



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

April 11, 2013

The Honorable Ken Bennett
Secretary of State
1700 West Washington
Phoenix, Arizona 85007

RE: House Bill 2076 (military applicants; license requirements)

Dear Secretary Bennett,

Today, I signed House Bill 2076 (military applicants; license requirements). This legislation establishes guidelines for military applicants when applying for a Commercial Driver License (CDL), as well as requirements to perform as a Licensed Practical Nurse (LPN).

I applaud the sponsor for bringing forth this legislation, which helps our separating service members receive credit for the valuable training they gained while serving in our armed forces. By helping to ease the licensing process when obtaining a CDL or becoming an LPN, this bill helps further one of my Four Cornerstones; connecting our trained veterans to jobs in the civilian labor force.

To further this legislation, I encourage all state licensing agencies to examine their licensing rules, policies and statutes to find opportunities where our service members' military training can be credited toward existing requirements or where waivers may be granted.

The United States has the most highly trained and skilled military in the world. We can continue to honor our veterans' service and sacrifice in Arizona by allowing their military training to help them transition into the civilian work force.

Sincerely,

A handwritten signature in black ink that reads "Janice K. Brewer".

Janice K. Brewer
Governor

cc: The Honorable Andy Biggs
The Honorable Andy Tobin
The Honorable Sonny Borrelli

House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 85

HOUSE BILL 2076

AN ACT

AMENDING TITLE 28, CHAPTER 8, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-3229; AMENDING TITLE 32, CHAPTER 15, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1639.03; RELATING TO MILITARY LICENSEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 8, article 5, Arizona Revised Statutes,
3 is amended by adding section 28-3229, to read:

4 28-3229. Military applicants; driving test waiver; requirements

5 A. THE DEPARTMENT MAY WAIVE THE REQUIREMENT THAT AN ORIGINAL APPLICANT
6 FOR A CLASS A, B OR C LICENSE TAKE THE DRIVING TEST PRESCRIBED BY SECTION
7 28-3223, SUBSECTION A, PARAGRAPH 5 IF THE APPLICANT IS ON ACTIVE DUTY IN THE
8 ARMED FORCES OF THE UNITED STATES OR HAS SEPARATED FROM THE ARMED FORCES OF
9 THE UNITED STATES UNDER HONORABLE CONDITIONS IN THE LAST NINETY DAYS AND
10 CERTIFIES THAT DURING THE TWO-YEAR PERIOD IMMEDIATELY BEFORE APPLICATION ALL
11 OF THE FOLLOWING APPLY:

12 1. THE APPLICANT HAS NOT HAD MORE THAN ONE DRIVER LICENSE, OTHER THAN
13 A MILITARY LICENSE.

14 2. THE APPLICANT HAS NOT HAD ANY DRIVER LICENSE SUSPENDED, REVOKED OR
15 CANCELED.

16 3. THE APPLICANT HAS NOT BEEN CONVICTED OF AN OFFENSE COMMITTED WHILE
17 OPERATING ANY TYPE OF MOTOR VEHICLE THAT WOULD SUBJECT THE APPLICANT TO
18 MANDATORY DISQUALIFICATION PURSUANT TO SECTION 28-3312.

19 4. THE APPLICANT HAS NOT BEEN FOUND RESPONSIBLE FOR OR GUILTY OF A
20 MOVING TRAFFIC VIOLATION THAT RESULTS IN A MOTOR VEHICLE ACCIDENT AND HAS NO
21 RECORD OF A MOTOR VEHICLE ACCIDENT IN WHICH THE APPLICANT IS AT FAULT.

22 B. THE DEPARTMENT MAY WAIVE THE DRIVING TEST PURSUANT TO SUBSECTION A
23 OF THIS SECTION IF THE APPLICANT CERTIFIES AND PROVIDES EVIDENCE AS
24 PRESCRIBED BY THE DEPARTMENT THAT ALL OF THE FOLLOWING APPLY:

25 1. THE APPLICANT IS REGULARLY EMPLOYED OR WAS REGULARLY EMPLOYED
26 WITHIN THE LAST NINETY DAYS IN A MILITARY POSITION REQUIRING OPERATION OF A
27 COMMERCIAL MOTOR VEHICLE.

28 2. THE APPLICANT IS EXEMPT FROM COMMERCIAL DRIVER LICENSING
29 REQUIREMENTS PURSUANT TO SECTION 28-3152, SUBSECTION A, PARAGRAPH 1 OR A
30 COMPARABLE LAW OF ANOTHER STATE IMPLEMENTING 49 CODE OF FEDERAL REGULATIONS
31 SECTION 383.3(c).

32 3. FOR AT LEAST TWO YEARS IMMEDIATELY BEFORE SEPARATING FROM THE ARMED
33 FORCES OF THE UNITED STATES UNDER HONORABLE CONDITIONS THE APPLICANT OPERATED
34 A MOTOR VEHICLE THAT IS REPRESENTATIVE OF THE CLASS OF MOTOR VEHICLE THAT THE
35 APPLICANT OPERATES OR EXPECTS TO OPERATE.

36 C. AN APPLICANT WHO OBTAINS A DRIVING TEST WAIVER UNDER THIS SECTION
37 SHALL TAKE AND SUCCESSFULLY PASS ANY KNOWLEDGE TEST REQUIRED PURSUANT TO THIS
38 CHAPTER.

39 Sec. 2. Title 32, chapter 15, article 2, Arizona Revised Statutes, is
40 amended by adding section 32-1639.03, to read:

41 32-1639.03. Qualifications of military service applicants;
42 definition

43 A. THE BOARD SHALL ISSUE A LICENSE TO PRACTICE AS A PRACTICAL NURSE TO
44 AN APPLICANT WHO DOES NOT MEET THE REQUIREMENTS OF SECTION 32-1637, PARAGRAPH

1 1, RELATING TO GRADUATION FROM A BOARD-APPROVED PROGRAM, IF THE APPLICANT
2 OTHERWISE MEETS ALL OF THE FOLLOWING REQUIREMENTS:

3 1. SUBMITS AN APPLICATION REQUIRED BY SECTION 32-1637 AND A VERIFIED
4 STATEMENT THAT INDICATES WHETHER THE APPLICANT HAS BEEN CONVICTED OF A FELONY
5 AND, IF CONVICTED OF ONE OR MORE FELONIES, INDICATES THE DATE OF ABSOLUTE
6 DISCHARGE FROM THE SENTENCES FOR ALL FELONY CONVICTIONS.

7 2. PASSES THE EXAMINATION PRESCRIBED BY SECTION 32-1638.

8 3. ANSWERS QUESTIONS RELATED TO WHETHER THE PERSON IS CURRENTLY UNDER
9 INVESTIGATION BY ANOTHER HEALTH CARE RELATED BOARD AND WHETHER ANY
10 DISCIPLINARY ACTION HAS BEEN TAKEN BY ANY JURISDICTION RELATED TO HEALTH
11 PROFESSIONS.

12 4. HAS COMPLETED A MILITARY PROGRAM OF BASIC MEDICAL TRAINING AND WAS
13 AWARDED A MILITARY OCCUPATIONAL SPECIALTY AND PERFORMED IN THAT OCCUPATIONAL
14 SPECIALTY AT A LEVEL THAT IS SUBSTANTIALLY EQUIVALENT TO THE ACADEMIC
15 REQUIREMENTS FOR A LICENSE TO PRACTICE AS A PRACTICAL NURSE OR COMPLETED ANY
16 CLINICAL EDUCATION EQUIVALENCY OR BRIDGE COURSES DETERMINED BY THE BOARD TO
17 BE NECESSARY TO OBTAIN EQUIVALENCY.

18 5. ENGAGED IN THE ACTIVE PRACTICE OF PRACTICAL NURSING FOR AT LEAST
19 TWO OF THE FIVE YEARS BEFORE THE DATE OF FILING THE APPLICATION. AN
20 APPLICANT'S RELEVANT MILITARY SERVICE EXPERIENCE IN THE DISCHARGE OF THE
21 APPLICANT'S OFFICIAL DUTIES MUST BE CREDITED IN THE CALCULATION OF THE NUMBER
22 OF YEARS THE APPLICANT HAS PRACTICED AS A PRACTICAL NURSE FOR THE PURPOSES OF
23 THIS PARAGRAPH.

24 6. HAS NOT COMMITTED AN ACT IN ANY JURISDICTION THAT CONSTITUTES
25 GROUNDS FOR REFUSAL, SUSPENSION OR REVOCATION OF A LICENSE TO PRACTICE AS A
26 PRACTICAL NURSE IN THIS STATE.

27 7. HAS PAID ANY FEES REQUIRED BY THE BOARD.

28 B. THE BOARD MAY CONSIDER THE RECOMMENDATIONS IN THE GUIDE TO THE
29 EVALUATION OF EDUCATIONAL EXPERIENCES IN THE ARMED SERVICES PUBLISHED BY THE
30 AMERICAN COUNCIL ON EDUCATION OR THE COUNCIL'S SUCCESSOR ORGANIZATION WHEN
31 DETERMINING IF THE APPLICANT SUBSTANTIALLY MEETS THE ACADEMIC REQUIREMENTS
32 FOR A LICENSE TO PRACTICE AS A PRACTICAL NURSE.

33 C. THE BOARD MAY ISSUE A TEMPORARY LICENSE TO PRACTICE AS A LICENSED
34 PRACTICAL NURSE TO AN APPLICANT WHO MEETS THE QUALIFICATIONS IN SUBSECTION A
35 OF THIS SECTION AND AS PRESCRIBED BY THE BOARD BY RULE. THE APPLICANT MAY
36 PRACTICE UNDER A TEMPORARY LICENSE UNTIL ANY OF THE FOLLOWING OCCURS:

37 1. THE APPLICANT'S LICENSE IS GRANTED OR DENIED BY THE BOARD.

38 2. THE TEMPORARY LICENSE EXPIRES PURSUANT TO SECTION 32-1640,
39 SUBSECTION B.

40 3. THE APPLICANT FAILS TO COMPLY WITH THE TERMS OF THE TEMPORARY
41 LICENSE.

42 D. THIS SECTION DOES NOT PROHIBIT A MILITARY SERVICE APPLICANT FROM
43 APPLYING FOR A LICENSE TO PRACTICE AS A PRACTICAL NURSE AS OTHERWISE
44 PRESCRIBED IN THIS ARTICLE.

1 E. FOR THE PURPOSES OF THIS SECTION, "MILITARY SERVICE" MEANS SERVICE
2 AS AN ACTIVE MEMBER OF ANY OF THE FOLLOWING:
3 1. THE ARMED FORCES OF THE UNITED STATES.
4 2. A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES.
5 3. THE NATIONAL GUARD.
6 Sec. 3. Effective date
7 Section 32-1639.03, Arizona Revised Statutes, as amended by this act,
8 is effective from and after December 31, 2013.

APPROVED BY THE GOVERNOR APRIL 11, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2013.

Passed the House February 28, 2013

Passed the Senate April 9, 2013

by the following vote: 54 Ayes,

by the following vote: 30 Ayes,

0 Nays, 6 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

10 day of April, 2013

at 3:20 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 11th day of

April

at 11:57 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 11th day of April, 2013

at 4:34 o'clock P M.

[Signature]
Secretary of State