July 9, 2004

Ohio Department of Public Safety
1970 West Broad Street Suite 531
Columbus, OH 43223

Attention: Lewis C. George – Chief Legal Counsel

Subject: Memorandum of Understanding

Dear Mr. George:

Attached please find two (2) copies of a Memorandum of Understanding between the Office of the Ohio Secretary of State and the Ohio Department of Public Safety, bureau of Motor Vehicles. The purpose of this MOU is to establish guidelines for compliance with the Help American Vote Act (HAVA). If you are in agreement with this MOU, please forward to the proper parties within your agency for signatures, retain one copy for your records and return the other copy to my attention.

Thank you for your attention to this matter.

Yours truly,

[Signature]

Linda T. Brown
Legal Liaison Officer – Legal Services Division
Ohio Secretary of State

Enc.
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is effective this 1st day of July 2004 by and between the Ohio Secretary of State (the "Secretary") and the Ohio Department of Public Safety, Bureau of Motor Vehicles (the "BMV"). The purpose of this MOU is to set guidelines for compliance with the Help America Vote Act of 2002.

GOALS:

1. It is the Goal of both the Secretary of State and the Director of the Department of Public Safety and the Registrar of the Bureau of Motor Vehicles to be in compliance with the Help America Vote Act of 2002.

2. It is the goal of the Secretary to electronically link with the Department of Public Safety for the purposes of verifying voter registration information.

3. It is the goal of the Secretary to compare voter registration information with the information from the Department of Public Safety’s database in an efficient and timely manner, thus allowing corrective action to be taken in time for upcoming elections.

IT IS UNDERSTOOD THAT:

1. The Help America Vote Act of 2002, Section 303(a)(5)(B), requires the Secretary of State and the Registrar of the Department of Public Safety, Bureau of Motor Vehicles to enter into an agreement to match information in the voter registration database to the databases of the Department of Public Safety.

2. The Secretary shall maintain and administer a centralized voter registration list.

3. The Department of Public Safety, Bureau of Motor Vehicles maintains centralized motor vehicle registration and driver’s license databases.
4. The information from the Department of Public Safety, Bureau of Motor Vehicles databases shall be used to verify the accuracy of the information provided on applications for voter registration.

5. The Secretary and the Department of Public Safety shall each be responsible for their respective property including hardware, software, and maintenance.

6. During the initial phase of this project, from signing of this agreement through September 30, 2004, the following provisions will be used:

   a) The Secretary of State shall contact the Department of Public Safety's Information Technology Help Desk during normal business hours or the Information Technology Computer Operations at other times to report any disruptions of service. These areas maintain contact information for Department of Public Safety technology personnel who will respond to take corrective action.

   b) The Department of Public Safety shall make every reasonable effort to maintain access to the databases on a continuous basis, which shall include seven (7) days a week for twenty-four (24) hours a day. The Department of Public Safety will publish scheduled maintenance outages as far in advance as possible. In the event of an unplanned outage (e.g. Hardware failure), the Department of Public Safety will notify the Secretary of State as soon as possible. In either case, the Department of Public Safety will notify one of the Secretary of State individuals listed below:

      i) Cliff Mace – 614/296-6563
      ii) VJ Masson – 614/296-0185
      iii) Heidi Riggs – 614/296-5676

7. The Department of Public Safety, Bureau of Motor Vehicles acknowledges that HAVA requires them to enter into an agreement with the Social Security Administration. As a result of such agreement, the Secretary expects the Bureau of Motor Vehicles to provide social security information.

8. The Secretary and the Department of Public Safety will hold the information gathered in confidentiality, unless otherwise deemed to be public information.
The Secretary of State, the Director of the Department of Public Safety, and the Registrar of the indicate their agreement with the above provisions and the interest of the Secretary of State and Department of Public Safety to be in compliance with the Help America Vote Act of 2002 by signing below a copy of this Memorandum of Understanding.

SECRETARY OF STATE:

By: Monty Lobb
Title: Assistant Secretary of State
Date: 7/1/04

DIRECTOR,
DEPARTMENT OF PUBLIC SAFETY:

By: Ramona A. Markle
Title: Director
Date: 7-14-04

REGISTRAR,
BUREAU OF MOTOR VEHICLES

By: Franklin Photograph
Title: Registrar
Date: July 14, 2004