
OLR Bill Analysis

sSB 212

AN ACT CONCERNING IMPLEMENTATION OF THE RECOMMENDATIONS 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 with military experience or qualifications similar to those otherwise required.

For qualified veterans, 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 Consumer Protection (DCP), in consultation with the appropriate boards, to grant certain occupational licenses or registrations without examination;
4. Department of Emergency Services and Public Protection (DESPP) to waive security guard training; and
5. higher education institutions to award college credit.

The bill waives certain fees for (1) DCP-issued occupational licenses and registrations and (2) security guard licenses.

It also requires, by January 1, 2015, these governmental entities to (1) ask applicants for a license, certificate, registration, or educational credit whether they or their spouse served or is serving in the military

and (2) submit an annual report to the Department of Labor (DOL) on certain data associated with veterans' applications, including the number of applications, approvals, and denials. These reports must be posted on DOL's website by January 1, 2016.

The bill also requires the labor commissioner to ensure that (1) state agencies recognize and accept military training and experience whenever a veteran applies for a professional or occupational license and (2) spouses of veterans and active-duty armed forces members are provided with temporary two-year occupational licenses, including temporary certifications for teachers, if they show that they are qualified for the occupation. She must do this for those who are eligible to receive services from the federal Department of Veterans Affairs. (It is unclear how the DOL commissioner can accomplish these goals because she does not have the authority to grant occupational licenses or certifications.)

Under the bill, unless specifically noted, a veteran is anyone honorably discharged or released under honorable conditions from active service from the armed forces (U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force and any of their reserve components).

EFFECTIVE DATE: October 1, 2014, except for the higher education and labor commissioner provisions, which are effective July 1, 2014 and the reporting provision, which is effective on passage.

POLICE OFFICER

The bill requires POST to certify any applicant who presents evidence of satisfactorily completing a program or course of instruction as part of training during military service 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.

MOTOR VEHICLE LICENSES

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

Pursuant to federal regulations, DMV must require the veteran 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 veteran 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.

OCCUPATIONAL LICENSES AND REGISTRATIONS

The bill requires the DCP commissioner, in consultation with the appropriate examining board, to grant a qualified veteran an occupational license or registration card without an examination. The veteran must apply within two years of his or her military discharge and present (1) evidence of satisfactorily completing a military training program or course of instruction equivalent in content and quality to what the state requires and (2) his or her discharge document or a certified copy of it.

The affected occupational licenses include those for electricians; plumbers; solar, heating, piping and cooling contractors and journeymen; elevator and fire protection sprinkler craftsmen; and irrigation contractors and journeymen.

The bill specifies that it does not change the DCP commissioner's delegation of authority to the relevant examining boards. In issuing a license or registration card, each board must provide credit for satisfactorily completing a program or instruction course as part of

military training that is equivalent in content and quality to what the state requires.

SECURITY GUARDS

The bill requires DESPP to waive security guard training for any veteran who (1) presents proof that he or she has completed state-equivalent training in the military and (2) provides his or her discharge document or a certified copy of it. 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 veteran 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.

HIGHER EDUCATION CREDIT

The bill requires higher education institutions to award college credit for military occupational specialty training to veterans enrolled at the institution. The veteran must have experience in a military occupation the institution recognizes as substituting or meeting the requirements of a particular course of study. A veteran also includes anyone eligible to receive services from the federal Department of Veterans Affairs.

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 academic 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 must use course equivalency recommendations adopted by the American Council on Education when assigning college credit to a military occupation. 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.

DATA REPORTING

The bill requires, by January 1, 2015, DCP, DESPP, DOL, DMV, BOR, Office of Higher Education, UConn board of trustees, POST (licensing authorities) to ask applicants for a license, certificate, registration, or educational credit whether they or their spouse served or is serving in the military.

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

1. the number of (a) service members and their spouses who applied for a 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 and their spouses compared to the average processing time for all applications;
3. information on the licensing authority's efforts to inform and assist service members and their spouses 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 and their spouses 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 and their spouses, including issuing temporary or provisional licenses, certificates, or registrations.

Website

By January 1, 2016, each licensing authority must publish on its Internet website a link dedicated to veterans' issues. The link must include information on how military training and experience relates to any occupational or professional license, certificate, or educational credit issued by that authority.

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

HB 5299, favorably reported by the Veterans Affairs' Committee, has provisions substantially similar to this bill, except it does not include (1) any fee waiver, (2) data reporting requirements, or (3) DOL initiatives involving spouses.

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/11/2014)