

28 58-1-203, as last amended by Laws of Utah 2002, Chapter 241

29 58-1-307, as last amended by Laws of Utah 2008, Chapter 242



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

32 Section 1. Section 26-8a-106 is amended to read:

33 **26-8a-106. Waiver of rules.**

34 (1) Upon application, the committee or department may waive the requirements of a
35 rule it has adopted if:

36 (a) the person applying for the waiver satisfactorily demonstrates that:

- 37 (i) the waiver is necessary for a pilot project to be undertaken by the applicant;
- 38 (ii) in the particular situation, the requirement serves no beneficial public purpose; or
- 39 (iii) circumstances warrant that waiver of the requirement outweighs the public benefit

40 to be gained by adherence to the rule; and

41 (b) for a waiver granted under Subsection (1)(a)(ii) or (iii), the committee or
42 department:

- 43 (i) extends the waiver to similarly situated persons upon application; or
- 44 (ii) amends the rule to be consistent with the waiver.

45 (2) A waiver of education, licensing, or certification requirements may be granted to a
46 veteran, as defined in Section 71-8-1, if the veteran:

47 (a) provides to the committee or department documentation showing military education
48 and training in the field in which certification or licensure is sought; and

49 (b) successfully passes any examination required ~~H→~~ . [~~unless the department or~~
49a ~~committee~~

50 ~~determines the examination is unnecessary.] ←H~~

51 [(2)] (3) No waiver may be granted under this section that is inconsistent with the
52 provisions of this chapter.

53 Section 2. Section 58-1-203 is amended to read:

54 **58-1-203. Duties, functions, and responsibilities of division in collaboration with**
55 **board -- Construction Services Commission.**

56 (1) The following duties, functions, and responsibilities of the division shall be
57 performed by the division with the collaboration and assistance of the appropriate board:

58 (a) defining which schools, colleges, universities, departments of universities, military