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## **OLR Bill Analysis**

**sHB 5299 (as amended by House "A")\***

### ***AN ACT CONCERNING THE FINDINGS OF THE MILITARY OCCUPATIONAL SPECIALTY TASK FORCE.***

#### **SUMMARY:**

This bill requires various governmental entities to certify, waive, grant, or award certain licenses, registrations, examinations, training, or credit for veterans or armed forces or National Guard members (service members) with military experience or qualifications similar to those otherwise required.

For qualified service members, the bill requires the:

1. Police Officer Standards and Training Council (POST) to certify them as police officers;
2. Department of Motor Vehicles (DMV) to waive certain examinations or tests for motor vehicle operator's licenses;
3. Department of Labor (DOL) to submit a recommendation for review, that waives the apprentice requirement, to the appropriate licensing board and Department of Consumer Protection (DCP) to allow the applicants to sit for licensing exams;
4. Department of Emergency Services and Public Protection (DESPP) to waive security guard training;
5. higher education institutions to award college credit; and
6. Department of Public Health (DPH) to certify them as emergency medical technicians (EMT).

It also requires, by January 1, 2015, these governmental entities to (1) ask applicants for a license, certificate, registration, or educational

credit whether they are a service member, and (2) submit an annual report to DOL and the Veterans' Committee on certain data associated with service members' applications. These reports must be posted on DOL's website starting by January 1, 2016.

The DOL commissioner must (1) assist certain entities that issue occupational credentials with ways of recognizing and substituting military training and experience, (2) review and revise policies to ensure such training and experience is given proper recognition, and (3) submit a report to the Veterans' Affairs Committee on recommendations for amending statutes and regulations to give military training and experience the appropriate recognition.

Under the bill, a veteran is anyone who was discharged or released under conditions other than dishonorable from active service from the armed forces (U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force and any of their reserve components, including the Connecticut National Guard performing duty under Title 32 of federal law).

\*House Amendment "A"(1) allows waivers for armed services and National Guard members, as well as veterans, (2) amends the "veterans" definition and applies it to all the bill's provisions, (3) replaces the original file's DCP examination waiver with the DOL recommendation for review, (4) adds the security guard fee waiver, (5) adds additional acceptable guidelines for awarding academic credit, (6) adds the DOL reporting and recognition requirements, (7) adds the EMT certification waiver, and (8) adds licensing authority reporting and data collection requirements.

EFFECTIVE DATE: October 1, 2014, except for the higher education and labor commissioner assistance provisions, which are effective July 1, 2014, and the licensing authority and DOL reporting provisions and data collection provision, which are effective upon passage.

## **§1 — POLICE OFFICERS**

The bill requires POST to certify any applicant who is a (1) veteran or (2) armed forces or National Guard member and shows that he or

she satisfactorily completed a training program or course of instruction in the armed forces that is equivalent in content and quality to state requirements, provided the applicant passes a POST-approved examination or evaluation.

By law, police officers must be POST-certified within one year of employment and, by regulation, the council's entry-level requirements include personal interviews, fingerprint examination, background investigation, psychological examination, criminal history record check, controlled substance screen, and physical fitness and medical tests.

## **§§ 2 & 3 — MOTOR VEHICLE LICENSES**

### ***License Exams***

The bill requires the DMV commissioner to waive all, instead of allowing her to waive all or part of, examinations for motor vehicle licenses, except the driving skills test for commercial motor vehicle licenses, for veterans who (1) apply within two years after their military discharge and (2) before military discharge, held a military operator's license to drive the same class of vehicles allowed under their prospective license. The commissioner must make the same waiver for an armed forces or National Guard member who currently holds a military operator's license of the same class as the one he or she is applying for. By law, when the commissioner is satisfied with the ability and competency of any applicant, she may issue an unlimited license or one with limitations, and specify the motor vehicle class the licensee is eligible to operate.

### ***Commercial Motor Vehicle License***

Under the bill, the DMV commissioner can waive the commercial motor vehicle driving skills test only if the applicant meets conditions set by federal regulation. If he or she does, the commissioner can substitute the applicant's driving record in combination with certain driving experience for the driving test. The applicant must hold a military commercial motor vehicle license when applying for the state license.

Pursuant to federal regulations, DMV must require the applicant to certify that during, the two-year period prior to applying for the commercial motor vehicle license, he or she has not had:

1. more than one license (except for a military license);
2. any license suspended, revoked, or cancelled;
3. any type of motor vehicle conviction that would disqualify an applicant from getting a commercial license (e.g., driving under the influence);
4. more than one conviction for a serious traffic violation (e.g., driving recklessly); and
5. any conviction for violating any military, state, or local law relating to motor vehicle traffic control (other than a parking violation) in connection with any traffic accident or any record of an accident where he or she was at fault.

The applicant must also provide evidence and certify that he or she:

1. is or was regularly employed within the last 90 days in a military position that required operating a commercial motor vehicle;
2. was exempted from the commercial motor vehicle license requirements under federal regulation (e.g., active duty military personnel, member of the military reserves, National Guard on active duty); and
3. was operating a vehicle for at least two years immediately before military discharge that is representative of the type he or she operates or expects to operate.

## **§§ 4-9 — OCCUPATIONAL LICENSES AND REGISTRATIONS**

### ***Military Training Evaluation***

The bill allows any armed forces or National Guard member or veteran, within two years of his or her armed forces discharge, to apply to the DOL apprentice training program for a military training

evaluation. The application must include (1) satisfactory evidence of completing a military training program or course of instruction that is equivalent in content and quality to those the state requires for a specific trade and (2) the veteran-applicant's military discharge document or a certified copy of it. The DOL commissioner must evaluate the application and determine whether the applicant's military training may be substituted for all or part of the registered apprenticeship program for a specific trade.

If the commissioner determines that the applicant's training is equivalent to completing an apprenticeship program, she must issue the applicant a recommendation for review by the appropriate examining board. These boards include the:

1. Electrical Work Board;
2. Heating, Piping, Cooling, and Sheet Metal Work Board;
3. Plumbing and Piping Work Board;
4. Elevator Installation, Repair, and Maintenance Board;
5. Fire Protection Sprinkler Systems Board; and
6. Automotive Glass Work and Flat Glass Work Board.

Under the bill, presenting such a recommendation allows the applicant to sit for any licensure exam without participating in an apprenticeship program.

If the commissioner determines that the applicant's military training is equivalent to part of an apprenticeship program's required training, the applicant's qualified hours of military training must be deducted from the required apprentice training hours if (1) the applicant completes the minimum hours required under federal law and (2) DOL obtains concurrence with the federal apprenticeship office as required by federal regulations.

***Recommendation for Review***

Under the bill, a DOL recommendation for review is sufficient to demonstrate that an applicant (1) is competent in a trade, (2) possesses the requisite skill, and (3) is compliant with all other licensing requirements. By law, trade license applicants must, among other things, be age 18; furnish evidence of competency; have good moral character; and possess a diploma or other evidence of graduating from the 8<sup>th</sup> grade or grammar school, or its equivalent.

The bill requires DCP to allow any applicant who has not participated in an apprenticeship program but presents a recommendation for review, to sit for a licensing examination. By law, DCP conducts such written, oral, and practical exams the appropriate boards deems necessary to test the applicant's knowledge.

For applicants who present a recommendation for review, the bill waives, depending on the trade, the (1) \$90 or \$150 application fee and (2) initial \$150 or \$120 contractor's license fee. It requires DCP to issue the applicant a license when it receives such fee waiver.

#### **§10 — SECURITY GUARDS**

The bill requires DESPP to waive security guard training for an applicant who presents proof that he or she has completed the state-equivalent training in the military and is (1) a veteran who provides his or her discharge document or a certified copy of it or (2) an armed forces or National Guard member. It also exempts them from the \$100 licensing fee. Current law requires each applicant for a security guard license to complete at least eight hours of training in basic first aid, search and seizure laws and regulations, use of force, and basic criminal justice and public safety issues.

Similar to security guards who pass the training, the bill requires a service member to submit his or her security guard license application within two years after the security guard training waiver. It also expands the information that all applicants must submit to include military training and weapons qualifications.

#### **§11 — HIGHER EDUCATION CREDIT**

### ***College Credit***

The bill requires higher education institutions to award college credit for military occupational specialty training to service members enrolled at the institution. The applicant must have experience in a military occupation the institution recognizes as substituting or meeting the requirements of a particular course of study.

### ***Guidelines for Awarding Credit***

The bill requires, by July 1, 2016, the Board of Regents for Higher Education (BOR) and the UConn board of trustees, in consultation with higher education institutions in the state, to develop and adopt guidelines on awarding college credit for a student's military training, coursework, and education. The guidelines must include course equivalency recommendations adopted by the American Council on Education and other institutions or organizations deemed reputable by BOR and the UConn board.

Until the guidelines are adopted, any higher education institution that awards college credit for such training, when assigning college credit to a military occupation, must use course equivalency recommendations adopted by the American Council on Education, a portfolio assessment process when appropriate, or the institution's transfer and articulation policies. Upon guideline adoption, the governing body of each higher education institution must develop and implement policies governing the awarding of college credit for a student's military training, course work, and education.

### **§13 — EMT**

The bill requires the DPH commissioner to adopt regulations on exempting service members with appropriate military training from training and testing requirements for EMT licensure or certification. The exemption must include service members with the National Registry of Emergency Medical Technicians designation.

The commissioner must issue an EMT certification to an applicant who is a service member who (1) presents satisfactory evidence that he or she holds a current certification as someone who may perform

similar services under a different National Registry of Emergency Medical Technicians designation, or (2) satisfies the DPH regulation. Such applicants are exempt from any written or practical examination required for certification.

## **§§ 14 & 15 — DATA REPORTING**

### ***Licensing Authority Report***

The bill requires DCP, DESPP, DOL, DMV, DPH, BOR, Office of Higher Education, UConn board of trustees, and POST (licensing authorities) to ask applicants for a license, certificate, registration, or educational credit whether they are service members.

By January 1, 2015 and annually thereafter, each licensing authority must submit a report to the Veterans' Affairs Committee and DOL that includes:

1. the number of (a) service members who applied for a DOL military training evaluation, license, certificate, registration, or educational credit, (b) approvals, and (c) denials, with data on the reasons;
2. the licensing authority's processing time for applications submitted by service members compared to the average processing time for all applications;
3. information on the licensing authority's efforts to inform and assist service members in accessing programs that provide the education and training needed for meeting licensure, certification, registration, or educational credit requirements;
4. information on whether existing law effectively addresses the challenges service members face when applying for an occupational or professional license, certificate, registration, or educational credit when discharged from the military or relocating to the state; and
5. recommendations for improving the licensing authority's ability to meet the occupational needs of service members, including

issuing temporary or provisional licenses, certificates, or registrations.

DOL's report must also include the number of service members who were issued or denied a (1) recommendation for review or (2) deduction from the hours of apprenticeship training.

### **Website**

By January 1, 2016, within available resources, each licensing authority must publish on its Internet website a link to the (1) Department of Veterans' Affairs' informational website with information listing benefits, services, and programs and (2) executive branch website listing resources and opportunities for veterans.

### **§§ 13 & 15 — DOL RESPONSIBILITIES AND REPORT**

The bill also requires the DOL commissioner to assist state agencies, boards, and commissions that issue occupational certificates or licenses in (1) determining when to recognize and accept military training and experience in place of all or part of the training and experience required for a specific professional or occupational license and (2) reviewing and revising policies and procedures to ensure that relevant military education, skills, and training are given appropriate recognition in the certification and licensing process.

By July 1, 2015, the DOL commissioner, after consulting with the DVA, DPH, and DCP commissioners, adjutant general, and Office of Military Affairs executive director, must submit a report to the Veterans' Affairs Committee that includes recommendations for (1) amending statutes and regulations and (2) revising policies and procedures to ensure relevant military education, skills, and training are given the appropriate recognition in the occupational certification and licensing process. Each of these governmental entities must submit formal written recommendations to the DOL commissioner on the relevant professional or occupational licenses on a form she prescribes.

### **BACKGROUND**

***Military Occupational Specialty Task Force***

Special Act 13-5 established the task force to study the use of military occupational specialty training experience to satisfy training requirements for state licensing purposes.

***Related Bill***

SB 212 (File 171), favorably reported by the Veterans' Affairs Committee, has similar provisions waiving certain licenses, registrations, examinations, training, or credits for veterans.

**COMMITTEE ACTION**

Veterans' Affairs Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/11/2014)

Public Safety and Security Committee

Joint Favorable

Yea 18 Nay 0 (04/08/2014)

Transportation Committee

Joint Favorable

Yea 32 Nay 0 (04/16/2014)