

8.03 Logic and Accuracy Test (LAT). The Clerk shall conduct a Logic and Accuracy Test prior to the commencement of voting in every municipal election, according to the following requirements.

8.03.01 LAT is Public. The Logic and Accuracy Test shall be open to representatives of the press and members of the public, provided, however, that the Clerk may limit the number of representatives from each group to allow for space limitations and other considerations, and provided further that no person other than the Clerk, any deputized Clerks and other members of the Election Commission, and the members of the Testing Board, shall touch or handle voted or unvoted ballots or electronic voting equipment or components. The Clerk, or the deputy Clerk conducting the LAT, shall have the authority to remove any person for interfering with or disrupting the proceedings. The Clerk shall publish notice of the date, time and place of the Logic and Accuracy Test on the City of Aspen website and in newspapers of general circulation, provided, however, that the notice published in newspapers may take the form of a letter to the editor or similar article rather than an officially published legal notice.

8.03.02 Testing Board. The Clerk shall appoint a panel of judges to act as the Testing Board, provided that a Testing Board member shall not be an employee of the City of Aspen or the member of a city employee's immediate family.

8.03.03 Testing Board Test Ballots. In preparation for the Logic and Accuracy Test, the Clerk shall provide to each member of the Testing Board a Testing Board Test Deck consisting of at least twenty-five (25) ballots that are clearly marked as test ballots.

8.03.03.01 Before the date and time set for the Logic and Accuracy Test, each member of the Testing Board shall a) vote the contests on his or her test ballots and record the tally of his or her test votes by precinct on forms approved by the Clerk, and b) exchange his or her marked test ballots and vote tally forms with another member of the Testing Board, so that the other member can verify and confirm that the vote tally is correct.

8.03.03.02 Each member of the Testing Board shall bring to the Logic and Accuracy test the marked test ballots and vote tally form that he or she prepared in the first instance.

8.03.04 City Test Deck. In preparation for the Logic and Accuracy Test, the Clerk shall prepare or have printed a City Test Deck comprised of a sufficient number of test ballots for each precinct and ballot style:

8.03.04.01 To mark every possible combination of vote positions for every candidate or ballot issue in every contest on every ballot style in each precinct, including write-in candidates and contests in which electors are permitted to vote for two or more positions;

8.03.04.02 To completely over vote a ballot of every ballot style in each precinct, by marking every available candidate or ballot issue choice;

8.03.04.03 To completely under vote a ballot of every ballot style in each precinct, by not marking any available candidate or ballot issue choice.

8.03.05 Conducting the Logic and Accuracy Test. Every electronic voting device to be used or deployed in an election, including those identified as spares or backups, shall be tested in the manner set forth in the remaining subsections of this Rule 8.03.05.

8.03.05.01 Members of the Testing Board shall witness the installation of memory cards in each electronic voting device to be tested.

8.03.05.02 The public counter of all electronic voting devices to be tested shall be set to test mode and their public counters to zero. Zero report tapes shall be printed from each device, which shall be verified and signed by all members of the Testing Board.

8.03.05.03 Counting the City Test Deck on All Devices. The ballots comprising the City Test Deck shall be counted on every electronic voting device being tested. A tabulation report shall be printed from each device and examined by the Testing Board to verify that the tabulation of votes by each device corresponds to the predetermined tally of votes of all ballots comprising the City Test Deck, after which all members of the Testing Board shall sign each tabulation tape. The public counter of each device shall then be set to zero before individually counting the test ballots of each member of the Testing Board.

8.03.05.04 Counting the Test Ballots of Each Member of the Testing Board Individually on All Devices. Each member of the Testing Board shall individually and separately count his or her marked test ballots on every electronic voting device being tested. A tabulation report shall be printed from each device and presented to the member of the Testing Board who marked the test ballots, and such Testing Board member shall verify that the tabulation of votes by each device corresponds to the predetermined tally of votes of his or her test ballots, and sign each tabulation tape. The public counter of each device shall then be set to zero

before counting the test ballots of the other members of the Testing Board, which counts shall be verified by such other members and in the same fashion. Each member of the Testing Board may repetitively count and separately tabulate his or her marked test ballots up to ten times on at least one electronic voting unit selected in his or her discretion.

8.03.05.05 Counting the Combined City Test Deck and Testing Board Decks on Randomly Selected Devices. The Testing Board shall randomly select at least twenty percent (20%) but not more than ten (10) ballots representing unique precincts from the test ballots marked by all members of the Testing Board. The precinct-specific ballots for the same precincts shall be extracted from the City Test Deck and combined with the randomly selected Testing Board's test ballots. The electronic voting devices to be deployed in the precincts corresponding to the ballots comprising the combined test deck shall be identified and their public counters set to zero. The Testing Board shall verify the vote tally of all ballots comprising the combined test deck prior to any machine count, by manually tallying the votes on the randomly selected Testing Board test ballots, and adding such vote tally to the predetermined tally of votes for the test ballots extracted from the City Test Deck for the same precincts. The combined test deck shall then be counted on the corresponding electronic voting devices, and a tabulation report shall be printed from each device so tested. The Testing Board shall verify the voting device manual count to the voting device count, and sign the tabulation reports. The Testing Board shall observe the Clerk or deputy clerk upload the results from each device tested in this fashion to the tabulation computer, and an abstract of votes cast shall be printed from the tabulation software to ensure that the tabulation data is successfully and accurately transmitted to, compiled and reported by the tabulation software.

8.03.06 Certification of LAT and Sealing of Devices. The Testing Board and the Clerk shall sign a written statement attesting to the qualification of each device that was successfully tested, describe any problems discovered, and provide any other documentation that may be necessary to provide a full and accurate account of the condition of each tested device. The written statement shall be in a form approved by the Clerk and, when completed and signed by the Testing Board and the Clerk, shall be made available for public inspection and published on the City of Aspen's website. Upon completion of the testing, the Testing Board shall witness the resetting of each device to election mode and the public counters thereof to zero, and the sealing of the memory card slot of each tested voting device.

