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A collaborative program between the
ADA National Network and the
U.S. Access Board



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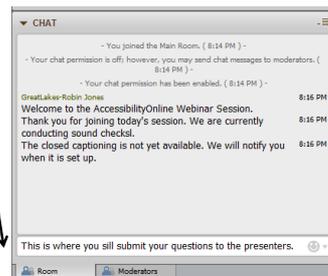


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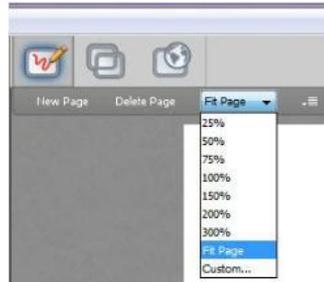


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Accessible Polling Places

Title II Facilities



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Presenters U.S. Access Board



Bruce Bailey



Paul Beatty

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Session Agenda

- **Overview of how ADA Standards apply to Polling Places**
- **Overview of Voting Equipment**
- **Overview of Help America Vote Act (HAVA), including:**
 - Election Assistance Commission (EAC)
 - Voluntary Voting System Guidelines (VVSG)
- **Questions and Answers**

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Some Guiding Principles

- **Voting is essential right**
 - Everyone should be able to vote
- **Fundamental expectations:**
 - Privacy
 - Freedom of choice, freedom from intimidation
- **Voting is local**
 - Autonomous approach is a strength
 - First-hand experiences will vary

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Outside of Scope for Today

- Early Voting
- Voting by Mail
 - Primarily oriented towards absentees and exceptions
 - Some jurisdictions are entirely vote-by-mail
 - Many people have print-related disabilities
- Other vote-at-home initiatives
 - Some jurisdictions using websites and mobile apps
- Federal Voting Assistance Program (FVAP), www.fvap.gov
 - Voting assistance for Service members, their families, and overseas citizens
 - Established track record with using mail, PDFs, and soft copy
 - Strict eligibility requirements, but report 623,577 votes in 2016 election
 - Limited focus on accessibility

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Some Legislative Landmarks

- Voting Rights Act, 1965
- Voting Accessibility for Elderly and Handicapped Act, 1984
- Americans with Disability Act, 1990
- Help America Vote Act, 2002

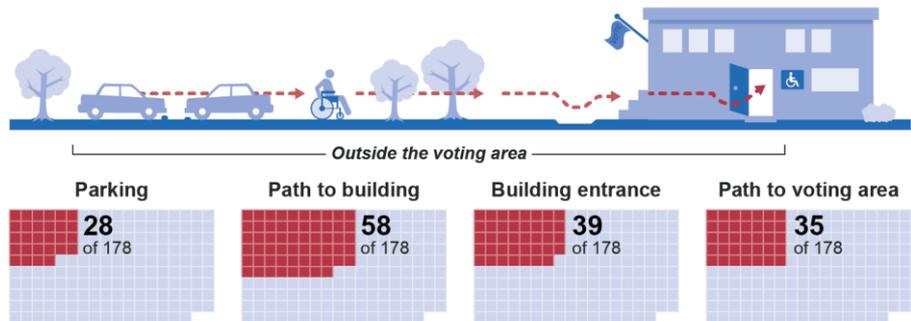
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GAO Report on 2016 Election (GAO-18-4)

Obstacles Outside the Voting Area

- Parking
 - 28 of 178
- Path to building
 - 58 of 178
- Building entrance
 - 39 of 178
- Path to voting area
 - 35 of 178



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Where are polling places located?

- City Halls
- Churches
- Community Centers
- Non-Profit Clubs
- Fire Stations
- Stores
- Schools
- Libraries

Voting: State and local Government Administered Activity

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Voting and Program Access

DOJ says “the ADA requires that public entities ensure that people with disabilities can access and use all of their voting facilities.”

Ensuring access can include temporary measures, but “the use of temporary measures to provide access to polling places on Election Day does not change a public entity’s obligations under the ADA to ensure that its other programs and services are accessible to people with disabilities, or does it mean that a temporary remedy would be appropriate in a public facility on an everyday basis.”

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Program Access - Technical Assistance

- DOJ Technical Assistance:
 - 800-514-0301 (voice) or 1-800-514-0383 (TTY)
- DOJ Polling Check List:
 - www.ada.gov/votingchecklist.htm
- Title II Regulations:
 - www.ada.gov/ada_title_II.htm
- Combined current ADA Standards:
 - www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards

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Newly Constructed Facility ADA Accessible

Complies with ADA Standards

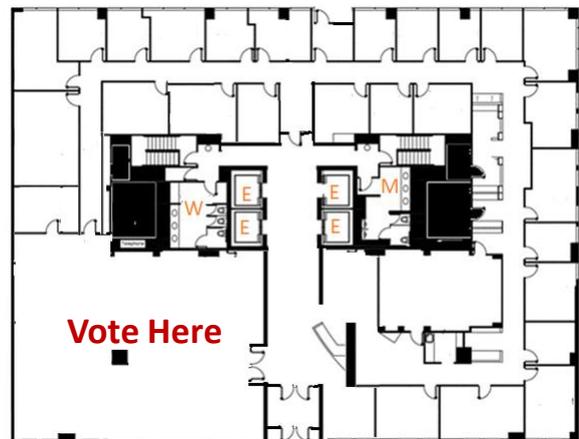
- 1991 ADA Standards or UFAS
- 2010 ADA Standards
- Alterations since 2012, per the 2010 ADA Standards
- Parking
- Passenger Loading Zones (Drop-off Locations)
- Accessible Routes
- Accessible Route Components: Ramps, Elevators, and Platform Lifts
- Protruding Objects

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Newly Constructed

- 201.1 *All areas* ... shall comply with these requirements.
- 201.3 These requirements shall apply to temporary and permanent ... facilities [that are designed, newly constructed, and altered].



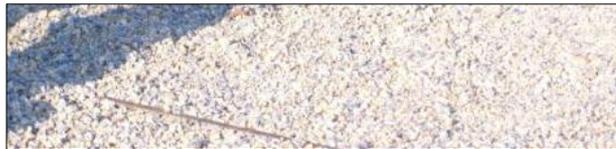
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Ground & Floor Surfaces (302.1)

- Is it stable, firm, & slip-resistant?

– Gravel



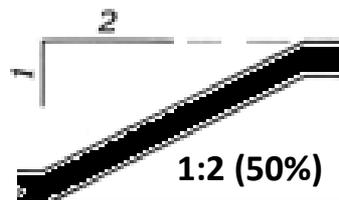
– Pavement



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Openings (302)



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Parking Scoping (208)

Scoping at each (general) parking facility

Total Number of Parking Spaces	Min. Number of Accessible Space
1 to 25	1
26 to 60	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100 (or fraction thereof) over 1000

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Van Parking (208)

1 of 6 accessible spaces
(1 of 8 in 1991 Standards)



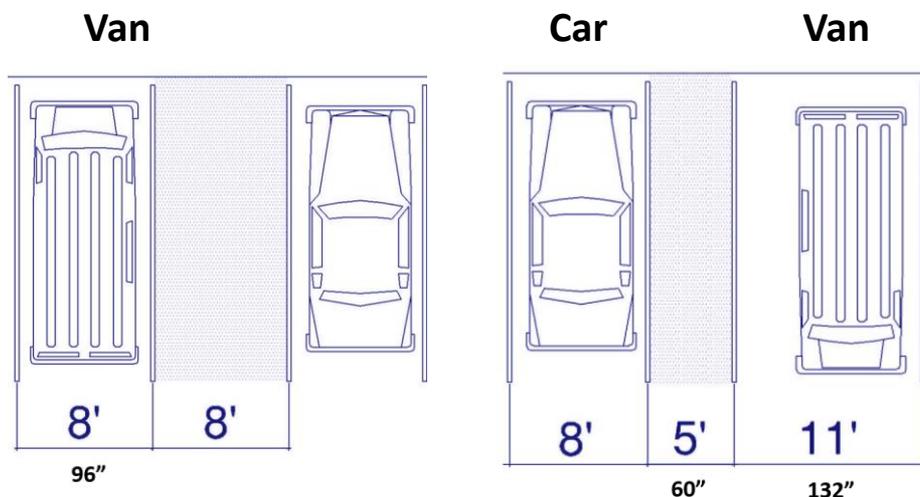
Safe Harbor

- 35.150 (b)(2)
- 35.151(b)(4)(ii)(C)

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Parking Spaces (502)



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Other Parking Requirements (502)

- Aisle marking
- 1:48 slope max
- Adjoin Accessible Route
- ISA Sign
- Signs: 60" min
- "Van Accessible"
- Can share common access aisle



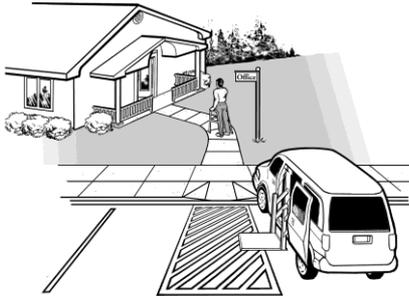
- Angled vans spaces: access aisle on passenger side only

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On Shortest Acc. Rt. (208.3.1)

- There may be shorter pedestrian routes that are not accessible.



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Parking



- Do not obstruct the accessible route

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Passenger Loading Zones (209/503)

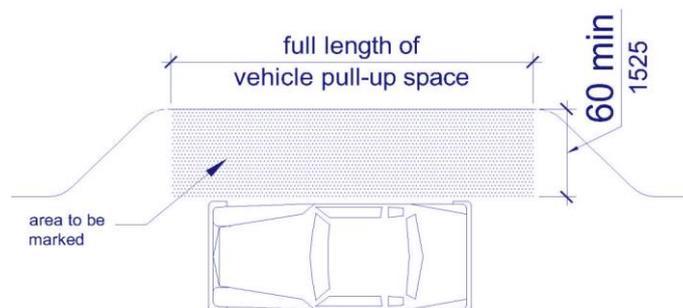
- At least 1 for every 100 linear ft. of loading zone space provided
- Medical facility (> 24 hour stay) and valet parking, at least 1 **must** be provided



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Passenger Loading Zones (503)

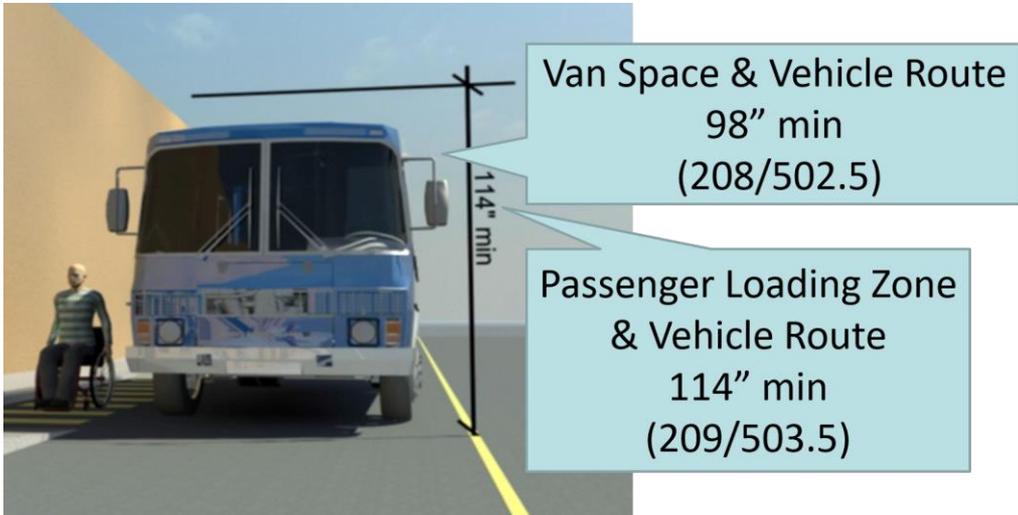


- Aisles
 - same level as pull-up space
- Aisles to be marked
- No ISA

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Vertical Clearance (502.5/503.5)



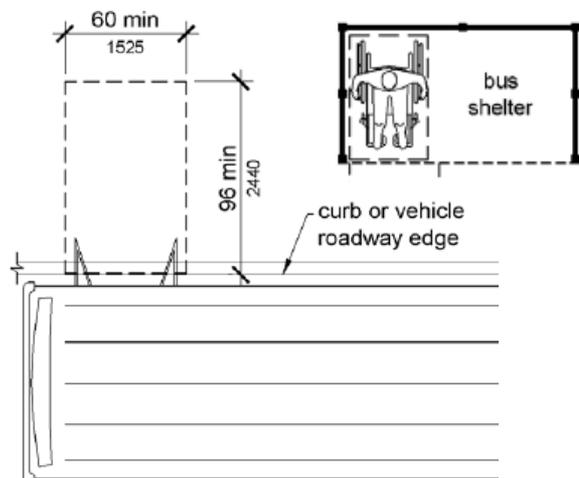
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Bus Stop (218/810)

Boarding and Alighting Area

- Surface: Firm and Stable
- Size: 60" min x 96" min
- Slope
 - Parallel to Roadway
 - slope of road to maximum extent practicable
 - Perpendicular to Roadway
 - 1:48 max



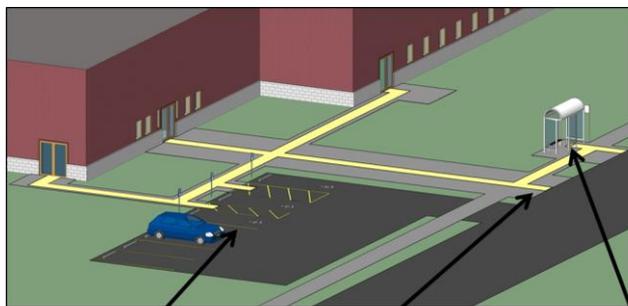
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Exterior Accessible Routes (206)

At least one accessible route:

- to building entrances from site arrival points provided



parking & passenger loading zones



streets & sidewalks



transportation stops

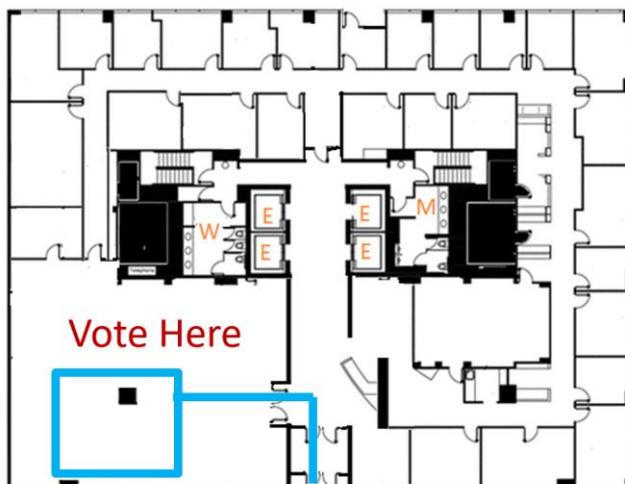
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Interior Accessible Routes (206)

At least one accessible route:

- from accessible building entrances to accessible rooms, spaces, and elements
- to Vote Here (blue)



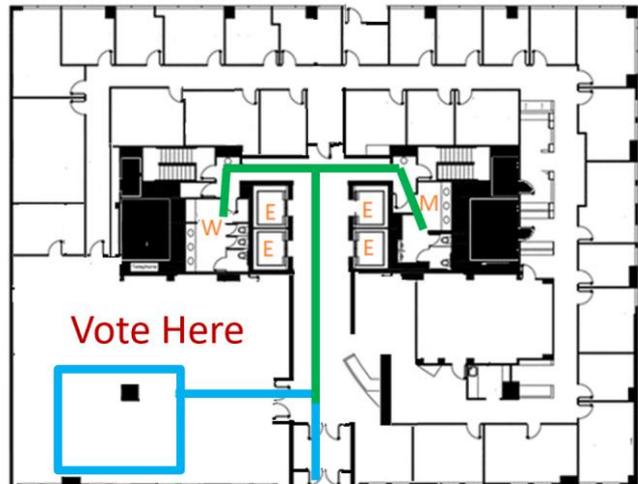
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Interior Accessible Routes (206)

At least one accessible route:

- from accessible building entrances to accessible rooms, spaces, and elements
- to Toilet Rooms (green)



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Accessible Route Components

**Accessible Route Scoping (206, 225.2.1, etc.)
Components (Chapter 4)**

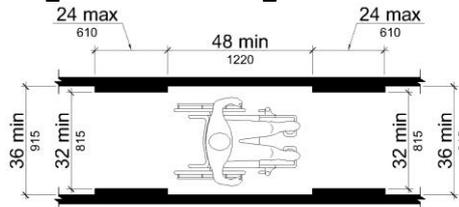
1. walking surfaces [\leq 1:20 slope] (403)
2. doors and gates (404)
3. ramps [$>$ 1:20 slope] (405)
4. curb ramps (406)
5. elevators (407 to 408, see 206.6)
6. platform lifts (410, see 206.7)

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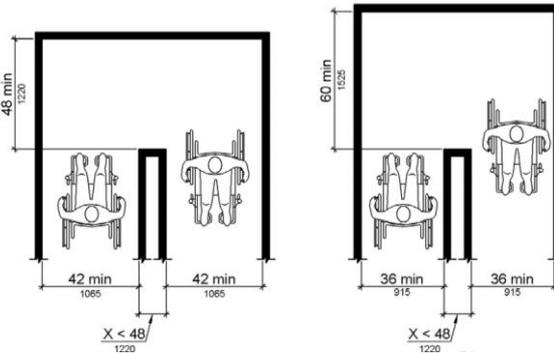
Walking Surface [$\leq 1:20$] – Width

- Width: 36" min
- Choke point: 32" min



180 degree turn

- Passing space
 - 60" min x 60" min (every 200')
- Cross slope
 - 1:48 max



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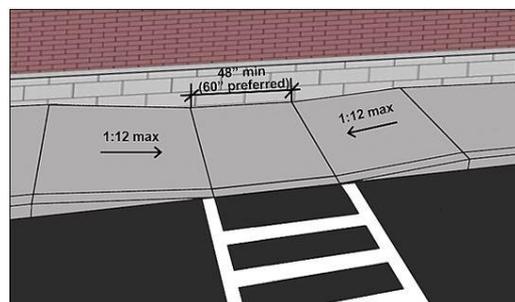
Curb Ramps – definition (106.5)

106.5 Definitions

- Curb ramp is a short ramp cutting through a curb or built up to it.
- Ramp is a walking surface that has a running slope steeper than 1:20.

406.1 Use 405

- Except no max rise and handrails
- Different for landings and edge protection



From Access Board's Online Guide

- Chapter 4: Accessible Routes, Ramps and Curb Ramps

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Curb Ramps (406)

- If the accessible route crosses a curb, is there a curb ramp?

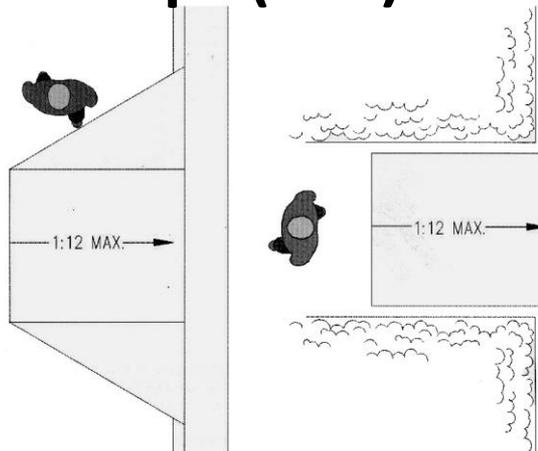


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Curb Ramps (406)

- Running Slope
 - 1:12 max
- Cross Slope
 - 1:48 max
- Width
 - 36" min
- Flares (if provided)
 - 1:10 max



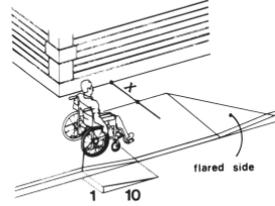
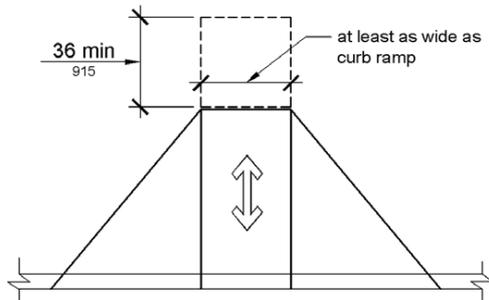
side flares

returned sides

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Curb Ramps – Landing



1991 Standards

- $X < 48''$
 - then flares 1:12 max

- Landing 36" min required at the top
- Flared sides (if provided) 1:10 max
- No landing, need flares, 1:12 max

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Curb Ramps – DTW

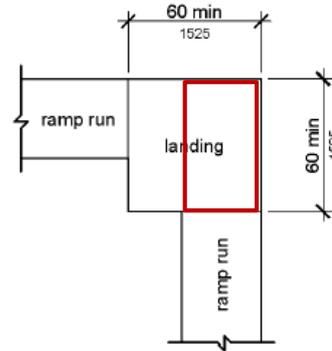
- Detectable Warnings
 - ABAAS (Feds): No
 - DOJ ADA: No
 - DOT ADA: Yes
 - Proposed public rights-of-way guidelines: Yes



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Ramps (405)



- Clear Width (between handrails): 36" min
- Surface: Stable, firm, slip-resistant
- Running Slope: 1:12 max (but see exception)
- Cross Slope: 1:48 max
- Run Rise: 30" max

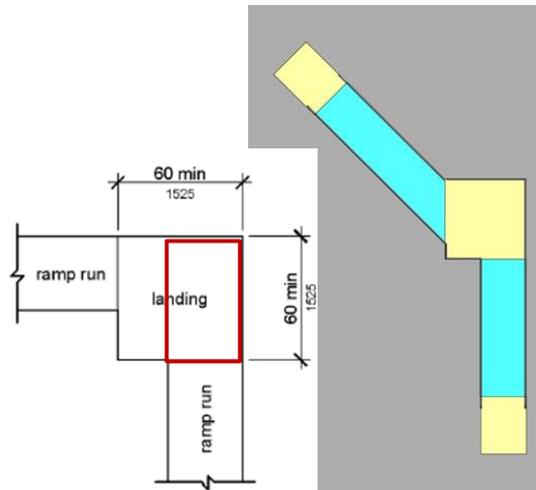
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Ramps – landings (405.7)

Landing:

- Location: top and bottom
- Depth: 60" min
- Width: width of ramp
- Change in Direction:
 - 60" min x 60" min
- Slope: 1:48 max
- Width/length: clear



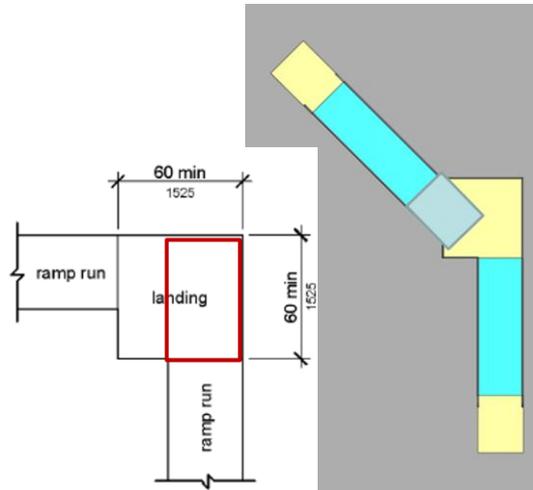
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Ramps – landings (405.7)

Landing:

- Location: top and bottom
- Depth: 60" min
- Width: width of ramp
- Change in Direction:
 - 60" min x 60" min
- Slope: 1:48 max
- Width/length: clear



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Ramps – handrails (405 & 505)

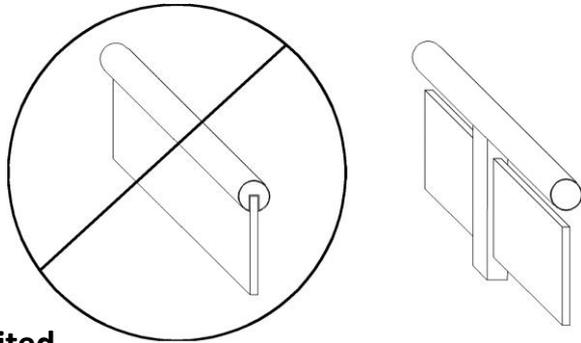
- HR (both sides):
 - if run rise > 6"
- HR Height, top:
 - 34" - 38"



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Handrails – obstructions



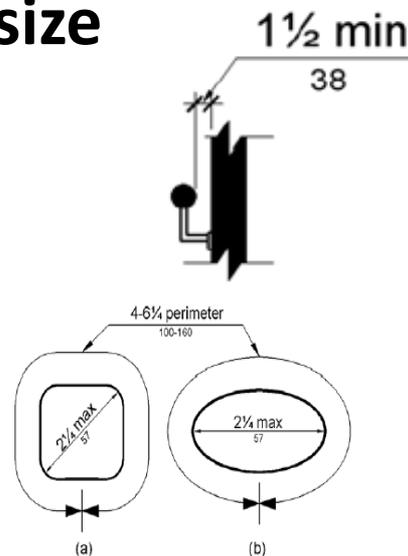
- Continuous gripping surface
- Top and side obstructions prohibited
- Bottom obstructions limited to 20%

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Handrail – size

- Ramps, stairs, and walkways
- Knuckle clearance:
 - 1.5" min (not absolute)
- Diameter: 1.25" – 2"
- Applies to outer diameter
- Non-circular
 - Perimeter: 4" – 6.25"
 - Cross section: 2.25" max

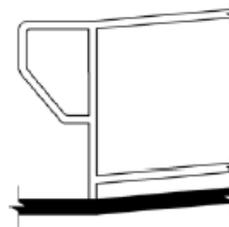


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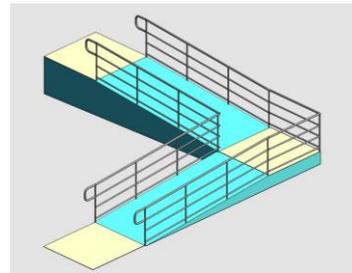
Handrail – extensions

- **Distance:** Extend 12" min beyond top and bottom of ramp run
- **End Point:** Return to floor, guard, or wall
- **Protruding Object Concern**



EX1-3:

- **No extension for inside turn of switchback/dogleg ramps, assembly, alterations (safety)**

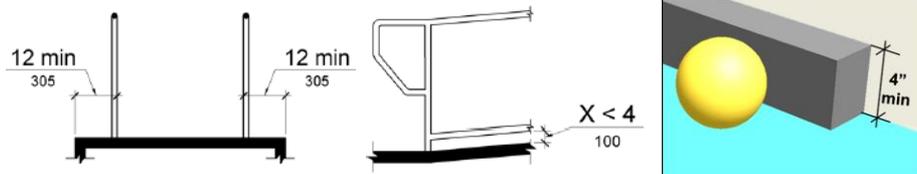


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Ramp – edge protection

- 405.9 Edge protection *each side* of ramp run and landings



- EX1: flared sides (like curb ramps) for ramps w/o handrails
- EX2: sides of landing adjoining ramp runs or stairways,
- EX3: sides of landings w/ vert. drop-off of ½" max within 10" of min landing

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Accessible Entrances

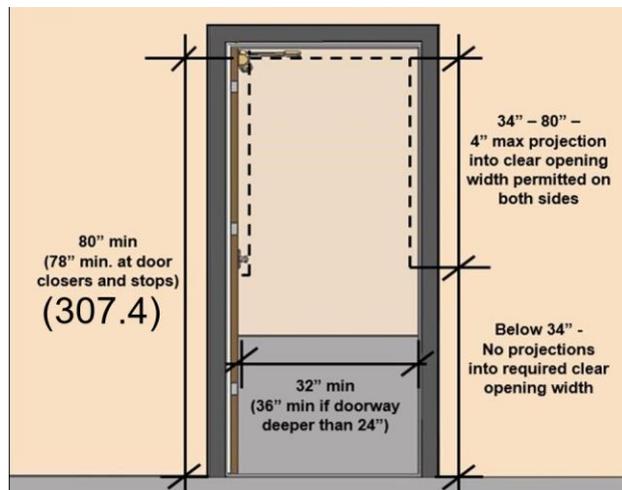
- Automatic Doors Recommended



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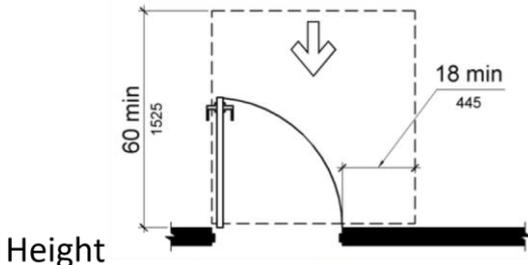
Doors – clear width (404.2.3)



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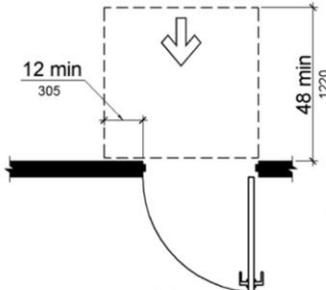
Doors – clearances (404.2.4)



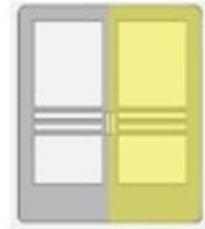
Height
• 80" min



• Door has **both** closer & latch

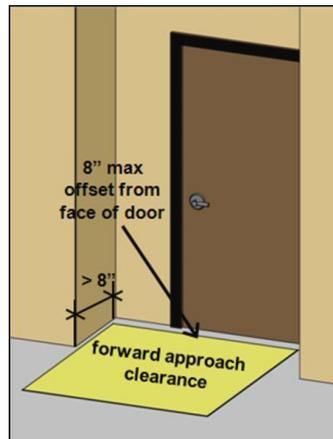


- Double Leaf
- One Leaf
- Active Leaf



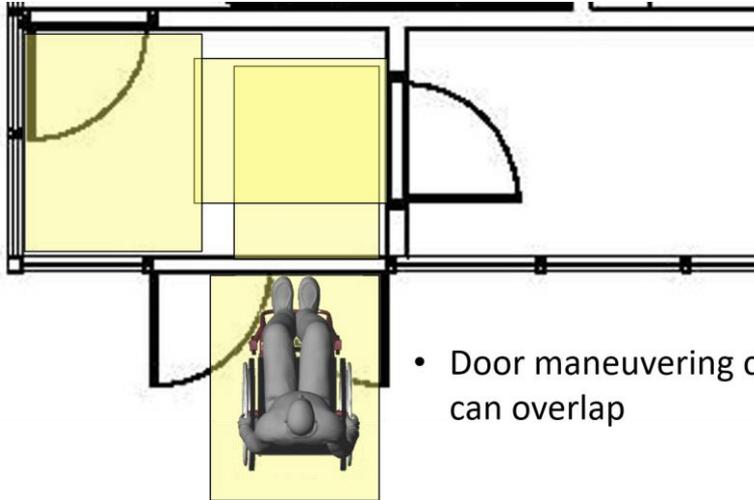
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Doors – clearance distance (404.2.4)



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Multiple Clearances

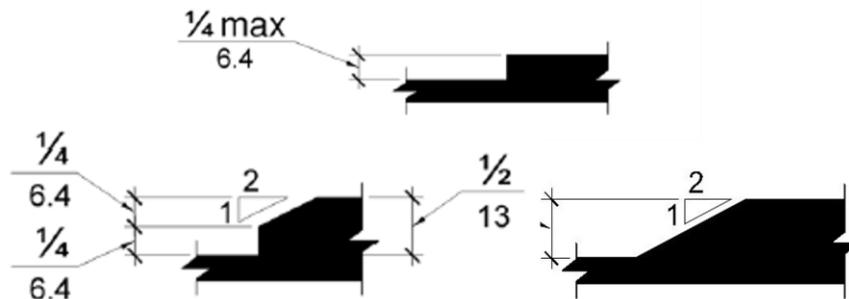


- Door maneuvering clearances can overlap

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Doors – thresholds (404.2.5 & 303)



- EX: Existing and altered thresholds $\frac{3}{4}$ " max at 1:2 max both sides

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Hardware – operability (404.2.7 & 309.4)

- 1 hand operation
- no tight grasping, pinching, or twisting of wrist
- 34" – 48" in height
- 5 lbs. force max



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Operability

- Closed fist operation = good, but not mandatory
- Many other types comply (e.g., U-shaped pulls)



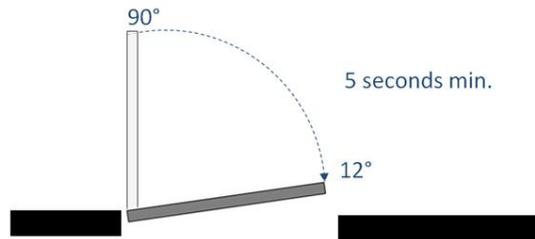
- Not required to comply: non-fixed portions (e.g., keys, access cards)

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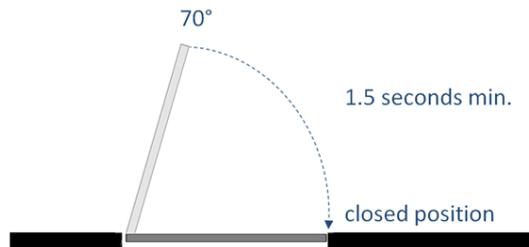
60

Door – closing speed (404.2.8)

- Closures



- Spring Hinges

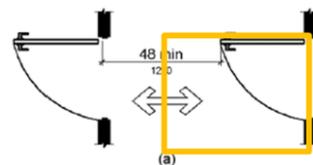
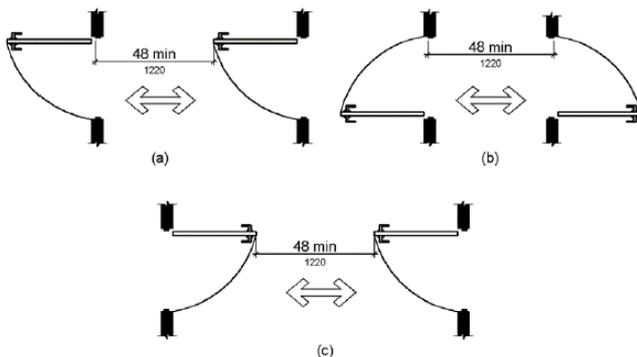


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Doors – in series (404.2.6)

- 48" separation required between the swing of doors



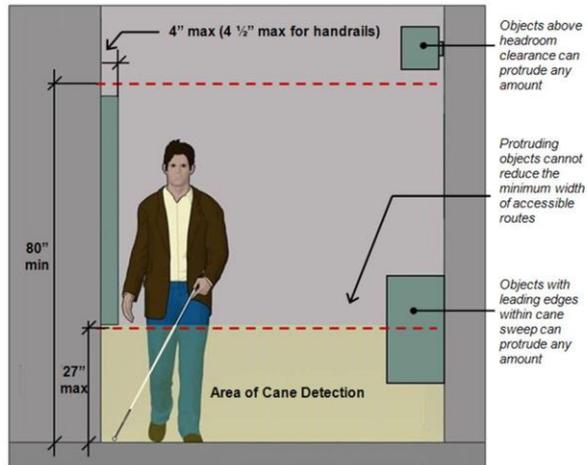
- Doors in series with one pull side maneuvering clearance shown

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Protruding Objects (204 & 307)

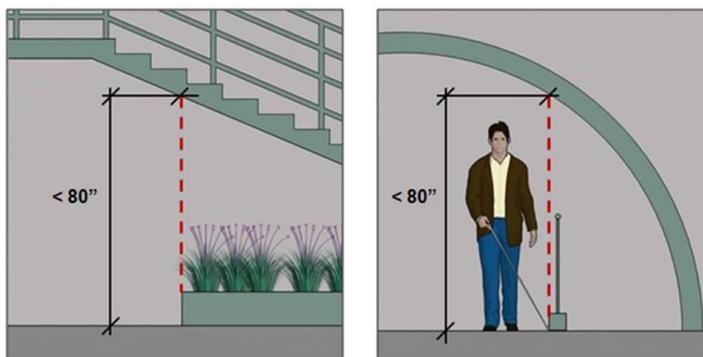
- Applies to all circulation paths



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Headroom Clearance (307.4)



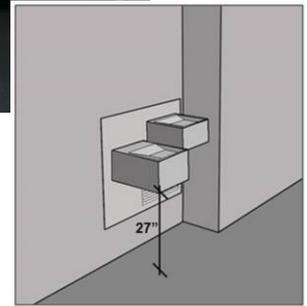
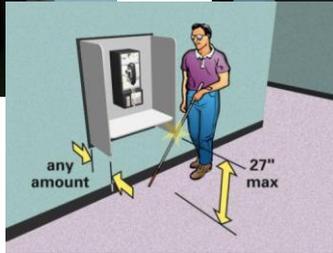
- EX: Door closers and door stops – 78" min

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Protruding Objects – wall

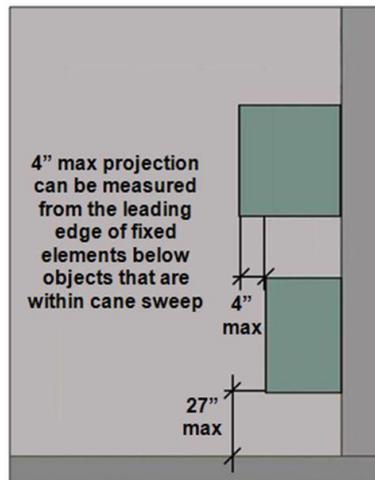
Alcove or wing wall removes the drinking fountain / telephone from the circulation path



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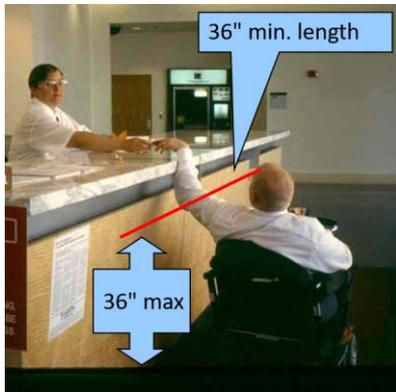
Protruding Objects – wall



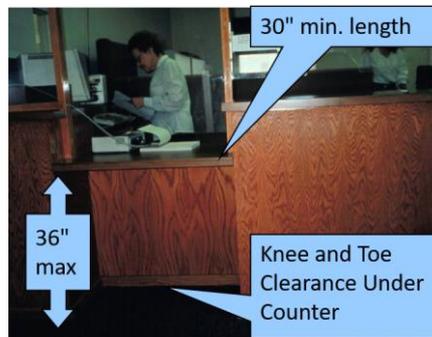
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Sales & Service Counters (227.3/904)



Parallel Approach



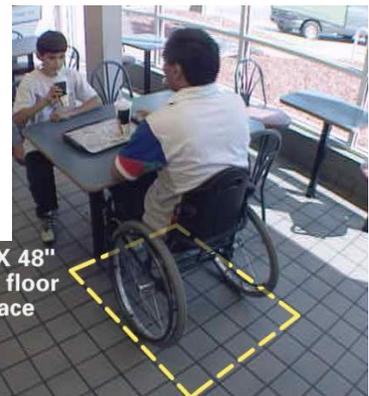
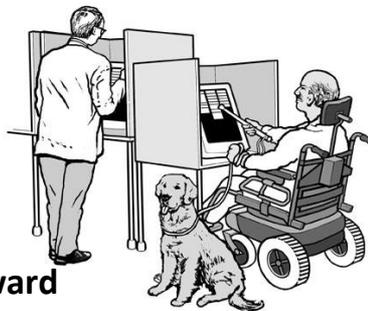
Forward Approach

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Work Surfaces

- 5% accessible (226)
- Dispersed
- Surface height
- knee and toe clearance
- clear floor space for forward approach



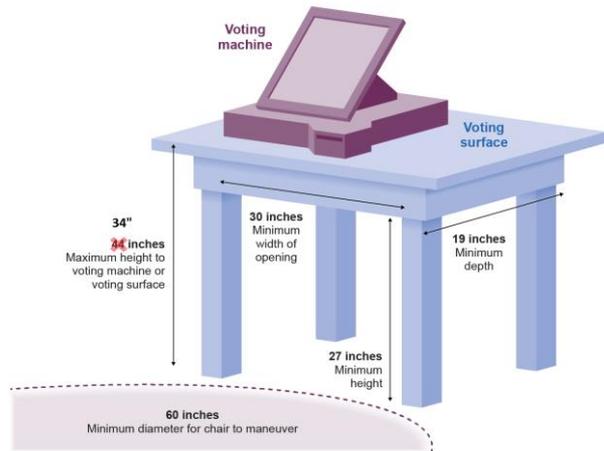
30" X 48"
clear floor
space

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Voting Machine Placement

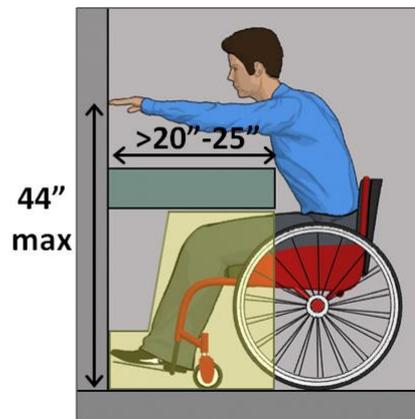
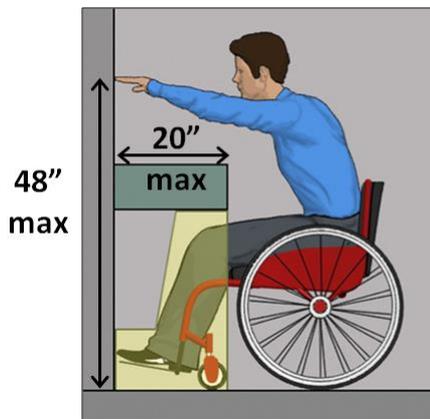
- 60" min diameter circle for chair to maneuver
- 34" max height to voting machine or voting surface
- Clearance under table or stand:
 - 30" min width of opening
 - 27" min height
 - 19" min depth



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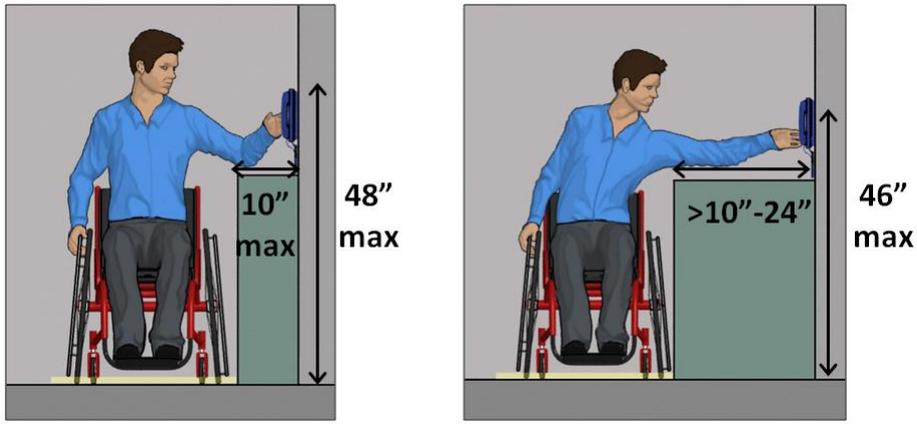
Forward Reach – obstructed (308)



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Side Reach – obstructed (308.3)



Max obstruction height: 34"

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Overview of Voting Equipment

- Not Really Accessible
 - Mechanical Lever Voting Machines
 - Punch Card Voting Systems
 - Optical Scan Paper Systems
- Good Potential for Accessibility
 - Direct Recording Electronic (DRE)
 - Ballot Marking Devices and Systems

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Mechanical Lever Voting Machines

- **Physically challenging to use**
 - Typically standing height
 - Not easy to read
 - Small levers for voting
 - Requires moderate force
 - Large lever requiring modest force
 - close curtain / reset
 - cast vote / open curtain
- **Direct recording**
 - No paper trail



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Punch Card Voting Systems

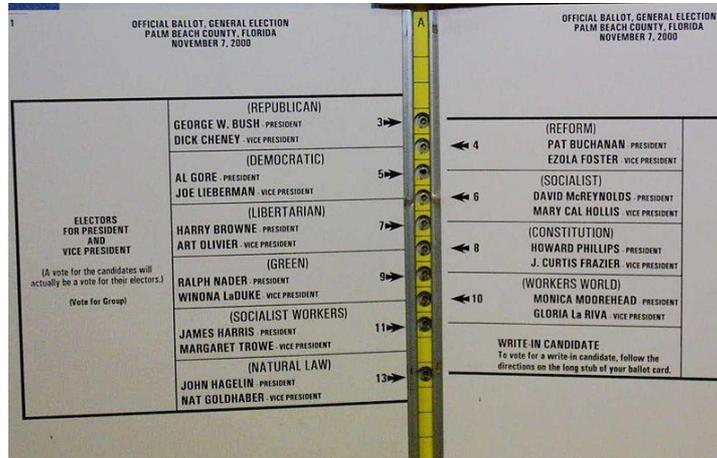
- **Pros:**
 - Less physically demanding
 - Easier to read
 - Machine readable paper tally
- **Cons:**
 - Requires physical manipulation
 - Not directly accessible for blind
 - Potential for “hanging chads”
 - General usability problems



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Butterfly Ballot, Florida 2000



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Help America Vote Act (HAVA), 2002

- Payments to states
 - Election administration improvements
 - Replacement of punch card and lever voting machines
 - Promotes direct recording electronic (DRE) voting systems
- Establishes of Election Assistance Commission (EAC)
 - Standards Board
 - Board of Advisors
 - Includes ATBCB
 - Technical Guidelines Development Committee
 - Includes ATBCB

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HAVA Excerpts

- The voting system shall
 - (A) be accessible for individuals with disabilities, **including nonvisual accessibility for the blind and visually impaired**, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;
 - (B) satisfy the requirement of subparagraph (A) **through the use of at least one** direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place;
- Title III, Subtitle A, Sec. 301, (a) (3)

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Election Assistance Commission (EAC)

- Established by the Help America Vote Act of 2002 (HAVA)
 - Independent, bipartisan commission
 - Charged with helping Americans vote
 - By ensuring election officials have the support and resource they need
 - Develop guidance to meet HAVA requirements
- Activities:
 - Accredit testing laboratories and certify voting systems
 - Craft and adopt the Voluntary Voting System Guidelines (VVSG)
 - Serve as nation's clearinghouse of information and best practices on election administration
 - Auditing the use of HAVA funds

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Voluntary Voting System Guidelines (VVSG)

- Set of specifications against which voting systems can be tested
- Some factors examined under these tests include:
 - Basic functionality
 - Accessibility
 - Security
- VVSG 1.0, December 2005
 - Volume I is requirements, Volume II is test procedures
- VVSG 1.1, available March 2015, required July 2016
- VVSG 2.0 drafts available, not yet published as rule making

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VVSG Accreditation

- EAC manages Voting System Test Laboratory (VSTL) Accreditation Program
 - Includes VSTL evaluated and recommended by the National Institute of Standards and Technology (NIST)
 - Interactive map: www.eac.gov/voting-equipment
 - Details include Voting System Name
- 2011 report shows only 15 states as **not** requiring independent testing or accreditation
 - 35 states + DC
 - State regulation citing NASED, FEC, EAC or Federal Standards
 - See: www.eac.gov/voting-equipment/status-table

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VVSG FAQ's

- Voting systems used in federal elections do not have to meet the requirements of the VVSG
 - But all voting systems used in federal elections must meet the requirements of Section 301(a) of HAVA.
- States do not have to follow the VVSG
 - Adoption of the VVSG and participation in EAC's voting system certification program is voluntary.
 - It is up to each state to choose, test, certify and implement voting systems.
- Voting systems used in federal elections do not have to be tested and certified by the EAC
 - Per HAVA, participation by the states in the EAC certification program or adoption of the VVSG is voluntary.
 - States may formally adopt the VVSG, which make them mandatory in their jurisdictions.
- See: www.eac.gov/voting-equipment/frequently-asked-questions

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Pros: Direct Recording Electronic (DRE)

- Pros:
 - Large touchscreen
 - generally very user friendly
 - Optional support for multiple languages
 - Display usually has good contrast
 - Can support speech output
 - Some models have keyboard option
 - Can provide alternative input
 - Keyboard option for some models
 - Sip puff-switch for some models
 - Switch jack for some models



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Cons: Direct Recording Electronic (DRE)

- Security concerns
 - Even in film!
 - Hacking Democracy (2006)
- Early models lacked paper trail
 - Options for newer models
- Good usability not guaranteed
 - Good readability requires expertise
 - Choice order, amount of text, fonts
- Many voters not comfortable with technology
- Usability of speech interface

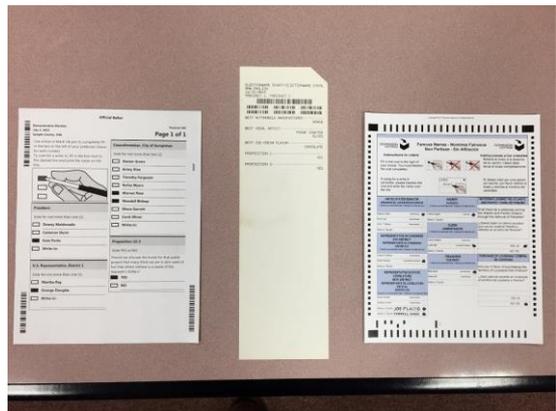


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Optical Scan Paper Systems

- Fill-in the dot/rectangle
 - Also, connect lines or arrows
- Pros:
 - Machine and human readable
 - Good audit trail
- Cons:
 - Everything terrible about paper!

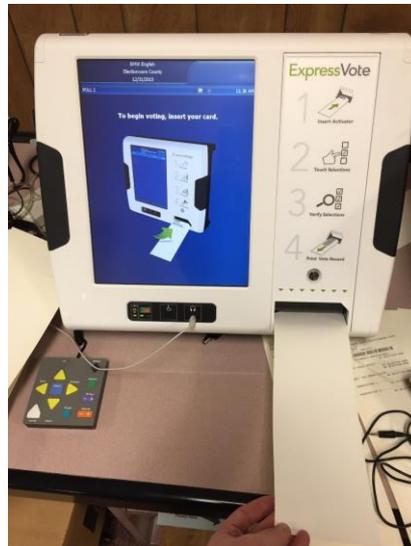


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Ballot Marking Devices and System

- Electronic, like DRE
 - Can have speech
 - Can have alternative input
- Output is a paper ballot



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Additional Resources

- Verified Voting
 - www.VerifiedVoting.org/resources/voting-equipment
- Examples of State Resource:
 - Maryland State Board of Elections
 - http://elections.maryland.gov/voting_system
 - New York State Board of Elections
 - www.elections.ny.gov/VotingMachines.html
 - Texas Secretary of State
 - www.VoteTexas.gov/systems
- Jonathan Lazar, paper on ballot marking devices under review, jLazar@umd.edu for more information

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The Good News

- Polling places generally have good physical accessibility
 - Historically, best ever
 - Evidence that steady progress is being made
- HAVA requirements are being followed and implemented
 - A variety of accessible voting machines are in wide use
 - Nominally accessible voting machines deployed as required
- Accessibility of voting machines has gone beyond HAVA requirement for speech access
 - Most models allow for alternative switch access and support scanning
- Easy to find good examples of state and local governments providing educational resources

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The Bad News

- Physical access is not a solved issue
 - GAO inspection found problems with 60% of sample in 2016 election
 - See GAO 2017 report: www.gao.gov/products/GAO-18-4
- Formal uptake of VVSG is not where advocates would like it to be
 - See citations from VVSG slides on EAC site
- Tension between accessibility and desire for paper trail
- Even with perfect hardware
 - Configuration of voting systems to provide best experience challenging
 - Education, training, and outreach

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Questions?

You may type and submit questions in the Chat Area Text Box or press Control-M and enter text in the Chat Area

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Technical Guides on the Standards

- Available on the Board's website



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Continuing Education



AIA Provider Number: I017

Course Title: Accessible Polling Places

Course Number: GL20181004

Date: October 4, 2018

Credits earned on completion of this course will be reported to AIA CES for AIA members. Certificates of Completion are available upon request.

This course is registered with AIA, for continuing professional education. As such, it does not include content that may be deemed or construed to be an approval or endorsement by the professional organizations of any material of construction or any method or manner of handling, using, distributing, or dealing in any material or product.

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**Thank you for participating
in today's webinar**



Next session:

Accessible Exterior Routes and Surfaces

November 1, 2018, 2:30 – 4:00 PM EST

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