

**53-6-302 Applicants for certification examination -- Requirements.**

- (1) Before being allowed to take a dispatcher certification examination, each applicant shall meet the following requirements:
  - (a) be a United States citizen;
  - (b) be 18 years of age or older at the time of employment as a dispatcher;
  - (c) be a high school graduate or have a G.E.D. equivalent;
  - (d) have not been convicted of a crime for which the applicant could have been punished by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of this or another state;
  - (e) have demonstrated good moral character, as determined by a background investigation; and
  - (f) be free of any physical, emotional, or mental condition that might adversely affect the performance of the applicant's duty as a dispatcher.
- (2)
  - (a) An application for certification shall be accompanied by a criminal history background check of local, state, and national criminal history files and a background investigation.
  - (b) The costs of the background check and investigation shall be borne by the applicant or the applicant's employing agency.
- (3)
  - (a) Notwithstanding Title 77, Chapter 40, Utah Expungement Act, regarding expungements, or a similar statute or rule of any other jurisdiction, any conviction obtained in this state or other jurisdiction, including a conviction that has been expunged, dismissed, or treated in a similar manner to either of these procedures, may be considered for purposes of this section.
  - (b) Subsection (3)(a) applies to convictions entered both before and after May 1, 1995.
- (4) Any background check or background investigation performed pursuant to the requirements of this section shall be to determine eligibility for admission to training programs or qualification for certification examinations and may not be used as a replacement for any background investigations that may be required of an employing agency.
- (5) An applicant is considered to be of good moral character under Subsection (1)(e) if the applicant has not engaged in conduct that would be a violation of Subsection 53-6-309(1).

Amended by Chapter 258, 2011 General Session