

NEW YORK STATE BOARD OF ELECTIONS  
ELECTION OPERATIONS UNIT - ATTN: TARRY A. BREADS  
40 STEUBEN STREET  
ALBANY, NEW YORK 12207

**APPLICATION FOR CERTIFICATION OF VOTING SYSTEM**

NAME OF VENDOR: Premier Election Solutions, Inc.  
CONTACT PERSON: Eric Champlain  
ADDRESS OF COMPANY: 1253 Allen Station Pkwy., Allen TX, 75002  
TELEPHONE NUMBER: 469-675-8990 FAX NUMBER: (214) 383-1596  
E-MAIL ADDRESS: eric.champlain@premierelections.com

**DESCRIPTION OF VOTING SYSTEM**

**AccuVote OSX**

Hardware Model: Model A

Firmware: 1.1.1

**EMS Software**

GEMS: 1.21.1

**VOTING SYSTEM HARDWARE INFORMATION**

SELECT ONE: Per Solicitation 21231

**LOT I**

**LOT II**

(SUBMIT SEPARATE APPLICATIONS FOR EACH SYSTEM)

NAME OF SYSTEM: AccuVote OSX

MODEL NUMBER: Model A

TYPE OF SYSTEM  
(Select one)

**DIRECT RECORD ELECTRONIC (DRE)**

**PRECINCT** (OPTICAL SCAN)

**CENTRAL COUNT ABSENTEE**

**OTHER: (PLEASE DESCRIBE BELOW)**

DESCRIPTION (IF OTHER)

2008 FEB - 1 - PM 4: 49

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BOARD OF ELECTIONS  
ALBANY, NEW YORK

# FIRMWARE AND SOFTWARE RELEASE INFORMATION

FIRMWARE RELEASE #: OSX Version: 1.1.1

EMS BALLOT DEFINITION SOFTWARE RELEASE #: GEMS 1.21.1

EMS ACCUMULATION SOFTWARE RELEASE #: GEMS 1.21.1

(USE ADDITIONAL SHEETS IF NECESSARY)

## CONDITIONAL CERTIFICATION

IF SEEKING CONDITIONAL CERTIFICATION, WHICH LANGUAGES IN ADDITION TO ENGLISH WILL BE ACCOMMODATED BY THIS SYSTEM: English; Spanish; Chinese (Cantonese); Chinese (Mandarin); Korean; Japanese; Vietnamese; Tagalog; Creole; French.

## GENERAL INFORMATION

DO YOU OWN ALL RIGHTS TO THIS EQUIPMENT?

YES

NO

IF NOT, PLEASE EXPLAIN:

DATE VOTING SYSTEM AND USER DOCUMENTION WILL BE DELIVERED TO THE NEW YORK STATE BOARD OF ELECTION FOR EXAMINATION: 2/8/08

TYPE OF BUSINESS\ORGANIZATION:

CORPORATION

PARTNERSHIP

INDIVIDUAL

IF A CORPORATION, STATE OF INCORPORATION:

- 1) AUTHORIZED TO DO BUSINESS IN NYS?
- 2) MAINTAIN AN OFFICE IN NYS?
- 3) INDEPENDENTLY OWNED?

YES

NO

YES

NO

YES

NO

IF NOT INDEPENDENTLY OWNED, NAME AND ADDRESS OF PARENT COMPANY:

Diebold, Inc. - 5995 Mayfair Rd/P.O.. Box 3077 North Canton, OH 44720

IS ANY PART OF THE SYSTEM MANUFACTURED OR ASSEMBLED BY ANOTHER COMPANY?

YES

NO

IF "YES," NAME & ADDRESS:

OSX: Beach Mold  
999 Progress Blvd  
New Albany, Indiana 47150

OSX Ballot Box: RIM Manufacturing  
901 West I-20  
Weatherford, TX 76087

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## APPLICATION REQUIREMENTS

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A check made payable to the STATE BOARD OF ELECTIONS in the amount of \$5,000 to cover the cost of certification shall be deposited in a State Special Revenue Account. Notice shall be provided to vendor when additional funds are required to be deposited. Vendor must submit full face ballot with the application: For a DRE submit a screen shot showing the ballot layout; for Op-Scan submit a paper ballot. Vendor shall also submit all attestations on their company letterhead. The attestations shall meet the following requirements of New York regulations: 6209.4(H) 1-4, 6209.4(J) and 6209.5(G).

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## ATTESTATIONS

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I HEREBY AGREE TO PROVIDE THE VOTING SYSTEM AND TO FURNISH ALL DOCUMENTATION REQUIRED BY PART 6209 OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE BOARD OF ELECTIONS OR ITS DESIGNEE UPON DEMAND AND FURTHER AGREE TO REIMBURSE THE STATE BOARD FOR THE COST OF EXAMINATION WITHIN THIRTY (30) DAYS OF RECEIPT OF NOTIFICATION OF SUCH COST. I UNDERSTAND THAT I MAY BE REQUIRED TO PLACE THE VOTING SYSTEM IN THE STATE BOARD'S POSSESSION FOR AS LONG AS SUCH SYSTEM IS IN USE IN NEW YORK STATE.

**I HEREBY AFFIRM THE FOLLOWING OBLIGATIONS UNDER SECTION 6209.4:**

THE SUBMITTED VOTING SYSTEM COMPLIES WITH ALL APPLICABLE RULES ADOPTED BY THE STATE BOARD, AND WITH ALL APPLICABLE 2005 VOTING SYSTEM GUIDELINES NOT INCONSISTENT WITH STATE LAW OR THESE REGULATIONS, AND IS SUITABLE FOR USE BY VOTERS.

THE VENDOR WILL QUOTE AND PROVIDE A STATEWIDE, UNIFORM PRICE FOR EACH UNIT OF THE VOTING SYSTEM'S EQUIPMENT.

THE SUBMITTED VOTING SYSTEM'S SOFTWARE DOES NOT CONTAIN ANY CODE, PROCEDURES OR OTHER MATERIAL WHICH MAY DISABLE, DAMAGE, DISARM OR OTHERWISE AFFECT THE PROPER OPERATION OF THE VOTING SYSTEM, ANY HARDWARE, OR ANY COMPUTER SYSTEM OR OTHER PROPERTY OF THE STATE BOARD OR COUNTY BOARD.

ANY SUBMITTED VOTING SYSTEM PROVIDES METHODS THROUGH SECURITY SEALS OR DEVICE LOCKS TO PHYSICALLY SECURE AGAINST ATTEMPTS TO INTERFERE WITH CORRECT SYSTEM OPERATIONS. SUCH PHYSICAL SECURITY SHALL GUARD ACCESS TO MACHINE PANELS, DOORS, SWITCHES, SLOTS, PORTS, PERIPHERAL DEVICES, FIREWARE AND SOFTWARE.

ALL VENDORS SHALL SUBMIT WITH THEIR APPLICATION FORMS, INFORMATION REGARDING PAST OR PENDING COURT CASES INVOLVING THEIR VOTING SYSTEMS OR ITS MAJOR COMPONENTS, ANY EVIDENCE OF FRAUD, FAULTY SYSTEMS, OR FAILURE TO CORRECT PAST PROBLEMS.

I HEREBY AFFIRM ALL OBLIGATIONS UNDER SECTION 6209.5, INCLUDING THE REQUIREMENT FOR DISCLOSURE OF ANY PECUNIARY INTEREST IN OR ANY DIRECT OR INDIRECT CONTROL OVER ANY TESTING LABORATORY WHICH MAY BE USED IN CONNECTION WITH THE CERTIFICATION OR ACQUISITION OF ANY VOTING SYSTEM.

2/1/08  
DATE

  
SIGNATURE OF APPLICANT

Sr. Technical Analyst  
TITLE

FILED  
NEW YORK STATE  
BOARD OF ELECTIONS  
ALBANY, NEW YORK