

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-131—sHB 5299

Veterans' Affairs Committee

Public Safety and Security Committee

Transportation Committee

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

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

For qualified service members, the act 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. public 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 government entities to (1) ask applicants for a license, certificate, registration, or educational credit whether they are service members and (2) submit an annual report to DOL and the Veterans' Affairs Committee on certain data associated with service members' applications. These reports must be posted on DOL's website, starting by January 1, 2016. (PA 14-65 limits these requirements to instances where the training or experience is relevant and under the government entity's oversight. It also sets separate higher education institution reporting requirements.)

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 are 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 act, a "veteran" is anyone discharged or released under conditions other than dishonorable from active service in the armed forces (U.S. Army,

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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).

EFFECTIVE DATE: October 1, 2014, except for the higher education and DOL 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 act requires POST to certify any applicant who is a service member and shows that he or she satisfactorily completed a training program or course of instruction in the armed forces 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. By regulation, the council's entry-level requirements include personal interviews, fingerprint examination, background investigation, psychological examination, criminal history record check, controlled substance screening, and physical fitness and medical tests.

§§ 2 & 3 — MOTOR VEHICLE LICENSES

License Exams

The act requires the DMV commissioner to waive all examinations for motor vehicle licenses, except the driving skills test for commercial motor vehicle licenses, for qualified service members. Prior law allowed her to waive such examinations only for honorably discharged veterans. The act requires the commissioner to waive the examinations 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 grant the same waiver to an armed forces or National Guard member who currently holds a military operator's license of the same class as the one for which he or she is applying. By law, when the commissioner is satisfied with the ability and competency of any applicant, she may issue an unlimited or limited license and specify the motor vehicle class the licensee may operate.

Commercial Motor Vehicle License

Under the act, the DMV commissioner may 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 may 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.

Under federal regulations, DMV must require the applicant to certify that

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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); or
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 exempt from the commercial motor vehicle license requirements under federal regulation (e.g., active duty military personnel, member of the military reserves, or National Guard member on active duty); and
3. for at least two years immediately before military discharge, was operating a vehicle that is representative of the type he or she operates or expects to operate.

§§ 4-9 — OCCUPATIONAL LICENSES AND REGISTRATIONS

Military Training Evaluation

The act allows any armed forces or National Guard member or veteran, within two years of his or her discharge from service, to apply to the DOL apprentice training program for a military training evaluation. The application must include satisfactory evidence of completing a military training program or course of instruction equivalent in content and quality to those the state requires for a specific trade. A veteran's application must also include a 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 act, presenting such a recommendation allows the applicant to sit

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for any licensure examination 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 act, 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) complies with all other licensing requirements. By law, trade license applicants must furnish evidence of competency, among other things.

The act 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 the written, oral, and practical examinations the appropriate boards deem necessary.

For applicants who present a recommendation for review, the act 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 act 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. By law, security guard applicants must generally 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.

As with security guards who pass the training, the act 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 act requires public higher education institutions to award college credit for military occupational specialty training to service members enrolled at the institutions. The applicant must have experience in a military occupation the institution recognizes as substituting for, or meeting the requirements of, a particular course of study.

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Guidelines for Awarding Credit

The act requires, by July 1, 2016, the Board of Regents for Higher Education (BOR) and the UConn Board of Trustees (BOT), 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 BOT.

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 (1) course equivalency recommendations adopted by the American Council on Education, (2) a portfolio assessment process when appropriate, or (3) 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, coursework, and education.

§ 13 — EMT

The act requires the DPH commissioner to adopt regulations 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 certificate to a service member applicant 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.

(PA 14-198 makes technical changes by transferring these provisions to a different section of the statutes.)

§§ 14 & 15 — DATA REPORTING

Licensing Authority Report

The act requires DCP, DESPP, DOL, DMV, DPH, BOR, the Office of Higher Education, BOT, and POST (licensing authorities) to ask applicants for a license, certificate, registration, or educational credit if they are service members. (PA 14-65 limits when these licensing authorities must ask applicants to instances where the training or experience is relevant and under the authority's purview.)

By January 1, 2015 and annually thereafter, each licensing authority must submit a report to the Veterans' Affairs Committee and DOL that includes the number of (1) service members who applied for a DOL military training evaluation, license, certificate, registration, or educational credit; (2) approvals; and (3) denials, with data on the reasons for denial.

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The report must include:

1. the licensing authority's processing time for service member applications compared to the average processing time for all applications;
2. information on the licensing authority's efforts to inform and assist service members in accessing programs that provide the education and training needed to meet licensure, certification, registration, or educational credit requirements;
3. 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
4. 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.

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

(PA 14-65 (1) changes BOR's and BOT's reporting requirement by eliminating certain information (e.g., license processing time) and adding education-specific information (e.g., education credit awarded or not awarded) and (2) delays the reporting deadline to July 1, 2016.)

Website

By January 1, 2016, within available resources, each licensing authority must publish on its 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 act 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 appropriately recognized in the certification and licensing process.

By July 1, 2015, the DOL commissioner, after consulting with the Department of Veterans' Affairs, 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 appropriately recognized in the occupational certification and licensing process. Each of these government entities must submit formal written recommendations to the DOL commissioner on the relevant professional or occupational licenses on a form she prescribes.

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BACKGROUND

Military Occupational Specialty Task Force

SA 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 Acts

PA 14-65 (1) limits the circumstances when the licensing authorities must inquire about an applicant's service member status and (2) requires BOR and BOT to submit reports containing different information than the other licensing authorities and extends their first annual reporting deadline.

PA 14-141 makes a technical change regarding the DPH commissioner issuing emergency medical technician certifications to service member applicants.

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