



BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
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Frequently Asked Questions regarding Ballot Marking Devices (BMDs) for Fall 2008 and 2009

2. Why are BMDs being used in 2008 and 2009?

The Help America Vote Act (HAVA) was passed in October 2002 by Congress. One of the goals of HAVA was to make voting accessible to voters with disabilities.

In 2006, the U. S. Department of Justice (DOJ) filed a suit in Federal Court against New York State for failing to comply with HAVA, by not having a voting system in place that people with disabilities could use. In December 2007, a US District Court Judge ordered that the BOE in NYC install a device that is accessible to people with disabilities in every poll site for the Fall 2008 Primary Election.

In compliance with the Judge's Order, in 2008 and 2009 BOE will have at least one BMD available at each poll site.