



# OFFICE OF THE SECRETARY OF STATE

## ELECTIONS DIVISION

Directive of the Secretary of State	Subject:	Directive Issued at the Request of:	Date:	Number:
	OMV Error; Corrective Ballots	Secretary of State	November 1, 2022	2022-09

The Secretary of State in carrying out the duties of the office shall issue detailed directives necessary to maintain uniformity in the application, operation and interpretation of Oregon election laws (ORS 246.110 and ORS 246.120). The information provided here is an official directive to all counties.

**Background:** In May 2016, the Secretary of State Elections Division developed and implemented a software application to process records from the Department of Motor Vehicles (DMV). On October 28, 2022, the Division became aware of a software error that impacts a subset of people who were younger than 18 when they interacted with the DMV. Those voters' interactions should have initiated the automatic registration process for future eligibility to vote. However, due to the software error, the correct process did not occur for this subset of people. The Division has determined that approximately 7,800 people, in 35 counties, did not receive a ballot for the November 8, 2022 General Election.

### Directive

After consulting with legal authorities, the following corrective action shall be taken by counties:

- Using the Elections Division's list of affected people, county elections officials shall identify the affected people within their county and mail ballots to them by November 3, 2022.
- Each mailing shall include a ballot, a notice describing the software error, and have an identifying feature on the return envelope for the purpose of separating it from ballots not subject to this directive.
- Ballots shall be held separately when returned and shall not be opened, separated from envelopes, or tallied until the expiration of the deadline for resolving challenged ballots.
- The Secretary of State shall reimburse counties for additional resources required to comply with the directive.

Shemia Fagan  
Secretary of State

By: Deborah Scroggin  
Director