

STATE OF NEVADA  
BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
Minutes of the Legislative Committee Meeting  
held in Las Vegas, Nevada, September 6, 2017

Committee Chairman Michael G. Kidd, PLS, called the meeting to order at 2:00 p.m. in Conference Room 1116, Clark County Department of Building & Fire Prevention, 4701 W. Russell Road, Las Vegas, Nevada. Committee members present were Bud A. Cranor, Karen D. Purcell, PE; Brent Wright, PE, SE; Patty Mamola, PE, Executive Director; and Christopher MacKenzie, Board Counsel. Also present was Kay Smith, Administrative Assistant.

1. **Public Comment Period**

There were no public comments.

2. **Strategic Plan Goal 1, Objective 1 – Outreach to Legislators – Develop Action Items to Increase Legislators’ Understanding of Board Services**

The committee discussed asking Board lobbyist, Susan Fisher, for assistance to identify key legislators to develop relationships. It was agreed to have Mr. Kidd, Ms. Mamola and Mr. MacKenzie to act as a subcommittee to initially meet with Ms. Fisher and report back to the full committee.

3. **Review of Nevada Revised Statutes and Nevada Administrative Code, Chapter 625, for Future Potential Changes**

Ms. Mamola said she would like to have draft language for statutory changes prepared by October or November of 2018, before the 2019 Legislative Session. She said the committee also needs to work on regulatory changes to NAC 625 during the legislative off session.

Ms. Mamola said the following regulations are critical for the committee to address at this time, as staff deals with questions about them on a regular basis. Mr. Kidd said the committee would like input on proposed changes from the various professional societies via the Professional Association Liaison (PAL) Council.

a. **Stamping Regulations – NAC 625.610 and 625.611**

Ms. Mamola said the regulation needs revision to match practice since engineers want to use electronic stamps and signatures. She said some of the building departments are not allowing electronic submittals because the Board’s law requires signature encryption. This causes problems if an agency uses different software than the engineer.

b. **Endorsement Licensure (SB 69, 2017 Legislative Session) – Evaluate If Regulations Need to be Drafted**

Ms. Mamola said the committee needs to thoroughly review the legislation to ensure no changes need to be made to the regulations.

c. **Board Policy to be Drafted Related to International Applicants – Possible Drafting of New Regulations**

Ms. Mamola said that she and Mr. DeSart have been tasked with drafting a Board policy on international comity. It may need to be a regulation. She will have the draft policy ready before the November 2017 Board meeting.

**d. Advertising and Offering Services – NAC 625.630 (1) (3)**

Ms. Mamola says the Board's laws and regulations state that an office in Nevada must employ a full-time engineer or land surveyor if these professional services are offered. However, she said this precludes a one-man shop from having offices in both Reno and Las Vegas. Ms. Mamola said there have been discussions that the regulation is outdated and needs changing. She said engineering can be done on projects anywhere in the world and the regulation should be updated to reflect this.

**e. Coordinate Possible Changes by Nevada Association of Land Surveyors to NAC 625.651 – NAC 625.795**

Ms. Mamola said that NALS is considering making changes to the surveying laws. She also said that Board Chairman Bob LaRiviere and Chairman Kidd have agreed that changes are needed to update the NACs.

**4. Possible Changes to NRS 625**

**a. Qualifications for Licensure – NRS 625.183 (1)(b) and 625.390 (6) – US Citizen or Right-to-Work**

Ms. Mamola said there are people outside the country who wish to obtain a US professional engineering license to work on projects in Nevada, but who may never live in the state. She questioned if it is realistic to require these people to submit proof of a right to work in Nevada. She said that some states have removed this provision from their law because it does not reflect current practice.

Mr. MacKenzie questioned what vetting process would be used to ensure an applicant's identity and determine his/her background. Ms. Mamola said a vetting process needs to be determined for applicants for initial licensure.

**b. Board May Waive Requirements for Licensure – NRS 625.203 and NRS 625.285**

Ms. Mamola said these two statutes need removal from NRS 625. She explained that the statutes affected those persons who did not have an engineering or land surveying degree and were given until August 1, 2014 to pass the professional exam.

**c. Qualifications for Land Surveyor Intern and Engineer Intern – NRS 625.386 (1)(b) and (2)(b)**

Ms. Mamola said that paragraph (b) in both statutes provides for certification as an engineer intern or land surveyor intern for those persons who have four years or more of experience and have passed of the fundamentals exam. She said these paragraphs are no longer applicable, since an engineering or land surveying degree is required for professional licensure. Paragraph (a) provides for certification as an engineer intern or land surveyor intern for those persons who have a degree and have passed the fundamentals exam.

Mr. Kidd said that a person should be allowed to take the fundamentals exam at any time. He suggested this issue be brought to the Board for discussion.

**d. Full-time Engineer or Land Surveyor in Nevada Office – NRS 625.407 (1)(5)**

This statute ties in with the regulation in NAC 625.630 as discussed above.

Chairman Kidd requested the committee also address NRS 329, perpetuation of corners. He said the chapter is very misunderstood and misused and requires clarification. Ms. Mamola said that changes may also be required in NAC 625 since that chapter refers to NRS 329.

Ms. Mamola said the committee might also want to address NAC 625.260, which outlines what buildings and structures require a structural engineer. She said questions arise frequently about the 45-foot height limit for civil engineers. She said clarification of this section is needed.

Ms. Mamola said that perhaps the Board should again require both civil and structural engineering licensure for those persons who want to work as structural engineers. She said several years ago the Board decided to allow persons to become licensed just as structural engineers. Ms. Mamola said the current industry standard is that civil is the entry skill and structural is the mastery skill.

Mr. Cranor was excused from the meeting at this time, 2:53 p.m. He later joined the meeting at 3:02 p.m. via telephone conference.

Ms. Mamola suggested the committee get input from the Structural Engineers Association of Southern Nevada (SEASoN) in Las Vegas regarding these structural issues. She and Mr. Wright will contact SEASoN to set up a meeting, and will invite former structural Board member, Chris Roper, to participate.

Ms. Mamola said some of the small engineering and land surveying firms do not have errors and omissions insurance that enables clients who suffer damages to recover costs. She said perhaps language can be added to the Board's statutes or regulations that requires practicing engineers and land surveyors to have errors and omissions insurance. It was agreed to get input from the Professional Association Liaison (PAL) Council members on this issue.

Mr. MacKenzie referred to the Business Name Request form that relates to NRS 625.520 that addresses the use of the term "engineering" in a business name. Ms. Mamola said the statute's language needs clarification and she will work with Mr. McKenzie on this.

### **Public Comment Period**

There were no public comments.

### **Adjournment**

There being no further discussion, Chairman Kidd adjourned the meeting on Thursday, September 6, 2017, at 3:08 p.m.

Respectfully,

Patty Mamola, PE  
Executive Director