

**VETERAN'S SEPARATION AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: Peter C. Knudson

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**LONG TITLE**

**General Description:**

This bill provides uniform military discharge language for the purpose of qualifying for certain benefits.

**Highlighted Provisions:**

This bill:

amends the Utah Code to provide uniformity in the types of separations that govern discharges from the military and in qualifying for certain benefits.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-28-7**, as last amended by Laws of Utah 1992, Chapter 115

**53-3-104**, as last amended by Laws of Utah 2013, Chapter 411

**53-3-205**, as last amended by Laws of Utah 2013, Chapters 214 and 259

**53-3-207**, as last amended by Laws of Utah 2013, Chapter 278

**53-3-407**, as last amended by Laws of Utah 2013, Chapter 411

**53-3-804**, as last amended by Laws of Utah 2013, Chapter 214

**53-3-805**, as last amended by Laws of Utah 2013, Chapters 214 and 300



28 **53A-3-427**, as last amended by Laws of Utah 2013, Chapter 214  
 29 **59-2-1104**, as last amended by Laws of Utah 2013, Chapter 214  
 30 **71-8-1**, as last amended by Laws of Utah 2013, Chapters 214 and 308  
 31 **71-10-1**, as last amended by Laws of Utah 2011, Chapter 366

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33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **17-28-7** is amended to read:

35 **17-28-7. Examinations.**

36 (1) A person may not be appointed to any civil service position as a firefighter in any  
 37 fire department subject to the provisions of this chapter until he has successfully passed an  
 38 examination and been certified as eligible for consideration by the County Fire Civil Service  
 39 executive director, except that any [~~honorably discharged~~] veteran of the United States  
 40 [~~military service~~] Armed Forces who received an honorable or general discharge shall receive  
 41 preferential employment consideration for entry into the County Fire Civil Service System.

42 (2) All examinations shall be public, competitive, and free and fairly test the ability of  
 43 persons to discharge the duties of the position.

44 Section 2. Section **53-3-104** is amended to read:

45 **53-3-104. Division duties.**

46 The division shall:

47 (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 48 make rules:

49 (a) for examining applicants for a license, as necessary for the safety and welfare of the  
 50 traveling public;

51 (b) for acceptable documentation of an applicant's identity, Social Security number,  
 52 Utah resident status, Utah residence address, proof of legal presence, proof of citizenship in the  
 53 United States, honorable or general discharge from the United States military, and other proof  
 54 or documentation required under this chapter;

55 (c) regarding the restrictions to be imposed on a person driving a motor vehicle with a  
 56 temporary learner permit or learner permit;

57 (d) for exemptions from licensing requirements as authorized in this chapter; and

58 (e) establishing procedures for the storage and maintenance of applicant information

- 59 provided in accordance with Section [53-3-205](#), [53-3-410](#), or [53-3-804](#);
- 60 (2) examine each applicant according to the class of license applied for;
- 61 (3) license motor vehicle drivers;
- 62 (4) file every application for a license received by it and shall maintain indices
- 63 containing:
- 64 (a) all applications denied and the reason each was denied;
- 65 (b) all applications granted; and
- 66 (c) the name of every licensee whose license has been suspended, disqualified, or
- 67 revoked by the division and the reasons for the action;
- 68 (5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with
- 69 this chapter;
- 70 (6) file all accident reports and abstracts of court records of convictions received by it
- 71 under state law;
- 72 (7) maintain a record of each licensee showing the licensee's convictions and the traffic
- 73 accidents in which the licensee has been involved where a conviction has resulted;
- 74 (8) consider the record of a licensee upon an application for renewal of a license and at
- 75 other appropriate times;
- 76 (9) search the license files, compile, and furnish a report on the driving record of any
- 77 person licensed in the state in accordance with Section [53-3-109](#);
- 78 (10) develop and implement a record system as required by Section [41-6a-604](#);
- 79 (11) in accordance with Section [53A-13-208](#), establish:
- 80 (a) procedures and standards to certify teachers of driver education classes to
- 81 administer knowledge and skills tests;
- 82 (b) minimal standards for the tests; and
- 83 (c) procedures to enable school districts to administer or process any tests for students
- 84 to receive a class D operator's license;
- 85 (12) in accordance with Section [53-3-510](#), establish:
- 86 (a) procedures and standards to certify licensed instructors of commercial driver
- 87 training school courses to administer the skills test;
- 88 (b) minimal standards for the test; and
- 89 (c) procedures to enable licensed commercial driver training schools to administer or

90 process skills tests for students to receive a class D operator's license;

91 (13) provide administrative support to the Driver License Medical Advisory Board  
92 created in Section 53-3-303;

93 (14) upon request by the lieutenant governor, provide the lieutenant governor with a  
94 digital copy of the driver license or identification card signature of a person who is an applicant  
95 for voter registration under Section 20A-2-206; and

96 (15) in accordance with Section 53-3-407.1, establish:

97 (a) procedures and standards to license a commercial driver license third party tester or  
98 commercial driver license third party examiner to administer the commercial driver license  
99 skills tests;

100 (b) minimum standards for the commercial driver license skills test; and

101 (c) procedures to enable a licensed commercial driver license third party tester or  
102 commercial driver license third party examiner to administer a commercial driver license skills  
103 test for an applicant to receive a commercial driver license.

104 Section 3. Section 53-3-205 is amended to read:

105 **53-3-205. Application for license or endorsement -- Fee required -- Tests --**  
106 **Expiration dates of licenses and endorsements -- Information required -- Previous**  
107 **licenses surrendered -- Driving record transferred from other states -- Reinstatement --**  
108 **Fee required -- License agreement.**

109 (1) An application for any original license, provisional license, or endorsement shall  
110 be:

111 (a) made upon a form furnished by the division; and

112 (b) accompanied by a nonrefundable fee set under Section 53-3-105.

113 (2) An application and fee for an original provisional class D license or an original  
114 class D license entitle the applicant to:

115 (a) not more than three attempts to pass both the knowledge and the skills tests for a  
116 class D license within six months of the date of the application;

117 (b) a learner permit if needed pending completion of the application and testing  
118 process; and

119 (c) an original class D license and license certificate after all tests are passed and  
120 requirements are completed.

121 (3) An application and fee for a motorcycle or taxicab endorsement entitle the  
122 applicant to:

123 (a) not more than three attempts to pass both the knowledge and skills tests within six  
124 months of the date of the application;

125 (b) a motorcycle learner permit after the motorcycle knowledge test is passed; and

126 (c) a motorcycle or taxicab endorsement when all tests are passed.

127 (4) An application and fees for a commercial class A, B, or C license entitle the  
128 applicant to:

129 (a) not more than two attempts to pass a knowledge test and not more than two  
130 attempts to pass a skills test within six months of the date of the application;

131 (b) a commercial driver instruction permit if needed after the knowledge test is passed;  
132 and

133 (c) an original commercial class A, B, or C license and license certificate when all  
134 applicable tests are passed.

135 (5) An application and fee for a CDL endorsement entitle the applicant to:

136 (a) not more than two attempts to pass a knowledge test and not more than two  
137 attempts to pass a skills test within six months of the date of the application; and

138 (b) a CDL endorsement when all tests are passed.

139 (6) If a CDL applicant does not pass a knowledge test, skills test, or an endorsement  
140 test within the number of attempts provided in Subsection (4) or (5), each test may be taken  
141 two additional times within the six months for the fee provided in Section [53-3-105](#).

142 (7) (a) Except as provided under Subsections (7)(f), (g), and (h), an original license  
143 expires on the birth date of the applicant in the fifth year following the year the license  
144 certificate was issued.

145 (b) Except as provided under Subsections (7)(f), (g), and (h), a renewal or an extension  
146 to a license expires on the birth date of the licensee in the fifth year following the expiration  
147 date of the license certificate renewed or extended.

148 (c) Except as provided under Subsections (7)(f) and (g), a duplicate license expires on  
149 the same date as the last license certificate issued.

150 (d) An endorsement to a license expires on the same date as the license certificate  
151 regardless of the date the endorsement was granted.

152 (e) (i) A regular license certificate and any endorsement to the regular license  
153 certificate held by a person described in Subsection (7)(e)(ii), which expires during the time  
154 period the person is stationed outside of the state, is valid until 90 days after the person's orders  
155 have been terminated, the person has been discharged, or the person's assignment has been  
156 changed or terminated, unless:

157 (A) the license is suspended, disqualified, denied, or has been cancelled or revoked by  
158 the division; or

159 (B) the licensee updates the information or photograph on the license certificate.

160 (ii) The provisions in Subsection (7)(e)(i) apply to a person:

161 (A) ordered to active duty and stationed outside of Utah in any of the armed forces of  
162 the United States;

163 (B) who is an immediate family member or dependent of a person described in  
164 Subsection (7)(e)(ii)(A) and is residing outside of Utah;

165 (C) who is a civilian employee of the United States State Department or United States  
166 Department of Defense and is stationed outside of the United States; or

167 (D) who is an immediate family member or dependent of a person described in  
168 Subsection (7)(e)(ii)(C) and is residing outside of the United States.

169 (f) (i) Except as provided in Subsection (7)(f)(ii), a limited-term license certificate or a  
170 renewal to a limited-term license certificate expires:

171 (A) on the expiration date of the period of time of the individual's authorized stay in  
172 the United States or on the date provided under this Subsection (7), whichever is sooner; or

173 (B) on the date of issuance in the first year following the year that the limited-term  
174 license certificate was issued if there is no definite end to the individual's period of authorized  
175 stay.

176 (ii) A limited-term license certificate or a renewal to a limited-term license certificate  
177 issued to an approved asylee or a refugee expires on the birth date of the applicant in the fourth  
178 year following the year that the limited-term license certificate was issued.

179 (g) A driving privilege card issued or renewed under Section [53-3-207](#) expires on the  
180 birth date of the applicant in the first year following the year that the driving privilege card was  
181 issued or renewed.

182 (h) An original license or a renewal to an original license expires on the birth date of

183 the applicant in the first year following the year that the license was issued if the applicant is  
184 required to register as a sex offender in accordance with Title 77, Chapter 41, Sex and Kidnap  
185 Offender Registry.

186 (8) (a) In addition to the information required by Title 63G, Chapter 4, Administrative  
187 Procedures Act, for requests for agency action, each applicant shall:

188 (i) provide:

189 (A) the applicant's full legal name;

190 (B) the applicant's birth date;

191 (C) the applicant's gender;

192 (D) (I) documentary evidence of the applicant's valid Social Security number;

193 (II) written proof that the applicant is ineligible to receive a Social Security number;

194 (III) the applicant's temporary identification number (ITIN) issued by the Internal

195 Revenue Service for a person who:

196 (Aa) does not qualify for a Social Security number; and

197 (Bb) is applying for a driving privilege card; or

198 (IV) other documentary evidence approved by the division;

199 (E) the applicant's Utah residence address as documented by a form or forms

200 acceptable under rules made by the division under Section 53-3-104, unless the application is

201 for a temporary CDL issued under Subsection 53-3-407(2)(b); and

202 (F) fingerprints and a photograph in accordance with Section 53-3-205.5 if the person is

203 applying for a driving privilege card;

204 (ii) provide evidence of the applicant's lawful presence in the United States by

205 providing documentary evidence:

206 (A) that a person is:

207 (I) a United States citizen;

208 (II) a United States national; or

209 (III) a legal permanent resident alien; or

210 (B) of the applicant's:

211 (I) unexpired immigrant or nonimmigrant visa status for admission into the United

212 States;

213 (II) pending or approved application for asylum in the United States;

- 214 (III) admission into the United States as a refugee;
- 215 (IV) pending or approved application for temporary protected status in the United  
216 States;
- 217 (V) approved deferred action status;
- 218 (VI) pending application for adjustment of status to legal permanent resident or  
219 conditional resident; or
- 220 (VII) conditional permanent resident alien status;
- 221 (iii) provide a description of the applicant;
- 222 (iv) state whether the applicant has previously been licensed to drive a motor vehicle  
223 and, if so, when and by what state or country;
- 224 (v) state whether the applicant has ever had any license suspended, cancelled, revoked,  
225 disqualified, or denied in the last 10 years, or whether the applicant has ever had any license  
226 application refused, and if so, the date of and reason for the suspension, cancellation,  
227 revocation, disqualification, denial, or refusal;
- 228 (vi) state whether the applicant intends to make an anatomical gift under Title 26,  
229 Chapter 28, Revised Uniform Anatomical Gift Act, in compliance with Subsection (15);
- 230 (vii) state whether the applicant is required to register as a sex offender in accordance  
231 with Title 77, Chapter 41, Sex and Kidnap Offender Registry;
- 232 (viii) state whether the applicant is a veteran of the United States military, provide  
233 verification that the applicant was [~~honorably discharged~~] granted an honorable or general  
234 discharge from the United States [~~military~~] Armed Forces, and state whether the applicant does  
235 or does not authorize sharing the information with the state Department of Veterans' and  
236 Military Affairs;
- 237 (ix) provide all other information the division requires; and
- 238 (x) sign the application which signature may include an electronic signature as defined  
239 in Section [46-4-102](#).
- 240 (b) Each applicant shall have a Utah residence address, unless the application is for a  
241 temporary CDL issued under Subsection [53-3-407\(2\)\(b\)](#).
- 242 (c) Each applicant shall provide evidence of lawful presence in the United States in  
243 accordance with Subsection (8)(a)(ii), unless the application is for a driving privilege card.
- 244 (d) The division shall maintain on its computerized records an applicant's:

245 (i) (A) Social Security number;  
246 (B) temporary identification number (ITIN); or  
247 (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies; and  
248 (ii) indication whether the applicant is required to register as a sex offender in  
249 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

250 (9) The division shall require proof of every applicant's name, birthdate, and birthplace  
251 by at least one of the following means:

252 (a) current license certificate;  
253 (b) birth certificate;  
254 (c) Selective Service registration; or  
255 (d) other proof, including church records, family Bible notations, school records, or  
256 other evidence considered acceptable by the division.

257 (10) (a) Except as provided in Subsection (10)(c), if an applicant receives a license in a  
258 higher class than what the applicant originally was issued:

259 (i) the license application shall be treated as an original application; and  
260 (ii) license and endorsement fees shall be assessed under Section 53-3-105.

261 (b) An applicant that receives a downgraded license in a lower license class during an  
262 existing license cycle that has not expired:

263 (i) may be issued a duplicate license with a lower license classification for the  
264 remainder of the existing license cycle; and  
265 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(22) if a  
266 duplicate license is issued under Subsection (10)(b)(i).

267 (c) An applicant who has received a downgraded license in a lower license class under  
268 Subsection (10)(b):

269 (i) may, when eligible, receive a duplicate license in the highest class previously issued  
270 during a license cycle that has not expired for the remainder of the existing license cycle; and  
271 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(22) if a  
272 duplicate license is issued under Subsection (10)(c)(i).

273 (11) (a) When an application is received from a person previously licensed in another  
274 state to drive a motor vehicle, the division shall request a copy of the driver's record from the  
275 other state.

276 (b) When received, the driver's record becomes part of the driver's record in this state  
277 with the same effect as though entered originally on the driver's record in this state.

278 (12) An application for reinstatement of a license after the suspension, cancellation,  
279 disqualification, denial, or revocation of a previous license shall be accompanied by the  
280 additional fee or fees specified in Section 53-3-105.

281 (13) A person who has an appointment with the division for testing and fails to keep  
282 the appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee  
283 under Section 53-3-105.

284 (14) A person who applies for an original license or renewal of a license agrees that the  
285 person's license is subject to any suspension or revocation authorized under this title or Title  
286 41, Motor Vehicles.

287 (15) (a) The indication of intent under Subsection (8)(a)(vi) shall be authenticated by  
288 the licensee in accordance with division rule.

289 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
290 Management Act, the division may, upon request, release to an organ procurement  
291 organization, as defined in Section 26-28-102, the names and addresses of all persons who  
292 under Subsection (8)(a)(vi) indicate that they intend to make an anatomical gift.

293 (ii) An organ procurement organization may use released information only to:

294 (A) obtain additional information for an anatomical gift registry; and

295 (B) inform licensees of anatomical gift options, procedures, and benefits.

296 (16) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
297 Management Act, the division may release to the Department of Veterans' and Military Affairs  
298 the names and addresses of all persons who indicate their status as a veteran under Subsection  
299 (8)(a)(viii).

300 (17) The division and its employees are not liable, as a result of false or inaccurate  
301 information provided under Subsection (8)(a)(vi) or (viii), for direct or indirect:

302 (a) loss;

303 (b) detriment; or

304 (c) injury.

305 (18) A person who knowingly fails to provide the information required under  
306 Subsection (8)(a)(vii) is guilty of a class A misdemeanor.

307 (19) (a) Until December 1, 2014, a person born on or after December 1, 1964, may  
308 hold both an unexpired Utah license certificate and an unexpired Utah identification card.

309 (b) On or after December 1, 2014, a person born on or after December 1, 1964:

310 (i) may not hold both an unexpired Utah license certificate and an unexpired  
311 identification card; and

312 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah  
313 identification card in the person's possession, shall be required to surrender either the unexpired  
314 Utah license certificate or the unexpired Utah identification card.

315 (c) If a person has not surrendered either the Utah license certificate or the Utah  
316 identification card as required under this Subsection (19), the division shall cancel the Utah  
317 identification card on December 1, 2014.

318 (20) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold  
319 both an unexpired Utah license certificate and an unexpired Utah identification card.

320 (b) On or after December 1, 2017, a person born prior to December 1, 1964:

321 (i) may not hold both an unexpired Utah license certificate and an unexpired  
322 identification card; and

323 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah  
324 identification card in the person's possession, shall be required to surrender either the unexpired  
325 Utah license certificate or the unexpired Utah identification card.

326 (c) If a person has not surrendered either the Utah license certificate or the Utah  
327 identification card as required under this Subsection (20), the division shall cancel the Utah  
328 identification card on December 1, 2017.

329 (21) (a) A person who applies for an original motorcycle endorsement to a regular  
330 license certificate is exempt from the requirement to pass the knowledge and skills test to be  
331 eligible for the motorcycle endorsement if the person:

332 (i) is a resident of the state of Utah;

333 (ii) (A) is ordered to active duty and stationed outside of Utah in any of the armed  
334 forces of the United States; or

335 (B) is an immediate family member or dependent of a person described in Subsection  
336 (21)(a)(ii)(A) and is residing outside of Utah;

337 (iii) has a digitized driver license photo on file with the division;

338 (iv) provides proof to the division of the successful completion of a certified  
339 Motorcycle Safety Foundation rider training course; and

340 (v) provides the necessary information and documentary evidence required under  
341 Subsection (8).

342 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
343 division shall make rules:

344 (i) establishing the procedures for a person to obtain a motorcycle endorsement under  
345 this Subsection (21); and

346 (ii) identifying the applicable restrictions for a motorcycle endorsement issued under  
347 this Subsection (21).

348 Section 4. Section **53-3-207** is amended to read:

349 **53-3-207. License certificates or driving privilege cards issued to drivers by class**  
350 **of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary**  
351 **licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.**

352 (1) As used in this section:

353 (a) "driving privilege" means the privilege granted under this chapter to drive a motor  
354 vehicle;

355 (b) "governmental entity" means the state and its political subdivisions as defined in  
356 this Subsection (1);

357 (c) "political subdivision" means any county, city, town, school district, public transit  
358 district, community development and renewal agency, special improvement or taxing district,  
359 local district, special service district, an entity created by an interlocal agreement adopted under  
360 Title 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public  
361 corporation; and

362 (d) "state" means this state, and includes any office, department, agency, authority,  
363 commission, board, institution, hospital, college, university, children's justice center, or other  
364 instrumentality of the state.

365 (2) (a) The division shall issue to every person privileged to drive a motor vehicle, a  
366 regular license certificate, a limited-term license certificate, or a driving privilege card  
367 indicating the type or class of motor vehicle the person may drive.

368 (b) A person may not drive a class of motor vehicle unless granted the privilege in that

369 class.

370 (3) (a) Every regular license certificate, limited-term license certificate, or driving  
371 privilege card shall bear:

372 (i) the distinguishing number assigned to the person by the division;

373 (ii) the name, birth date, and Utah residence address of the person;

374 (iii) a brief description of the person for the purpose of identification;

375 (iv) any restrictions imposed on the license under Section 53-3-208;

376 (v) a photograph of the person;

377 (vi) a photograph or other facsimile of the person's signature;

378 (vii) an indication whether the person intends to make an anatomical gift under Title  
379 26, Chapter 28, Revised Uniform Anatomical Gift Act, unless the driving privilege is extended  
380 under Subsection 53-3-214(3); and

381 (viii) except as provided in Subsection (3)(b), if the person states that the person is a  
382 veteran of the United States military on the application for a driver license in accordance with  
383 Section 53-3-205 and provides verification that the person was ~~[honorably discharged]~~ granted  
384 an honorable or general discharge from the United States ~~[military]~~ Armed Forces, an  
385 indication that the person is a United States military veteran for a regular license certificate or  
386 limited-term license certificate issued on or after July 1, 2011.

387 (b) A regular license certificate or limited-term license certificate issued to any person  
388 younger than 21 years on a portrait-style format as required in Subsection (5)(b)(i) is not  
389 required to include an indication that the person is a United States military veteran under  
390 Subsection (3)(a)(viii).

391 (c) A new license certificate issued by the division may not bear the person's Social  
392 Security number.

393 (d) (i) The regular license certificate, limited-term license certificate, or driving  
394 privilege card shall be of an impervious material, resistant to wear, damage, and alteration.

395 (ii) Except as provided under Subsection (4)(b), the size, form, and color of the regular  
396 license certificate, limited-term license certificate, or driving privilege card shall be as  
397 prescribed by the commissioner.

398 (iii) The commissioner may also prescribe the issuance of a special type of limited  
399 regular license certificate, limited-term license certificate, or driving privilege card under

400 Subsection [53-3-220](#)(4).

401 (4) (a) (i) The division, upon determining after an examination that an applicant is  
402 mentally and physically qualified to be granted a driving privilege, may issue to an applicant a  
403 receipt for the fee if the applicant is eligible for a regular license certificate or limited-term  
404 license certificate.

405 (ii) (A) The division shall issue a temporary regular license certificate or temporary  
406 limited-term license certificate allowing the person to drive a motor vehicle while the division  
407 is completing its investigation to determine whether the person is entitled to be granted a  
408 driving privilege.

409 (B) A temporary regular license certificate or a temporary limited-term license  
410 certificate issued under this Subsection (4) shall be recognized and have the same rights and  
411 privileges as a regular license certificate or a limited-term license certificate.

412 (b) The temporary regular license certificate or temporary limited-term license  
413 certificate shall be in the person's immediate possession while driving a motor vehicle, and it is  
414 invalid when the person's regular license certificate or limited-term license certificate has been  
415 issued or when, for good cause, the privilege has been refused.

416 (c) The division shall indicate on the temporary regular license certificate or temporary  
417 limited-term license certificate a date after which it is not valid as a temporary license.

418 (d) (i) Except as provided in Subsection (4)(d)(ii), the division may not issue a  
419 temporary driving privilege card or other temporary permit to an applicant for a driving  
420 privilege card.

421 (ii) The division may issue a learner permit issued in accordance with Section  
422 [53-3-210.5](#) to an applicant for a driving privilege card.

423 (5) (a) The division shall distinguish learner permits, temporary permits, regular  
424 license certificates, limited-term license certificates, and driving privilege cards issued to any  
425 person younger than 21 years of age by use of plainly printed information or the use of a color  
426 or other means not used for other regular license certificates, limited-term license certificates,  
427 or driving privilege cards.

428 (b) The division shall distinguish a regular license certificate, limited-term license  
429 certificate, or driving privilege card issued to any person:

430 (i) younger than 21 years of age by use of a portrait-style format not used for other

431 regular license certificates, limited-term license certificates, or driving privilege cards and by  
432 plainly printing the date the regular license certificate, limited-term license certificate, or  
433 driving privilege card holder is 21 years of age, which is the legal age for purchasing an  
434 alcoholic beverage or alcoholic product under Section 32B-4-403; and

435 (ii) younger than 19 years of age, by plainly printing the date the regular license  
436 certificate, limited-term license certificate, or driving privilege card holder is 19 years of age,  
437 which is the legal age for purchasing tobacco products under Section 76-10-104.

438 (6) The division shall distinguish a limited-term license certificate by clearly indicating  
439 on the document:

440 (a) that it is temporary; and

441 (b) its expiration date.

442 (7) (a) The division shall only issue a driving privilege card to a person whose privilege  
443 was obtained without providing evidence of lawful presence in the United States as required  
444 under Subsection 53-3-205(8).

445 (b) The division shall distinguish a driving privilege card from a license certificate by:

446 (i) use of a format, color, font, or other means; and

447 (ii) clearly displaying on the front of the driving privilege card a phrase substantially  
448 similar to "FOR DRIVING PRIVILEGES ONLY -- NOT VALID FOR IDENTIFICATION".

449 (8) The provisions of Subsection (5)(b) do not apply to a learner permit, temporary  
450 permit, temporary regular license certificate, temporary limited-term license certificate, or any  
451 other temporary permit.

452 (9) The division shall issue temporary license certificates of the same nature, except as  
453 to duration, as the license certificates that they temporarily replace, as are necessary to  
454 implement applicable provisions of this section and Section 53-3-223.

455 (10) (a) A governmental entity may not accept a driving privilege card as proof of  
456 personal identification.

457 (b) A driving privilege card may not be used as a document providing proof of a  
458 person's age for any government required purpose.

459 (11) A person who violates Subsection (2)(b) is guilty of a class C misdemeanor.

460 (12) Unless otherwise provided, the provisions, requirements, classes, endorsements,  
461 fees, restrictions, and sanctions under this code apply to a:

462 (a) driving privilege in the same way as a license or limited-term license issued under  
463 this chapter; and

464 (b) limited-term license certificate or driving privilege card in the same way as a  
465 regular license certificate issued under this chapter.

466 Section 5. Section **53-3-407** is amended to read:

467 **53-3-407. Qualifications for commercial driver license -- Fee -- Third parties may**  
468 **administer skills test.**

469 (1) (a) As used in this section, "CDL driver training school" means a business  
470 enterprise conducted by an individual, association, partnership, or corporation that:

471 (i) educates and trains persons, either practically or theoretically, or both, to drive  
472 commercial motor vehicles; and

473 (ii) prepares an applicant for an examination under Subsection (2)(a)(ii) or (2)(b)(i)(B).

474 (b) A CDL driver training school may charge a consideration or tuition for the services  
475 provided under Subsection (1)(a).

476 (2) (a) Except as provided in Subsection (2)(b) and (c), a CDL may be issued only to a  
477 person who:

478 (i) is a resident of this state;

479 (ii) has passed a test of knowledge and skills for driving a commercial motor vehicle,  
480 that complies with minimum standards established by federal regulation in 49 C.F.R. Part 383,  
481 Subparts G and H; and

482 (iii) has complied with all requirements of 49 C.F.R. Part 383 and other applicable  
483 state laws and federal regulations.

484 (b) (i) A temporary CDL may be issued to a person who:

485 (A) is enrolled in a CDL driver training school located in Utah;

486 (B) has passed a test of knowledge and skills for driving a commercial motor vehicle,  
487 that complies with minimum standards established by federal regulation in 49 C.F.R. Part 383,  
488 Subparts G and H; and

489 (C) has complied with all requirements of 49 C.F.R. Part 383, Subparts G and H.

490 (ii) A temporary CDL issued under this Subsection (2)(b):

491 (A) is valid for 60 days; and

492 (B) may not be renewed or extended.

493 (iii) Except as provided in this section and Subsections 53-3-204(1)(a)(v),  
494 53-3-205(8)(a)(i)(E) and (8)(b), and 53-3-410(1)(c), the provisions, requirements, classes,  
495 endorsements, fees, restrictions, and sanctions under this code apply to a temporary CDL  
496 issued under this Subsection (2)(b) in the same way as a commercial driver license issued  
497 under this part.

498 (c) The department shall waive the skills test specified in this section for a commercial  
499 driver license applicant who, subject to the limitations and requirements of 49 C.F.R. Sec.  
500 383.77, meets all certifications required for a waiver under 49 C.F.R. Sec. 383.77 and certifies  
501 that the applicant:

502 (i) is a member of the active or reserve components of any branch or unit of the armed  
503 forces or a veteran who received an honorable or general discharge from any branch or unit of  
504 the active or reserve components of the United States Armed Forces;

505 (ii) is or was regularly employed in a position in the armed forces requiring operation  
506 of a commercial motor vehicle; and

507 (iii) has legally operated, while on active duty for at least two years immediately  
508 preceding application for a commercial driver license, a vehicle representative of the  
509 commercial motor vehicle the driver applicant operates or expects to operate.

510 (d) An applicant who requests a waiver under Subsection (2)(c) shall present a  
511 completed application for a military skills test waiver at the time of the request.

512 (3) Tests required under this section shall be prescribed and administered by the  
513 division.

514 (4) The division shall authorize a person, an agency of this state, an employer, a private  
515 driver training facility or other private institution, or a department, agency, or entity of local  
516 government to administer the skills test required under this section if:

517 (a) the test is the same test as prescribed by the division, and is administered in the  
518 same manner; and

519 (b) the party authorized under this section to administer the test has entered into an  
520 agreement with the state that complies with the requirements of 49 C.F.R. Sec. 383.75.

521 (5) A person who has an appointment with the division for testing and fails to keep the  
522 appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee  
523 under Section 53-3-105.

524 (6) A person authorized under this section to administer the skills test is not criminally  
525 or civilly liable for the administration of the test unless he administers the test in a grossly  
526 negligent manner.

527 (7) The division may waive the skills test required under this section if it determines  
528 that the applicant meets the requirements of 49 C.F.R. Sec. 383.77.

529 Section 6. Section **53-3-804** is amended to read:

530 **53-3-804. Application for identification card -- Required information -- Release**  
531 **of anatomical gift information -- Cancellation of identification card.**

532 (1) To apply for an identification card or limited-term identification card, the applicant  
533 shall:

- 534 (a) be a Utah resident;
- 535 (b) have a Utah residence address; and
- 536 (c) appear in person at any license examining station.

537 (2) The applicant shall provide the following information to the division:

- 538 (a) true and full legal name and Utah residence address;
- 539 (b) date of birth as set forth in a certified copy of the applicant's birth certificate, or  
540 other satisfactory evidence of birth, which shall be attached to the application;
- 541 (c) (i) Social Security number; or  
542 (ii) written proof that the applicant is ineligible to receive a Social Security number;
- 543 (d) place of birth;
- 544 (e) height and weight;
- 545 (f) color of eyes and hair;
- 546 (g) signature;
- 547 (h) photograph;
- 548 (i) evidence of the applicant's lawful presence in the United States by providing  
549 documentary evidence:
  - 550 (i) that a person is:
    - 551 (A) a United States citizen;
    - 552 (B) a United States national; or
    - 553 (C) a legal permanent resident alien; or
  - 554 (ii) of the applicant's:

- 555 (A) unexpired immigrant or nonimmigrant visa status for admission into the United  
556 States;
- 557 (B) pending or approved application for asylum in the United States;
- 558 (C) admission into the United States as a refugee;
- 559 (D) pending or approved application for temporary protected status in the United  
560 States;
- 561 (E) approved deferred action status;
- 562 (F) pending application for adjustment of status to legal permanent resident or  
563 conditional resident; or
- 564 (G) conditional permanent resident alien status;
- 565 (j) an indication whether the applicant intends to make an anatomical gift under Title  
566 26, Chapter 28, Revised Uniform Anatomical Gift Act;
- 567 (k) an indication whether the applicant is required to register as a sex offender in  
568 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry; and
- 569 (l) an indication whether the applicant is a veteran of the United States [~~military~~]  
570 Armed Forces, verification that the applicant has [~~been honorably discharged~~] received an  
571 honorable or general discharge from the United States [~~military~~] Armed Forces, and an  
572 indication whether the applicant does or does not authorize sharing the information with the  
573 state Department of Veterans' and Military Affairs.
- 574 (3) The requirements of Section 53-3-234 apply to this section for each person, age 16  
575 and older, applying for an identification card. Refusal to consent to the release of information  
576 shall result in the denial of the identification card.
- 577 (4) A person who knowingly fails to provide the information required under Subsection  
578 (2)(k) is guilty of a class A misdemeanor.
- 579 (5) (a) Until December 1, 2014, a person born on or after December 1, 1964, may hold  
580 both an unexpired Utah license certificate and an unexpired Utah identification card.
- 581 (b) On or after December 1, 2014, a person born on or after December 1, 1964:
- 582 (i) may not hold both an unexpired Utah license certificate and an unexpired  
583 identification card; and
- 584 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah  
585 identification card in the person's possession, shall be required to surrender either the unexpired

586 Utah license certificate or the unexpired Utah identification card.

587 (c) If a person has not surrendered either the Utah license certificate or the Utah  
588 identification card as required under this Subsection (5), the division shall cancel the Utah  
589 identification card on December 1, 2014.

590 (6) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold  
591 both an unexpired Utah license certificate and an unexpired Utah identification card.

592 (b) On or after December 1, 2017, a person born prior to December 1, 1964:

593 (i) may not hold both an unexpired Utah license certificate and an unexpired  
594 identification card; and

595 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah  
596 identification card in the person's possession, shall be required to surrender either the unexpired  
597 Utah license certificate or the unexpired Utah identification card.

598 (c) If a person has not surrendered either the Utah license certificate or the Utah  
599 identification card as required under this Subsection (6), the division shall cancel the Utah  
600 identification card on December 1, 2017.

601 Section 7. Section **53-3-805** is amended to read:

602 **53-3-805. Identification card -- Contents -- Specifications.**

603 (1) (a) The division shall issue an identification card that bears:

604 (i) the distinguishing number assigned to the person by the division;

605 (ii) the name, birth date, and Utah residence address of the person;

606 (iii) a brief description of the person for the purpose of identification;

607 (iv) a photograph of the person;

608 (v) a photograph or other facsimile of the person's signature;

609 (vi) an indication whether the person intends to make an anatomical gift under Title 26,  
610 Chapter 28, Revised Uniform Anatomical Gift Act; and

611 (vii) if the person states that the person is a veteran of the United States military on the  
612 application for an identification card in accordance with Section [53-3-804](#) and provides  
613 verification that the person [~~was honorably discharged~~] received an honorable or general  
614 discharge from the United States [~~military~~] Armed Forces, an indication that the person is a  
615 United States military veteran for a regular identification card or a limited-term identification  
616 card issued on or after July 1, 2011.

617 (b) An identification card issued by the division may not bear the person's Social  
618 Security number or place of birth.

619 (2) (a) The card shall be of an impervious material, resistant to wear, damage, and  
620 alteration.

621 (b) Except as provided under Section 53-3-806, the size, form, and color of the card is  
622 prescribed by the commissioner.

623 (3) At the applicant's request, the card may include a statement that the applicant has a  
624 special medical problem or allergies to certain drugs, for the purpose of medical treatment.

625 (4) (a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated  
626 by the applicant in accordance with division rule.

627 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
628 Management Act, the division may, upon request, release to an organ procurement  
629 organization, as defined in Section 26-28-102, the names and addresses of all persons who  
630 under Subsection 53-3-804(2)(j) indicate that they intend to make an anatomical gift.

631 (ii) An organ procurement organization may use released information only to:

632 (A) obtain additional information for an anatomical gift registry; and

633 (B) inform applicants of anatomical gift options, procedures, and benefits.

634 (5) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
635 Management Act, the division may release to the Department of Veterans' and Military Affairs  
636 the names and addresses of all persons who indicate their status as a veteran under Subsection  
637 53-3-804(2)(l).

638 (6) The division and its employees are not liable, as a result of false or inaccurate  
639 information provided under Subsection 53-3-804(2)(j) or (l), for direct or indirect:

640 (a) loss;

641 (b) detriment; or

642 (c) injury.

643 (7) (a) The division may issue a temporary regular identification card to a person while  
644 the person obtains the required documentation to establish verification of the information  
645 described in Subsections 53-3-804(2)(a), (b), (c), (d), and (i)(i).

646 (b) A temporary regular identification card issued under this Subsection (7) shall be  
647 recognized and grant the person the same privileges as a regular identification card.

- 648 (c) A temporary regular identification card issued under this Subsection (7) is invalid:
- 649 (i) when the person's regular identification card has been issued;
- 650 (ii) when, for good cause, an applicant's application for an identification card has been
- 651 refused; or
- 652 (iii) upon expiration of the temporary regular identification card.

653 Section 8. Section **53A-3-427** is amended to read:

654 **53A-3-427. Honorary high school diploma for certain veterans.**

655 (1) A board of education of a school district may award an honorary high school

656 diploma to a veteran, if the veteran:

657 (a) left high school before graduating in order to serve in the armed forces of the

658 United States;

659 (b) served in the armed forces of the United States during the period of World War II,

660 the Korean War, or the Vietnam War;

661 (c) (i) ~~[was honorably discharged]~~ received an honorable or general discharge from the

662 United States Armed Forces; or

663 (ii) was released from active duty because of a service-related disability; and

664 (d) (i) resides within the school district; or

665 (ii) resided within the school district at the time of leaving high school to serve in the

666 armed forces of the United States.

667 (2) To receive an honorary high school diploma, a veteran or immediate family

668 member or guardian of a veteran shall submit to a local school board:

669 (a) a request for an honorary high school diploma; and

670 (b) information required by the local school board to verify the veteran's eligibility for

671 an honorary high school diploma under Subsection (1).

672 (3) At the request of a veteran, a veteran's immediate family member or guardian, or a

673 local school board, the Department of Veterans' and Military Affairs shall certify whether the

674 veteran meets the requirements of Subsections (1)(b) and (c).

675 Section 9. Section **59-2-1104** is amended to read:

676 **59-2-1104. Definitions -- Armed Forces exemption -- Amount of Armed Forces**

677 **exemption.**

678 (1) As used in this section and Section [59-2-1105](#):

- 679 (a) "Active component of the United States Armed Forces" is as defined in Section  
680 59-10-1027.
- 681 (b) "Adjusted taxable value limit" means:
- 682 (i) for the year 2005, \$200,000; and
- 683 (ii) for each year after 2005, the amount of the adjusted taxable value limit for the  
684 previous year, plus an amount calculated by multiplying the amount of the adjusted taxable  
685 value limit for the previous year by the actual percent change in the Consumer Price Index  
686 during the previous calendar year.
- 687 (c) "Claimant" means:
- 688 (i) a veteran with a disability who files an application under Section 59-2-1105 for a  
689 veteran's exemption;
- 690 (ii) the unmarried surviving spouse:
- 691 (A) of a:
- 692 (I) deceased veteran with a disability; or
- 693 (II) veteran who was killed in action or died in the line of duty; and
- 694 (B) who files an application under Section 59-2-1105 for a veteran's exemption;
- 695 (iii) a minor orphan:
- 696 (A) of a:
- 697 (I) deceased veteran with a disability; or
- 698 (II) veteran who was killed in action or died in the line of duty; and
- 699 (B) who files an application under Section 59-2-1105 for a veteran's exemption; or
- 700 (iv) a member of an active component of the United States Armed Forces or a reserve  
701 component of the United States Armed Forces who performed qualifying active duty military  
702 service.
- 703 (d) "Consumer price index" is as described in Section 1(f)(4), Internal Revenue Code,  
704 and defined in Section 1(f)(5), Internal Revenue Code.
- 705 (e) "Deceased veteran with a disability" means a deceased person who was a veteran  
706 with a disability at the time the person died.
- 707 (f) "Military entity" means:
- 708 (i) the federal Department of Veterans Affairs;
- 709 (ii) an active component of the United States Armed Forces; or

- 710 (iii) a reserve component of the United States Armed Forces.
- 711 (g) "Qualifying active duty military service" means:
- 712 (i) at least 200 days in a calendar year, regardless of whether consecutive, of active
- 713 duty military service outside the state in an active component of the United States Armed
- 714 Forces or a reserve component of the United States Armed Forces; or
- 715 (ii) the completion of at least 200 consecutive days of active duty military service
- 716 outside the state:
- 717 (A) in an active component of the United States Armed Forces or a reserve component
- 718 of the United States Armed Forces; and
- 719 (B) that began in the prior year, if those days of active duty military service outside the
- 720 state in the prior year were not counted as qualifying active duty military service for purposes
- 721 of this section or Section [59-2-1105](#) in the prior year.
- 722 (h) "Reserve component of the United States Armed Forces" is as defined in Section
- 723 [59-10-1027](#).
- 724 (i) "Residence" is as defined in Section [59-2-1202](#), except that a rented dwelling is not
- 725 considered to be a residence.
- 726 (j) "Veteran who was killed in action or died in the line of duty" means a person who
- 727 was killed in action or died in the line of duty in an active component of the United States
- 728 Armed Forces or a reserve component of the United States Armed Forces, regardless of
- 729 whether that person had a disability at the time that person was killed in action or died in the
- 730 line of duty.
- 731 (k) "Veteran with a disability" means a person with a disability who, during military
- 732 training or a military conflict, acquired a disability in the line of duty in an active component of
- 733 the United States Armed Forces or a reserve component of the United States Armed Forces.
- 734 (l) "Veteran's exemption" means a property tax exemption provided for in Subsection
- 735 (2).
- 736 (2) (a) The amount of taxable value of the property described in Subsection (2)(b) is
- 737 exempt from taxation as calculated under Subsections (2)(c) through (e) if the property
- 738 described in Subsection (2)(b) is owned by:
- 739 (i) a veteran with a disability;
- 740 (ii) the unmarried surviving spouse or a minor orphan of a:

- 741 (A) deceased veteran with a disability; or  
742 (B) veteran who was killed in action or died in the line of duty; or  
743 (iii) a member of an active component of the United States Armed Forces or a reserve  
744 component of the United States Armed Forces who performed qualifying active duty military  
745 service.
- 746 (b) Subsection (2)(a) applies to the following property:  
747 (i) the claimant's primary residence;  
748 (ii) for a claimant described in Subsection (2)(a)(i) or (ii), tangible personal property  
749 that:
- 750 (A) is held exclusively for personal use; and  
751 (B) is not used in a trade or business; or  
752 (iii) for a claimant described in Subsection (2)(a)(i) or (ii), a combination of  
753 Subsections (2)(b)(i) and (ii).
- 754 (c) Except as provided in Subsection (2)(d) or (e), the amount of taxable value of  
755 property described in Subsection (2)(b) that is exempt under Subsection (2)(a) is:  
756 (i) as described in Subsection (2)(f), if the property is owned by:  
757 (A) a veteran with a disability;  
758 (B) the unmarried surviving spouse of a deceased veteran with a disability; or  
759 (C) a minor orphan of a deceased veteran with a disability; or  
760 (ii) equal to the total taxable value of the claimant's property described in Subsection  
761 (2)(b) if the property is owned by:  
762 (A) the unmarried surviving spouse of a veteran who was killed in action or died in the  
763 line of duty;  
764 (B) a minor orphan of a veteran who was killed in action or died in the line of duty; or  
765 (C) a member of an active component of the United States Armed Forces or a reserve  
766 component of the United States Armed Forces who performed qualifying active duty military  
767 service.
- 768 (d) (i) Notwithstanding Subsection (2)(c)(i) and subject to Subsection (2)(d)(ii), a  
769 veteran's exemption except for a claimant described in Subsection (2)(a)(iii) may not be  
770 allowed under this Subsection (2) if the percentage of disability listed on the certificate  
771 described in Subsection 59-2-1105(3)(a) is less than 10%.

772 (ii) A veteran with a disability is considered to have a 100% disability, regardless of  
773 the percentage of disability listed on a certificate described in Subsection 59-2-1105(3)(a), if  
774 the United States Department of Veterans Affairs certifies the veteran in the classification of  
775 individual unemployability.

776 (e) Notwithstanding Subsection (2)(c)(i), a claimant who is the unmarried surviving  
777 spouse or minor orphan of a deceased veteran with a disability may claim an exemption for the  
778 total value of the property described in Subsection (2)(b) if:

779 (i) the deceased veteran with a disability served in the military service of the United  
780 States or the state prior to January 1, 1921; and

781 (ii) the percentage of disability listed on the certificate described in Subsection  
782 59-2-1105(3)(a) for the deceased veteran with a disability is 10% or more.

783 (f) Except as provided in Subsection (2)(g), the amount of the taxable value of the  
784 property described in Subsection (2)(b) that is exempt under Subsection (2)(c)(i) is equal to the  
785 percentage of disability listed on the certificate described in Subsection 59-2-1105(3)(a)  
786 multiplied by the adjusted taxable value limit.

787 (g) Notwithstanding Subsection (2)(f), the amount of the taxable value of the property  
788 described in Subsection (2)(b) that is exempt under Subsection (2)(c)(i) may not be greater than  
789 the taxable value of the property described in Subsection (2)(b).

790 (h) For purposes of this section and Section 59-2-1105, a person who [~~is honorably~~  
791 ~~discharged~~] received an honorable or general discharge from military service of an active  
792 component of the United States Armed Forces or a reserve component of the United States  
793 Armed Forces:

794 (i) is presumed to be a citizen of the United States; and

795 (ii) may not be required to provide additional proof of citizenship to establish that the  
796 person is a citizen of the United States.

797 (3) The Department of Veterans' and Military Affairs created in Section 71-8-2 shall,  
798 through an informal hearing held in accordance with Title 63G, Chapter 4, Administrative  
799 Procedures Act, resolve each dispute arising under this section concerning a veteran's status as  
800 a veteran with a disability.

801 Section 10. Section 71-8-1 is amended to read:

802 **71-8-1. Definitions.**

803 As used in this chapter:

804 (1) "Contractor" means a person who is or may be awarded a government entity  
805 contract.

806 (2) "Council" means the Veterans' Advisory Council.

807 (3) "Department" means the Department of Veterans' and Military Affairs.

808 (4) "Executive director" means the executive director of the Department of Veterans'  
809 Affairs.

810 (5) "Government entity" means the state and any county, municipality, local district,  
811 special service district, and any other political subdivision or administrative unit of the state,  
812 including state institutions of education.

813 (6) "Specialist" means a full-time employee of a government entity who is tasked with  
814 responding to, and assisting, veterans who are employed by the entity or come to the entity for  
815 assistance.

816 (7) "Veteran" means:

817 (a) an individual who has served on active duty in the armed forces for at least 180  
818 consecutive days or was a member of a reserve component, and who has been separated or  
819 retired under honorable or general conditions; or

820 (b) any individual incurring an actual service-related injury or disability in the line of  
821 duty whether or not that person completed 180 days of active duty.

822 Section 11. Section **71-10-1** is amended to read:

823 **71-10-1. Definitions.**

824 As used in this chapter:

825 (1) "Active duty" means active military duty and does not include active duty for  
826 training, initial active duty for training, or inactive duty for training.

827 (2) "Government entity" means the state, any county, municipality, local district,  
828 special service district, or any other political subdivision or administrative unit of the state,  
829 including state institutions of education.

830 (3) "Preference eligible" means:

831 (a) any individual who has served on active duty in the armed forces for more than 180  
832 consecutive days, or was a member of a reserve component who served in a campaign or  
833 expedition for which a campaign medal has been authorized and who has been separated under

834 honorable or general conditions;

835 (b) a veteran with a disability, regardless of the percentage of disability;

836 (c) the spouse or unmarried widow or widower of a veteran;

837 (d) a purple heart recipient; or

838 (e) a retired member of the armed forces who retired below the rank of major or its  
839 equivalent.

840 (4) "Veteran" means:

841 (a) an individual who has served on active duty in the armed forces for more than 180  
842 consecutive days, or was a member of a reserve component who served in a campaign or  
843 expedition for which a campaign medal has been authorized and who has been separated or  
844 retired under honorable or general conditions; or

845 (b) any individual incurring an actual service-related injury or disability in the line of  
846 duty whether or not that person completed 180 consecutive days of active duty.

847 (5) "Veteran with a disability" means an individual who has:

848 (a) been separated or retired from the armed forces under honorable conditions; and

849 (b) established the existence of a service-connected disability or is receiving  
850 compensation, disability retirement benefits, or pension because of a public statute  
851 administered by the federal Department of Veterans Affairs or a military department.

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**Legislative Review Note**  
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**Office of Legislative Research and General Counsel**