

1 TITLE 9 OF THE OFFICIAL COMPILATION
2 OF CODES, RULES AND REGULATIONS
3 OF THE STATE OF NEW YORK
4 SUBTITLE V
5 State Board of Elections
6

7 Part 6210

8 **§6210.19 Minimum Number of Voting Machines**

9 (a) The purpose of these determinations is to establish the minimum number of
10 required voting machines and privacy booths needed for each polling place
11 based upon the type of voting system and the number of registered voters
12 (excluding voters in inactive status) assigned to use that specific voting device in
13 accordance with Election Law section 7-203.
14

15 (b) Determinations by Type of Voting System

16 (1) Direct Recording Electronic Voting Systems

17 (a) There shall be at least one direct recording electronic voting device for
18 every 550 registered voters (excluding voters in inactive status) at the
19 polling place.
20

21 (2) Precinct Based Optical Scan Voting Systems

22 (a) There shall be at least one scanning device for every 4000 registered
23 voters (excluding voters in inactive status) at the polling place.
24

25 (b) (i) There shall be at least one privacy booth for every 300 registered
26 voters (excluding voters in inactive status), except that in a general
27 election for governor, or at elections at which electors for President of
28 the United States are selected there shall be at least one privacy booth
29 for every 250 registered voters (excluding voters in inactive status).
30

1 (ii) At polling places that accommodate more than 6000 registered
2 voters (excluding voters in inactive status), there shall be one
3 privacy booth for every 350 registered voters (excluding voters in
4 inactive status) in a general election for governor, or at elections at
5 which electors for President of the United States shall be selected;
6 and one privacy booth for every 400 active voters in all other
7 elections.

8
9 (iii) A sufficient number of the privacy booths must be accessible to
10 voters with disabilities.

11
12 (c) Obligations of the County Boards of Elections

13
14 (1) County boards shall deploy sufficient voting equipment, election workers and
15 other resources so that voter waiting time at a poll site does not exceed thirty
16 minutes. Each county board of elections may increase in a non-discriminatory
17 manner, the number of voting devices used in any specific polling place.

18
19 (2) The inspectors in each election district shall record the number of persons
20 using audio, tactile or pneumatic switch ballot devices. The county board of
21 elections shall furnish additional voting machines equipped with audio, tactile or
22 pneumatic switch ballot devices when it appears that the number of persons
23 historically using such devices warrant additional devices.

24
25 (d) The State Board of Elections may authorize a reduction in the number of voting
26 devices provided in these regulations upon application of a county board of
27 elections which demonstrates that such a reduction will not create excessive
28 waiting time by voters.