehicles, his primary focus was the development of a strategy to improve DMV customer service, in particular addressing office wait times and drivers' services. With respect to the motor voter process, as far as he was aware, it was working as intended. There was a Memorandum of Understanding in place between CDOR and CDOS, processes had been approved by the Secretary of State, and he believed that the DMV was sharing data as agreed. His initial assessment was motor voter was working as intended and there were other pressing priorities.

Nevertheless, after his initial assessment, it did not take long to identify communication challenges among all the agencies involved in motor voter registration. The DMV provides operational support to the counties for DMV vehicle services. Through his outreach efforts with county clerks and recorders (whose offices also administer elections) to improve customer service, Dixon began to hear concerns about accessing voter registration information. The concerns were surprising as he understood the DMV was meeting its obligations under the MOU between CDOR and CDOS.

When several County Clerks and County Election Directors brought this issue directly to Dixon, he recommended the establishment of a working group. Fortunately, each of the three agencies agreed and the NVRA Working Group was established. From the beginning, the Working Group included personnel from the Division of Motor Vehicles, CDOS, and CCCA. In addition, the state's Office of Information Technology and relevant vendors were occasional participants. Several years after its formation, state voting rights advocates became important regular participants.

Over several years, Choate, Dixon, folks from CCCA, and their teams developed a strong working relationship. The NVRA Working Group fostered alignment and allowed personnel from the different agencies to problem-solve their communications and perspective differences. CDOR developed an understanding of Choate's vision and, working collaboratively, the NVRA Working Group both was able to identify process improvements that did not require legislation and, for those that required legislation, agree on what was needed. In particular, two of CDOS' legal staff, Ben Schler and Melissa Polk, worked closely with Rosalie Johnson, the DMV's Driver's License Manager, and respective project teams to improve the motor voter process before and as part of two significant DMV technology upgrades.

HAPPY CIRCUMSTANCE OF CDOR TECHNOLOGY UPGRADE: OPPORTUNITY FOR MOTOR VOTER PROCESS IMPROVEMENTS

In 2012 – like many *current* DMVs around the country – the Colorado DMV embarked on a system modernization project. The legacy "Driver's License System" (the IT system that guided DMV driver's license transactions) had significant shortcomings, preventing the DMV from fully meeting customer service expectations and imposing risk on the state due to limited availability of IT staff with sufficient knowledge of the workings of the system to provide support. As part of a DMV five-year strategy to improve customer service, CDOR and the Governor's Office of Information Technology (OIT) began the procurement process for modernization of the DMV's IT systems with the Hickenlooper Administration's and General Assembly's support.

The DMV's IT system modernization provided a fortunate opportunity for improvement and concomitant upgrade of Colorado's motor voter registration processes. Because of the regular communication of the NVRA Working Group members, improvement of motor voter registration was contemplated from the beginning stages of the DMV modernization process.

There were two parts to the DMV's IT system modernization: (1) Upgrade of the legacy Driver's License System to a new system, DRIVES; and (2) replacement of the driver license issuance hardware and software, which notably included the addition of signature pads. Prior to and during the two projects, the NVRA Working Group was involved in configuring the new system to

meet Colorado's motor voter requirements. In the procurement process, the Secretary of State's office drafted the requirements related to motor voter registration. The cost of the voter registration technology upgrades was subsumed within the larger costs of the driver's licensing system modernization.

These two upgrades allowed the NVRA Working Group to implement a technologically improved motor voter process fully compliant with the NVRA. The upgrade to DRIVES, initiated at the end of August 2015, allowed electronic streamlined capture and transfer of motor voter registration related data. The new signature pads, which captured electronic signatures, were especially useful for simplifying election administration since Colorado was moving toward becoming an all-mail ballot state and had need of digital signatures. By adding signature pads to the DMV transactions, digital signatures could be transferred directly to the statewide voter registration database, streamlining what had been a paper-based multi-step process.⁴

The CDOS team approached the modernization as an opportunity to fully implement their elections objectives as well as Choate's earlier vision. Actual implementation of the motor voter registration portion of the DMV's system modernization began with the addition of signature pads in 2016 and continued through February 2017, when the new DRIVES system went live.

IMPLEMENTATION OF MOTOR VOTER PROCESS IMPROVEMENTS: IN-OFFICE

In March 2016, the first phase of the upgrade –introduction of the signature pads-- converted the in-office motor voter process to one that was all electronic. The legacy Driver License System was modified to incorporate the new signature pads. For the motor voter registration process flow, rather than using paper voter registration forms, the new in-office system prompted clerks to ask voter registration questions, enter information, and direct customers to use the signature pads. Subsequently, the voter registration information and signature were electronically transmitted to the statewide voter registration database. Because the legacy Driver License System was still in use, DMV clerks needed to type the answers to certain questions –like name and address–during both the driver's license portion and the voter registration portion of clerk-customer interactions. In practice, this meant that the clerk asked voters to provide the same information twice, a time-inefficient but necessary process that also violated the National Voter Registration Act.⁵

The transition to DRIVES, the next stage of the in-office implementation and which included modification of the “back end” of the computer system used by the DMV clerks, eliminated the duplicate question problem, a high priority for CDOS. DRIVES, which went live in February 2017, allowed answers needed for both drivers' licensing and voter registration to automatically populate both electronic “forms”. In addition, and significantly, the prompting language about voter registration was changed from opt-in (e.g. Do you want to register to Vote?) to opt-out (e.g. We are going to register you to vote unless you tell us not to do so). Under the new process, a customer was told, “We are going to use the information that you provided today to register you to vote or update your registration unless you decline at this time.” If the customer did not decline, the clerk then asked the customer a few remaining voter registration-specific questions, like party affiliation, voting qualifications, and whether the person wished to receive voting information electronically. The voter was then directed to sign the signature pad. CDOS provided DMV with written training memos about the new system, which the DMV required every clerk to read and acknowledge.

IMPLEMENTATION OF MOTOR VOTER PROCESS IMPROVEMENTS: ONLINE

Also in February 2017, DMV and CDOS made changes to the online motor voter registration process. In March 2017, the new DRIVES system integrated voter registration services such that completion of a driver's license renewal also accomplished the address update or completion of a new voter registration form. The new system incorporated a mandatory question about updating voter registration and, if voter registration was not declined, the customer needed to answer questions about party preference, election related delivery choices, and ballots preferences for primary elections. Like the in-office transactions, new voter registration and voter registration address updates became an opt-out process rather than an opt-in process. Thus, for the first time, DMV was offering (1) integrated (2) simultaneous, (3) opt-out voter registration applications and address updates.

Prior to 2017 and the DRIVES upgrade, online driver's license renewals and attendant voter registration services were not simultaneous or even integrated. In large part, this omission was due to lack of resources to modify antiquated technology. Rather, after a customer submitted an electronic driver's license renewal, the customer would be directed to the separate Colorado online voter registration page. A legal memo explaining why this process violated the NVRA, drafted by Colorado

⁴ In administering the mail system prior to adoption of the signature pads, elections clerks had been collecting signatures from the “tall and skinny” by scanning and cropping them from the hard forms.

⁵ In delineating the requirements of motor voter registration, the NVRA states that the voter registration portion of a driver's license transaction “may not require any information that duplicates information required in the driver's license portion of the form,” except for a second signature and an attestation of eligibility. 52 U.S.C. § 20504(c)(2)(A)-(C).

Department of State attorneys, was shared and discussed by the Working Group, and ultimately assisted in ensuring that the DRIVES upgrade of the online portal included motor voter registration technology upgrades.

IMPLEMENTATION OF MOTOR VOTER PROCESS IMPROVEMENTS: LANGUAGE MODIFICATION

After the process changes were implemented in-office and online, advocates (through the Working Group) encouraged the state to measure the effectiveness of the changes -- by comparing the number of voter registration transactions to the number of motor vehicle transactions during the same period of time. In April 2017, the DMV began to provide statewide voter registration data from the new DRIVES system. It was clear from the data that, while motor voter registration activity had increased, additional intervention was necessary.

When the first numbers were published, the in-office voter registration numbers were lower than expected. While CDOS was uncertain about the exact standard, approximately two-thirds of online DMV customers were availing themselves of voter registration services compared with only 15-25% of in-office customers. As this seemed low, the Working Group decided to visit DMV offices to observe the motor voter registration process.

The Working Group could see that the new voter registration language (“We are going to use the information that you provided today to register you to vote or update your registration unless you decline at this time”) was not working as intended, causing DMV clerks to create their own variations in communications with customers. Some read the language on the screen, which customers found awkward, while other simply asked, “Do you want to register to vote?” For the DMV, the extra service time necessary to complete the transaction created a customer service concern. CDOS was concerned that customers would not understand the voter registration services being offered. Ultimately, CDOS staff went to a DMV Central Managers meeting to explain their concerns. When the Working Group discussed the issue, they agreed that the language needed modification, and Colorado Common Cause recommended bringing in the Center for Civic Design (CCD) to help rethink the language.⁶

In late August 2017, CCD sent a team to the Arapahoe County DMV office to conduct a two-day “usability test” to identify the most effective language for the DMV voter registration interaction, both in-office and online. The data and results of the CCD usability testing were synthesized into a PowerPoint presentation, which led the Working Group to recognize the need for adoption of language that presented voter registration in a clear and easy-to-understand manner. The recommended language was as follows:

- For in-office interactions: “While you’re here, let’s make sure you get your ballot for the next election. I’ll use the information you’ve given me today to keep your voter registration up-to-date or register you to vote, if that’s ok with you.”

The screenshot shows a web form titled "A few extra questions" with a sub-header "Voter registration". On the left is a vertical navigation menu with items: ID APPLICATION, JOHN SMITH, Demographics, Proof Documents, LICENSE, Exams, License Details, QUESTIONS + FEES, and Voter registration (highlighted with a right-pointing arrow). The main content area contains several questions with corresponding input fields:

- Question 1:** "While you're here, let's make sure you get your ballot for the next election. I'll use the information you've given me today to keep your voter registration up-to-date or register you to vote, if that's ok with you." Input: a checkbox. Label: "If they say no, check here".
- Question 2:** "Great! Now, I just have a few more questions." (introductory text)
- Question 3:** "Citizenship: Just to confirm, are you a US citizen?" Input: radio buttons for "Yes" and "No".
- Question 4:** "Political party: Do you want to choose a political party affiliation? [If they say no] Ok, I'll mark you as unaffiliated. [If they say yes] Ok, which one?" Input: a dropdown menu.
- Question 5:** "Primary ballot: You didn't select a party, but you can still vote in the next primary election. Do you want to choose now which party's ballot to get or would you rather I mark you as no ballot preference? [If they say no ballot preference] Ok, I'll mark you as no ballot preference. [If they say yes] Ok, which one?" Input: a dropdown menu.
- Question 6:** "Email: Would you like to receive email reminders from your local election office about upcoming elections?" Input: a dropdown menu.

At the bottom of the form are four buttons: "Cancel", "Previous", "Next", and "Submit".

⁶ CCD is a non-profit organization whose mission revolves around the improvement of the voting experience, election administration, and election participation through better design. See <https://civicdesign.org/about/> (last visited February 14, 2019).

- For online interactions: “Let’s make sure you get your ballot for the next election. The information you’re entering today will be used to keep your voter registration up-to-date or register you to vote, unless you decline by checking the box below.”

Adoption of this new recommended language, however, required new code development for the DRIVES system. The most immediate obstacle to implementing CCD’s recommendations was identifying who would pay for the language modifications. CDOS ultimately drafted the requirements and paid for the attendant programming changes to both the signature pad and within the new DRIVES system. The signature pad changes, which affected in-office motor voter registration transactions only, were more expensive than the changes to DRIVES, which impacted in-office and online transactions. CDOS paid approximately \$60,000 in total for these modifications, which were fully implemented in April 2018.

RETURNING TO THE ORIGINAL VISION: AUTOMATIC ADDRESS CHANGES, FINALLY

Despite these many changes, as of April 2018, Colorado still didn’t have an “automatic address update” law like Michigan’s –Choate’s initial vision-- allowing only one address for driver’s license and voter registration purposes. The Working Group aligned in its belief that such a law would be beneficial to the state – to keep voter registration lists up-to-date and to improve DMV customer service through additional process streamlining. In April 2018, the Colorado General Assembly passed an elections bill requiring a move to the Michigan-style system for voter registration addresses. The law had two parts.

Part 1, which became effective June 1, 2018, created a “back end” process to automatically update every address for an already registered voter. However, because the DMV currently lacked information on whether the person was already registered, voter registration was still raised –by the clerk or online in text-- with the customer.⁷

Part 2, implemented in June 2019, addressed the DMV’s lack of information about voter registration status. CDOS now transmits voter registration data to the DMV DRIVES system on a daily basis, providing real-time registration information on each person who undertakes a driver’s license related transaction. The DRIVES system is programmed to take appropriate action depending on a customer’s voter registration information. Thus, if a customer is already registered to vote but is updating his or her driver’s license address, that new address is automatically transferred to CDOS. Conversely, if a customer is already registered to vote at his or her correct address, the workflow includes nothing related to voter registration. Finally, if the customer is not registered to vote, he or she is informed that s/he will be registered but receives an opportunity to opt out of voter registration.

⁷ To navigate the opt-out language, customers who declined a voter registration address update received a mailing asking whether the address change was accurate.

A LEGISLATIVE MODIFICATION

In May 2019, the Colorado General Assembly passed a bill, signed by the governor, requiring the adoption of a back-end automatic voter registration system as of July 1, 2020. Under this new system, all eligible Colorado citizens undertaking a driver's license transaction will get registered to vote with the opportunity to decline voter registration occurring through a postcard option sometime after the driver's license transaction.

MEASURING THE IMPACT

LOWER AVERAGE DMV TRANSACTION AND WAIT TIMES, INCREASED VOTER REGISTRATION ACTIVITY (NEW APPLICATIONS AND ADDRESS UPDATES)

The impact of the technological upgrades, and the move from opt-in to opt-out motor voter registration, has been significant -- in terms of DMV customer service, customers taking advantage of the motor voter process, and list maintenance of the state's voter rolls. It has therefore made the process better for the DMV, for customers/voters, and for CDOS. These impacts are quite striking.

Impact on Transaction Time and Wait Time

The two significant metrics measuring the impact of the DMV's IT driver's license system modernization are transaction time and initial wait time. In the view of the DMV team project team, the totality of the motor voter registration process upgrades led to a decrease in the amount of time, possibly by as much as 20-30 seconds, for each in-office driver's license transaction in which voter registration questions were asked.

With respect to impact on initial wait time, there is no way to specifically isolate the impact of the motor voter process changes from the changes to the system as a whole. Nevertheless, the change in wait times from the overall modernization were significant. Prior to the February 2017 DRIVES implementation, initial wait time was 15:09 (across all Drivers License Offices); post-DRIVES implementation, the initial wait time dropped to 11:16 – a 26% improvement attributable to the DMV's change focus on organization, processes, facilities and IT systems.

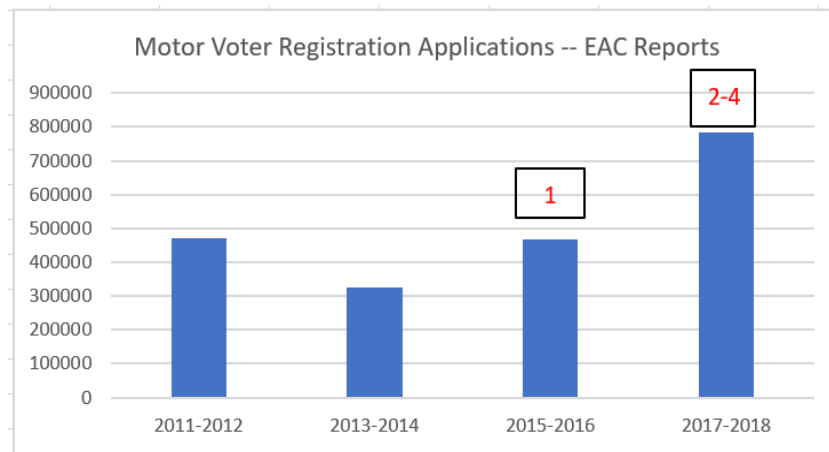
The DRIVES implementation also led to increased online services, which –by reducing office traffic—has had a positive effect on driver's license transactions. Online service transactions have increased significantly: In Feb 2017, the DMV averaged approximately 30,000 online transactions per month; by March 2019, that number increased to roughly 50,000 per month. Concurrently, there has been a decrease in in-office transactions over the same time period: in Feb 2017, the DMV averaged roughly 126,000 office transactions per month yet by March 2019, that number decreased to an averaged of roughly 122,000 office transactions per month. This shift is good news for motor voter registration: As you can see below, a much higher proportion of online customers make use of motor voter registration opportunities.

Impact on Total Motor Voter Registration Activity

Data makes clear that Colorado's motor voter process upgrades increased overall motor voter registration activity.

CHART 1: TIMELINE OF PROCESS UPGRADES

Point as Identified on Graphs	Date	Process Upgrade
1	March 2016	(1) Signature pads are integrated at DMV offices (2) All voter registration is entered into the Driver's License System (3) Voter registration signature and data is electronically transferred from DMV to CDOS
2	February 2017	As a result of the implementation of DRIVES: (1) Information required for both driver's licensing and voter registration are asked only once, with the system sharing information between the two "forms" (2) Language of voter registration question is modified to incorporate opt-out (rather than opt-in) voter registration (3) Voter registration is integrated within the CDOR web portal for driver's license transactions
3	April 2018	Implementation of language changes recommended by Center for Civic Design
4	June 2018	Implementation of phase 1 of automatic address change or name change update
	June 2019	Implementation of phase 2 of automatic address change or name change update



Graph 1

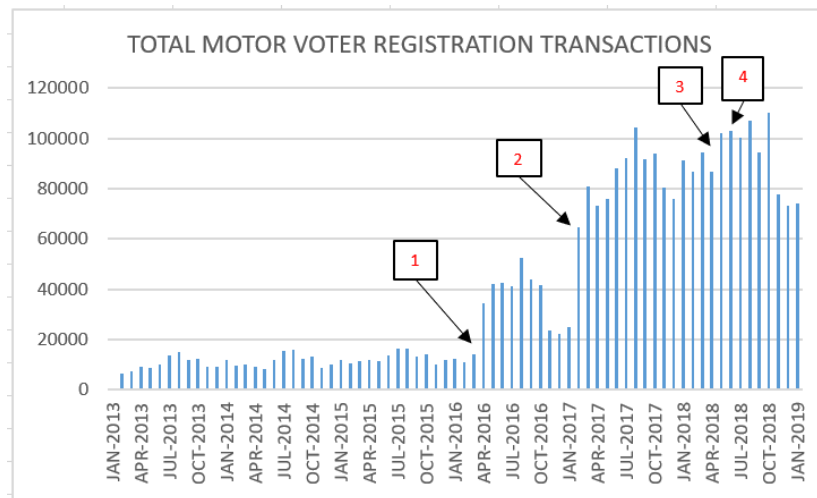
Using data from the last four EAC biennial NVRA reports to Congress, *Graph 18* includes data for the last four federal election cycles, which roughly corresponds to the tenure of Colorado’s elections director Judd Choate as well as that of his primary staff of the project, Ben Schler and Melissa Polk. The bars for the first three reports (2011-2012, 2013-2014, 2015-2016), which correlate to a time period in time in which there were few technology or process changes in Colorado’s motor voter system, show a pattern that is generally representative of data for reports that include presidential election years and those that do not. Specifically, the voter registration activity for those periods that include presidential election years (2011-2012 and 2015-2016) are higher than the period that includes a mid-term election. Indeed, without any process changes, it would be expected that the data for 2017-2018 would similarly dip below the number of motor voter registrations that were undertaken in 2011-2012 and 2015-2016.

However, as is easily seen, the number of motor voter registration transactions during the mid-term 2017-2018 report, when most of the process upgrades occurred, dwarfs the number in the presidential election time periods. This is a strong indication that the process changes led to a higher number of motor voter transactions.

By reviewing, in *Graph 29* on the following page, the monthly data of overall motor voter registration activity from January 2013 through January 2019, we can assess the impact of the process changes at a more granular level. Normally, in the period of time preceding an election, there is a voter registration spike in July and August just preceding the November election. Although the scale is small, you can see this in 2013, 2014, and 2015. For 2016, however, the spike preceding the November 2016 election starts in April, reaching its peak in July, and continues through the election. Not coincidentally, Colorado’s first set of motor voter technology changes – the addition of signature pads at DMV offices, the transition to all electronic voter registration data entry into the Driver’s License System, and electronic transfer from DMV to CDOS of the voter registration signature and data – were implemented in March 2016, and the April 2016 data are the first that can show any impact.

⁸ See “Election Administration and Voting Survey 2018 Comprehensive Report,” at 64 (Table 2a) (last viewed September 18, 2019); “2016 EAVS Data Brief: Colorado,” https://www.eac.gov/assets/1/6/Colorado_-_EAVS_2016_Data_Brief_-_508.pdf (last viewed March 7, 2019); “The 2014 EAC Election Administration and Voting Survey Comprehensive Report,” at 80 (Table 2a), https://www.eac.gov/assets/1/1/2014_EAC_EAVS_Comprehensive_Report_508_Compliant.pdf (last viewed March 7, 2019); “The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2011-2012,” at 41 (Table 2a), https://www.eac.gov/assets/1/28/EAC_NVRA%20Report_lowres.pdf (last viewed March 7, 2019).

⁹ Data, on file with author, provided by Colorado Department of State



Graph 2

Graph 2, however, clearly shows more than the 2016 bump. Beginning in February 2017 – a notable date because it is not in proximity to any particular election – there is a sustained increased in motor voter registration activity. The graph also shows that motor voter registration activity stabilized at a much higher level over the succeeding months than previous to February 2017. And, indeed, the second round of motor voter upgrades with the DMV’s implementation of the new DRIVES system in February 2017: (1) Duplicate information required for both driver’s licensing and voter registration, e.g. name and address, began to be asked only once, with the system automatically populating both “forms”; (2) the language of the voter registration question presented to customers, both in-person and online, was modified to incorporate opt-out (rather than opt-in) voter registration; and (3) for the first time, voter registration services were integrated into DMV’s web portal for driver’s license transactions (rather than existing on a different web paged). After the November 2018 election, the motor voter registration activity decreased but dropped only to the elevated level of February 2017.

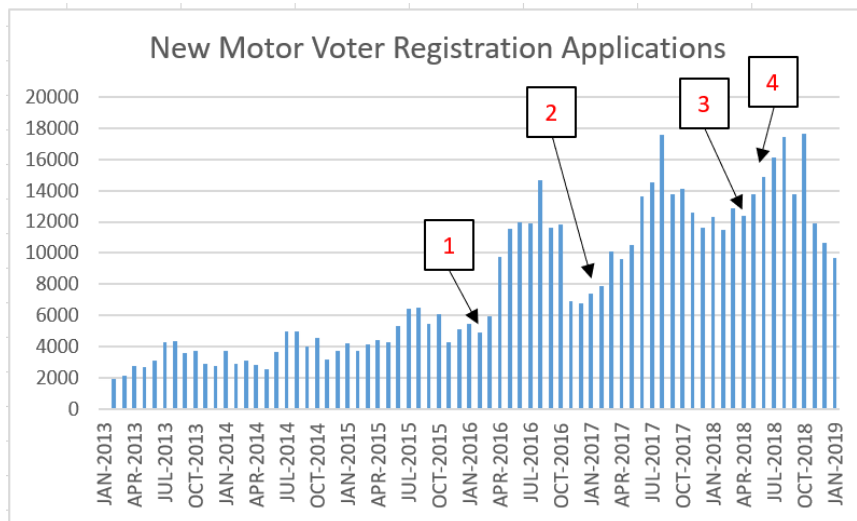
In other words, Colorado’s motor voter process changes effected a permanent change in the expected rate of motor voter registration activity.

Impact on New Voter Registration Applications Versus Voter Registration Updates

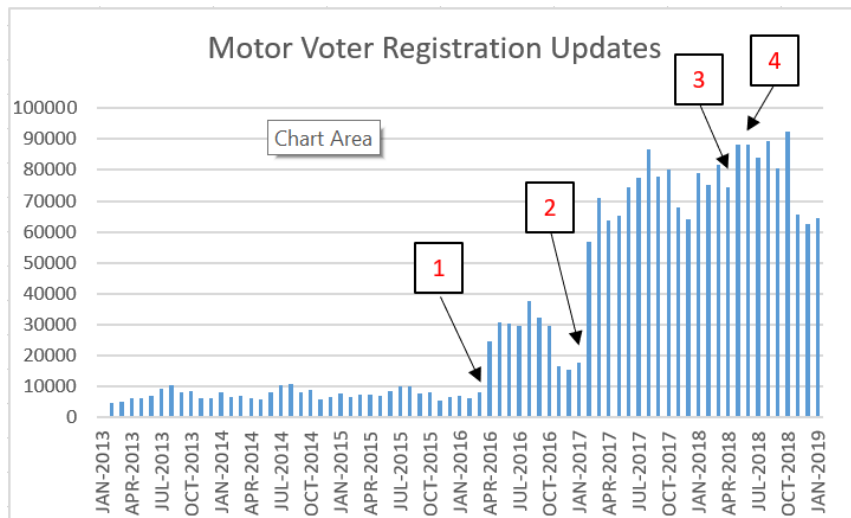
It is helpful to know the impact of the process changes on both new voter registration applications and voter registration updates, separately. Indeed, both new voter registration applications and voter registration updates increased substantially as a result of the process changes in March 2016 and February through April 2017. The impact on new voter registration applications is shown in Graph 3¹⁰ while updates are shown in Graph 4¹¹.

¹⁰ *Id.*

¹¹ *Id.*



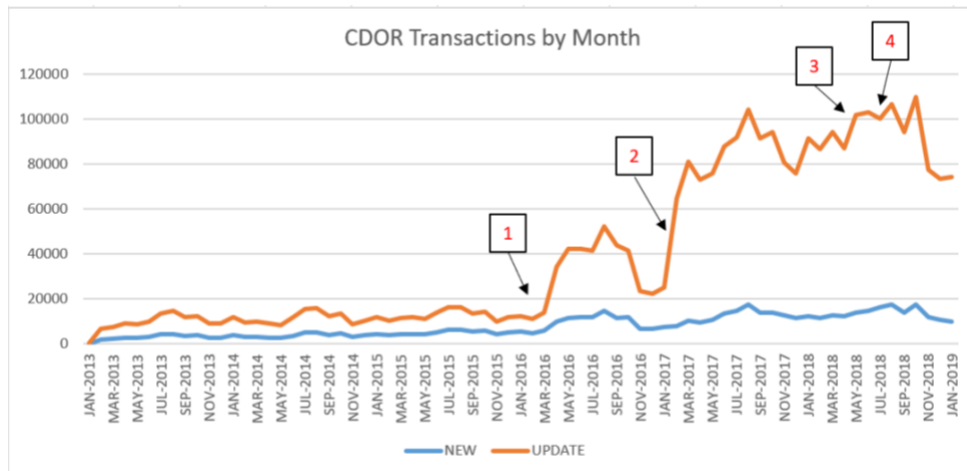
Graph 3



Graph 4

The enormous increase in voter registration updates shows that process upgrades (technology and the shift to opt-out) play an important role not just in generating new voter registrations but also in list maintenance and keeping the voter rolls accurate. Indeed, as can be seen in *Graph 5*¹², the volume of voter registration updates so dwarfs the number of new voter registration applications that it is hard to discern the impact on new voter registration applications without disaggregating the data (as is done in *Graphs 3* and *4*).

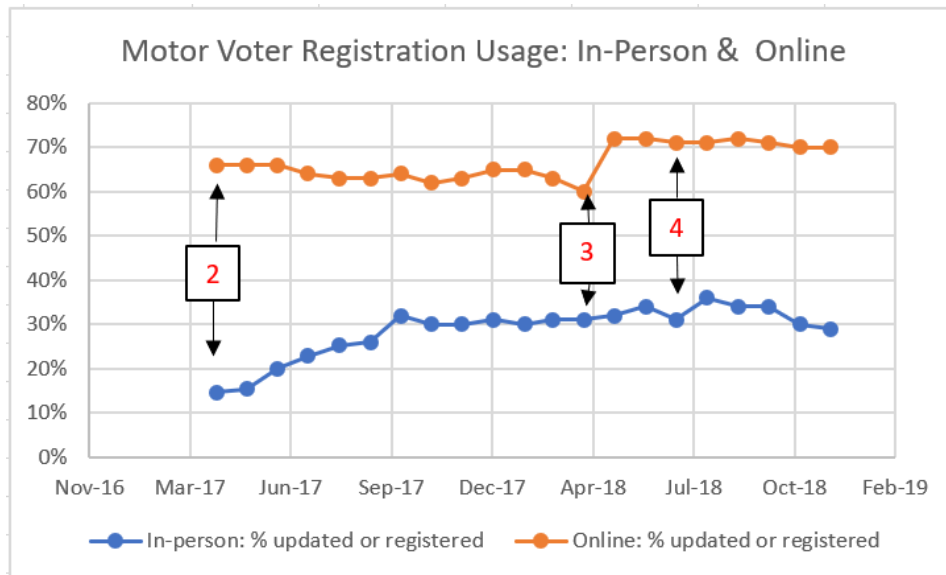
¹² *Id.*



Graph 5

Impact on In-Office Versus Online Transactions

It is also useful to know the difference between the utilization rate of voter registration services during in-office motor voter transactions versus online transactions. As seen in *Graph 6*, those customers interacting online use the voter registration services at a much higher rate than those in the office. As voter registration was not integrated into the DMV web portal until February 2017, and the collection of DMV data did not begin until April 2017, we can't know how many online motor voter transactions took place earlier. However, since the integration, between 60% and 70% of online DMV customers have used a voter registration service. Indeed, there was a large bump after April 2018, when the CCD language was adopted. At that point, online motor voter registration use increased from a norm of the low 60s% to a sustained rate of about 70%.



Graph 6

The rate of in-office use of motor voter registration appears low in *Graph 6*, although the rate doubled after the motor voter process upgrades in February 2017, a significant increase. The motor voter registration rate for in-office transactions stabilized at 30% to 35%, half the usage rate of online customers, six months after the initial implementation of process upgrades. Chart 2, below, provides some insight as to why the in-office rate may be so low. Specifically, in almost every month, there is no

reason to use voter registration services for 43% to 47% of customers because (1) they are already registered, and (2) they have no need to update their voter registration information. Taking account of such a proportion of people without need for voter registration services, and that more customers who need to change their addresses are likely to interact online, suggests a higher usage rate of in-office motor voter registration services (than indicated by the graph) for *those customers who need the service*.

CHART 2: PERCENTAGE OF CUSTOMERS MAKING DIFFERENT VOTER REGISTRATION CHOICES¹⁴

	Customers with no voter registration record who declined to register	Existing voters with Current Registration Information	Customers who Registered New	Customers Whose Voter Record Were Automatically Updated
January 2018	23%	44%	10%	24%
February 2018	20%	47%	8%	25%
March 2018	20%	48%	8%	24%
April 2018	20%	48%	8%	24%
May 2018	20%	45%	8%	27%
June 2018	20%	47%	7%	26%
July 2018	20%	47%	8%	26%
August 2018	20%	43%	10%	27%
September 2018	20%	43%	10%	27%
October 2018	19%	43%	12%	27%
November 2018	26%	29%	4%	41%
December 2018	19%	48%	9%	23%

Conclusion

Over a five-year period, Colorado implemented a huge number of motor voter registration process upgrades, transforming an inefficient multi-step paper-based system into a modern streamlined electronic automatic system. These changes included:

- incorporation of signature pads in DMV offices,
- elimination of paper forms (and a move to all-electronic data entry),
- electronic transfer of information between DMV and CDOS,
- new DMV software programmed to eliminate duplicate questions,
- a change in the presumption about voter registration (from opt-in to opt-out),
- integration of voter registration into the DMV web portal to eliminate confusion and maximize participation,
- adoption of motor voter registration language specifically tested for usability, and
- new legislation allowing for automatic address and name changes.

It is not easy for a state to make process modifications that involve multiple agencies, especially so many in such a short period of time. Common obstacles include differing agency priorities, resource shortages, bureaucratic resistance, and technology challenges. These things occurred in Colorado, but several factors contributed to overcoming the obstacles. Most notably:

¹⁴ Percentages were calculated based on the following monthly data, provided to the author by the Colorado Department of State: Customers with no record who declined to register; Existing Voters with Current Registration Info; Customers Who Registered New; and Customers Who Updated Their Voter Record. The figures do not include pre-registration data. Those customers who declined to update their voter registration address are included within the category “Existing Voters with Current Registration Info.”

RELATIONSHIP DEVELOPMENT

Relationship development was key. Shortly after he became elections director, Mr. Choate prioritized the development of a relationship with his CDOR counterpart and communicating about elections needs and legal mandates. When he became Colorado DMV Senior Director, Mike Dixon recognized the need to work collaboratively on motor voter registration issues. Over several years, the development of a more trusting relationship between their two teams allowed the process upgrades to come to fruition.

The state's Working Group brought multiple stakeholders into the process, giving a place at the table for input and buy-in. In addition, it allowed stakeholders to jointly and collaboratively recognize the potential of the DRIVES IT DMV modernization project. Beyond state and county officials, it was especially important to have advocates involved in the NVRA Working Group, both to make sure that well-intended process changes would not cause any unforeseen problems and to get access to additional (free) resources like the services of Center for Civic Design.

INTERNAL ADVOCACY

Different agency missions lead to different priorities. In particular, while voter registration is one of the core concerns of elections agencies, like CDOS, it is simply one of many identity-related responsibilities that driver's license agencies handle and for which they often do not receive direct funding. That can make it difficult for an entity like a DMV to prioritize process changes when what's in place seems to work. The legal memos and explanatory presentations that CDOS prepared for CDOR helped move along the understanding of the need to make process fixes.

RESOURCES

More frequently than not, process changes involve the investment of significant resources, both time and money. Improving Colorado's NVRA implementation, and creating institutionalization that ensures compliance, required significant investment in upgrading technology. Fortunately, the DMV was already planning an upgrade of its driver's license system as part of its customer service improvement strategy. Including motor voter registration modifications as part of the DMV IT modernization and driver's license issuance upgrade was the most cost-effective method of accomplishing this objective. The costs for the motor voter changes were easily absorbed in both projects.

In addition, for those upgrades that were not part of the original system modernization, CDOS paid for the DMV motor voter registration technology upgrades and worked with CDOR to write the requirements for them. Because DMV is funded from general appropriations in Colorado, there must be accounting for every expense. Thus, for DMV to pay for several of these upgrades, there would have needed to be a legislative appropriation. CDOS, by contrast, is cash funded, receiving money from fees placed on businesses. CDOS therefore has more flexibility and is nimbler with respect to its expenses. CDOS ultimately paid between \$50,000 and \$70,000 for the additional CCD-recommended modifications on the signature pads and in the new DRIVE driver licensing system.

The result of the motor voter registration technology overhaul has been decreased driver's license transaction time and a sustained dramatic eight-fold increase in motor voter registration activity. Interestingly, online DMV customers are roughly twice as likely to use motor voter registration services than in-office customers. Significantly, within the sustained increase of motor voter registration activity, customer updates of voter records dwarf the number of new voter registration applications – making motor voter registration process upgrades an important part of voter registration list maintenance as well as a generator of new voters.

About the Author

Lisa J. Danetz, consultant to Democracy Fund, has worked in the voting rights, money in politics, and democracy field as a policy expert, advocate, and lawyer for 20 years. She has developed a particular expertise on voter registration through government agencies and, most recently, has been doing work within the AAMVA (DMV) community to provide information and support related to voter registration and election administration responsibilities. In addition to her work with Democracy Fund, she has worked with Demos and the National Voting Rights Institute, among others.

Ms. Danetz has published and been a frequent speaker on voting rights issues, including testimony regarding agency-based voter registration before the Senate Rules and Administration Committee, the Subcommittee on Elections of the Committee on House Administration, and the United States Commission on Civil Rights. She's been quoted in *The New York Times*, *The Washington Post*, and *Bloomberg*, among other publications. She has also appeared on television and radio.

Ms. Danetz received her B.S. from Yale University and her J.D. cum laude from New York University School of Law.