

3. USES INK THAT DOES NOT FADE, SMEAR, OR OTHERWISE DEGRADE AND OBSCURE OR OBLITERATE THE PAPER RECORD OVER TIME:

(2) the voting system has been:

(i) examined by an independent testing laboratory that is approved by the [National Association of State Election Directors] U.S. ELECTION ASSISTANCE COMMISSION; and

(ii) shown by the testing laboratory to meet the performance and test standards for electronic voting systems established by the Federal Election Commission OR THE U.S. ELECTION ASSISTANCE COMMISSION; and

(3) the public interest will be served by the certification of the voting system.

[(d)] (E) In determining whether a voting system meets the required standards, the State Board shall consider:

(1) the commercial availability of the system and its replacement parts and components;

(2) the availability of continuing service for the system;

(3) the cost of implementing the system;

(4) the efficiency of the system;

(5) the likelihood that the system will malfunction;

(6) the system's ease of understanding for the voter;

(7) the convenience of voting afforded by the system;

(8) the timeliness of the tabulation and reporting of election returns;

(9) the potential for an alternative means of verifying the tabulation;

(10) accessibility for all voters with disabilities recognized by the Americans with Disabilities Act, ~~INCLUDING FEATURES WHICH:~~

~~(1) ENSURE THAT ACCESSIBILITY FOR VOTERS WITH DISABILITIES IS EQUIVALENT TO THAT AFFORDED TO VOTERS WITHOUT DISABILITIES;~~