

NOTICE OF WORKSHOP

NOTICE IS HEREBY GIVEN that the Nevada State Board of Professional Engineers and Land Surveyors will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) Chapter 625.

The workshop will be conducted on Tuesday, June 30, 2020 at 10:00 AM. Due to COVID-19, and pursuant to Governor Sisolak's Emergency Directive 006, section 1, there will be no physical location for this meeting. The workshop will be held via Zoom and can be accessed using the information below:

Join from PC, Mac, Linux, iOS or Android: <https://zoom.us/j/8286438008>

Or iPhone one-tap: +16699006833,,8286438008#

Or Telephone: +1 669 900 6833, Meeting ID: 8286438008

As required by the Governor's Declaration of Emergency Directive 006 Section 2, members of the public may submit public comment by logging into the ZOOM webinar by accessing the following link: <https://zoom.us/j/8286438008>. This option will require a computer with audio and video capabilities. Additionally, public comment can be submitted prior to, during, and up to 15 minutes after the meeting is adjourned via email to board@boe.state.nv.us. Public comment received prior to and during the meeting will be read into the record. Public comment received within 15 minutes of meeting adjournment will be added to the record.

AGENDA

1. Call to Order
2. Introduction of workshop process
3. Public comment (General public comment on matters within the Board's jurisdiction. May be limited to 5 minutes per speaker.)

The proposed changes will revise Chapter 625 of the Nevada Administrative Code and provide for the following:

- 1) Changes to applications, licensing, contact information, and firm registration
- 2) Adding specificity and broadening learning methods of continuing education requirements
- 3) Updating professional code of conduct for clarity
- 4) Updating stamping and signing requirements for clarity
- 5) Changes to complaint investigations and disciplinary actions

Members of the public may make oral comments on the proposed changes during this meeting. Persons wishing to submit written testimony or documentary evidence may submit the material to the following address:

Nevada State Board of Professional Engineers and Land Surveyors
1755 East Plumb Lane, Suite 258
Reno, NV 89502
board@boe.state.nv.us

A copy of all materials relating to the proposed regulation changes may be obtained by contacting Louisa Kern, Administrative Assistant, (775) 688-1231, board@boe.state.nv.us, or on the Board's website at: <https://nvbpels.org/>. A reasonable fee for copying may be charged. The small business impact statements are attached to this Notice.

4. Closing public comment. (General public comment on matters within the Board's jurisdiction may be limited to 5 minutes per speaker.)
5. Adjournment

Members of the public who require special accommodations or assistance at the workshops should notify the Nevada State Board of Professional Engineers and Land Surveyors in writing, 1755 East Plumb Lane, Suite 258, Reno, Nevada, 89502, or email board@boe.state.nv.us, or by calling (775) 688-1231, at least five (5) working days prior to the date of this public workshop.

A copy of the proposed regulations and small business impact statements can be found on the Nevada State Board of Professional Engineers and Land Surveyors web page:
<https://nvbpels.org/business-impact-survey-results>

Copies may be obtained by mail or email, or by calling the Nevada State Board of Professional Engineers and Land Surveyors at (775) 688-1231 in Reno, Nevada.

A copy of this public workshop notice has been posted on the websites of the Nevada State Board of Professional Engineers and Land Surveyors, <https://nvbpels.org/board/meetings>, Nevada Legislature, <https://www.leg.state.nv.us/App/Notice/A/>, and Nevada Public Notice, <https://notice.nv.gov/>, and emailed to all Nevada licensed Professional Engineers.

ATTACHMENTS: Small Business Impact Statement Related to Applications, Licensing, Contact Information, and Firm Registration—NAC 625.210, 625.21x, 625.220, 625.230, 625.240, 625.310, 625.320, 625.330, 625.350, 625.360, 625.410, 625.425, 625.615, 625.625
Small Business Impact Statement Related to Continuing Education Requirements—NAC 625.430, 625.470
Small Business Impact Statement Related to Code of Conduct—NAC 625.510, 625.520, 625.530, 625.540, 625.550
Small Business Impact Statement Related to Stamping and Signing Documents—NAC 625.610, 625.611, 625.613
Small Business Impact Statement Related to Complaint Investigations and Disciplinary Actions—NAC 625.640, 625.642, 625.645, 625.646, 625.6465, 625.647, 625.6475, 625.648



Proposed amendments to update requirements for applications, licensing, contact information, and firm registration

Small Business Impact Statement

DRAFT

Small Business Impact Statement for proposed amendments to regulations relating to:

Applications – NAC 625.210; NAC 625.21X (proposed new regulation); NAC 625.220; NAC 625.230; NAC 625.240; NAC 625.310; NAC 625.320; NAC 625.330; NAC 625.340; NAC 625.350; NAC 625.360

Licensing – NAC 625.410

Firm Registration – NAC 625.425

Contact Information – NAC 625.615; NAC 625.625

Summary

The State Board of Professional Engineers and Land Surveyors has determined that the proposed amendments will not have a negative financial impact on a small business and in some circumstances will likely have a beneficial impact. The proposed regulations are not expected to negatively impact the formation, operation, or expansion of a small business in Nevada.

A small business in Nevada is defined in Nevada Revised Statute (NRS) 233B as a, “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement was created pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulations on a small business and provides the reasons for the conclusions of the agency followed by certification by the agency’s responsible person.

Background

The proposed amendments reduce regulations and simplify the application process and reduce costs for professionals seeking a license as a professional engineer or land surveyor in Nevada. The rationale for each of the proposed amendments is described in the following –

Applications

NAC 625.210

→ Recommending the removal of the limitation of the number of references that can be from the applicant’s organization. This requirement has proved to be burdensome to engineers and land surveyors who in their career to date have only worked for one company. In addition, the limitation could exclude input from those that have direct knowledge of the applicant’s work.

→ The use of a completed NCEES record as a Nevada application removes the requirement of transmitting education transcripts directly to the board (section 2).

→ The passage of AB 275 in 2019 removed the statutory requirement of citizenship for licensure. Since it is no longer required in statute, the requirement needs to also be removed from regulation (section 3) in the application process for licensing in Nevada.

→ Because a NCEES record is used as the Nevada application, Nevada's effort to process an application is significantly reduced. NCEES collects all required documents—transcripts, references, experience—for a license application, and the record is transmitted to Nevada after all information is reviewed and verified. Therefore, we are proposing to reduce the application fee from \$200 to \$25 (section 4).

NAC 625.21X (proposed new regulation)

→ This is a new regulation to add clarity to NRS 625.183. Applicants have incorrectly interpreted the law to mean they could be granted 4-years' experience credit during a 2-year calendar period, in instances where the applicant worked full-time while obtaining a Master's degree during the same two-year period. The board's intent is for applicants to have 4-years' progressive experience. Up to two years working experience could be fulfilled by credit given for a Master's degree, regardless of the time it took to obtain a Master's degree. And, in no instance is the 4 years' progressive experience to be reduced due to concurrent work or education.

NAC 625.220

→ Proposes aligning discipline names with the NCEES principles and practice examinations. MFGE (Manufacturing), is no longer supported by an NCEES examination due to being absorbed by other disciplines, is being removed.

NAC 625.230

→ Text revised to include an NCEES record as the Nevada application for licensure process.

NAC 625.240

→ Change to section 1 codifies the board policy to allow endorsement licensure, enabled by passage of SB 69 in 2017, for those jurisdictions that are signatory to the International Engineering Alliance mobility agreements. The mobility agreements establish equivalency of credentials for non-US professionals. Text also revised to include an NCEES record is used as the Nevada application for licensure.

→ Several sections removed (former 2 – 6) as they are no longer applicable.

→ A new section (section 3) is added in response SB 69 enacted in the 2017 legislative session and to align with NCEES model law.

NAC 625.310

→ Text edited in section 1 as the board no longer hosts or proctors' national examinations.

→ Sections 2 and 3 are edited as the board is no longer involved in hosting or proctoring national examinations. Also notes that the FE can be waived in accordance with NRS 625.193.

- Added section 4 codifies board requirement of knowledge on Nevada laws and rules.
- Section 5 text be edited to remove reference to hosting or proctoring national examinations.

NAC 625.320

→ The regulation is no longer applicable. An individual can take the examination without the education and experience requirements, but they must satisfy the requirements prior to consideration for certification or licensure.

NAC 625.330

→ Section 3 to be deleted as the timeframe and the requirement of a reapplication fee to the board is no longer applicable, and exams are administered, hosted, and proctored by NCEES.

NAC 625.340

→ This regulation is to be removed as the board is no longer involved in the national examination process.

NAC 625.350

→ This regulation is to be removed as the board is no longer involved in the national examination process.

NAC 625.360

→ To be deleted as a timeframe pre-set in regulation is no longer applicable. Oral examinations are on an applicant by applicant basis, and if an applicant is deemed to have not passed an oral examination the board will prescribe a course of action for the individual to fulfil before re-appearing before the board.

Licensing

NAC 625.410

→ Text edit in section 3 is needed to use the correct term related to this regulation.

Firm Registration

NAC 625.425

→ Proposed edits remove the requirement for listing of branch offices, clarifies identifying the licensee in responsible charge, and adds Nevada business license number to firm registration application.

Contact Information

NAC 625.615

→ Edits proposed to update/modernize means of contacting licensees—email address/cellphone—

and lessening time burden of change notification.

NAC 625.625

→ Edits proposed to improve means of contacting licensees—email address/cellphone.

1 – Manner in which comments were solicited, response summary, and explanation of how interested parties may obtain a copy of summary

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input via a survey link sent to all Nevada licensed engineers and land surveyors, 15,848 professionals.

The survey asked for input on adverse/beneficial economic effects on small businesses, and indirect adverse/beneficial effects – with space to elaborate on responses.

A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/business-impact-survey-2020>

2 – Manner in which the analysis was conducted

Survey results were initially reviewed for general comments to gauge if the intent of the proposed regulation changes were adequately conveyed. The general comments provided a basis for refining revisions to the proposed amendments prior to holding public workshops.

Survey analysis then focused on “YES” responses – in the direct adverse economic effect and indirect adverse effect, and the associated comments and explanations to determine the individual concerns. The same was done with survey results for the direct and indirect beneficial impacts.

3 – Estimated economic impacts of the proposed regulation on small businesses

Based on the survey results, there are some perceived adverse economic impacts related to requiring a firm to have a Nevada Business License to offer and provide services in Nevada and using a NCEES record as the Nevada application.

For firm registrations, the reality is this change should have little adverse impact as most if not all public agencies currently require firms to include a copy of the firm’s Nevada Business License when submitting proposals on public projects. This change benefits firms as it will eliminate registering multiple offices of the same firm, thus saving the firm money.

Using a NCEES record simplifies the application process for applicants. NCEES collects the same information that states collect for licensure and is the source organization of several license requirements—fundamentals and practice exams. The effort to create a NCEES record is less burdensome and less costly than completing a Nevada application. After an applicant creates a NCEES record it is readily accepted by all states. This change benefits applicants by eliminating

duplicate efforts and costs in applying for licensure in multiple states.

4 – Considerations were made to reduce impact of proposed regulation

The proposed regulation amendments were made to reduce regulatory burdens.

5 – Cost estimate for agency enforcement

There would be no additional cost to the regulatory board to enforce the proposed amendments. Any issues related to compliance would be absorbed into the existing workload of the current staffing levels.

6 – New fees or increases in existing fees

The proposed amendments significantly reduce existing fees.

7 – Are any duplicative or more stringent provisions involved

There are no federal regulations associated with professional engineers and land surveyors. However, every state and US territory regulates the professions of engineering and land surveying. All states accept a NCEES record, which reduces duplicate efforts by applicants.

8 Summary of conclusions

The proposed amendments have no adverse impacts on small businesses.



Proposed amendments to regulations relating to continuing education

Small Business Impact Statement

DRAFT

Small Business Impact Statement for proposed amendments to regulations relating to Continuing Education:

NAC 625.430 and NAC 625.470

Summary

The State Board of Professional Engineers and Land Surveyors has determined that the proposed amendments should not have a negative financial impact on a small business and in some circumstances may have a beneficial impact. The proposed regulations are not expected to negatively impact the formation, operation, or expansion of a small business in Nevada.

A small business in Nevada is defined in Nevada Revised Statute (NRS) 233B as a, “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement was created pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulations on a small business and provides the reasons for the conclusions of the agency followed by certification by the agency’s responsible person.

Background

The proposed amendments to the regulation include the following –

NAC 625.430

→ Retains 30 total hours of professional development hours (PDH) requirement for biennial renewal but adds 3 specific PDH hours—2 in ethics, and 1 in Nevada laws and rules, chapter 625 of Nevada Revised Statutes and Nevada Administrative Code. Also removes specificity in PDH requirement for dual licensees.

NAC 625.470

→ Broadens what licensees can do to fulfill continuing education requirements, eases the limitations on continuing education activities.

1 – Manner in which comments were solicited, response summary, and explanation of how interested parties may obtain a copy of summary

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input via a survey link sent to all Nevada licensed engineers and land surveyors, 15,848 professionals.

The survey asked for input on adverse/beneficial economic effects on small businesses, and indirect adverse/beneficial effects – with space to elaborate on responses.

A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/business-impact-survey-2020>

2 – Manner in which the analysis was conducted

Survey results were initially reviewed for general comments to gauge if the intent of the proposed regulation changes were adequately conveyed. The general comments provided a basis for refining revisions to the proposed amendments prior to holding public workshops.

Survey analysis then focused on “YES” responses – in the direct adverse economic effect and indirect adverse effect, and the associated comments and explanations to determine the individual concerns. The same was done with survey results for the direct and indirect beneficial impacts.

3 – Estimated economic impacts of the proposed regulation on small businesses

Based on feedback from comments in the survey, there was a concern of adverse direct and indirect effects from increased costs related to added specificity of continuing education hours, requiring 2 hours in ethics and 1 hour in Nevada laws and rules. However, the proposed changes will have no cost impact and likely will reduce costs to professionals. The quantity of continuing education is not changing, so the cost remains the same, only content of the required hours changes. This coupled with broadening to allow self-study, which has little to no cost, can reduce costs for meeting requirements of continuing education. Also, it is the board’s intent to offer virtual no-cost alternatives to meet the proposed specificity.

4 – Considerations were made to reduce impact of proposed regulation

The consideration was to address specific areas related to public complaints, while balancing the regulatory burden on professionals. The board is of the opinion that this change adds emphasis to continuing education to better protect the public but also broadens opportunities to fulfill the continuing education requirements, ultimately reducing costs and regulatory burden.

5 – Cost estimate for agency enforcement

At this time there would be no additional cost to the regulatory board to enforce the proposed amendments. Any issues relation to compliance would be absorbed into the existing workload of the current staffing levels

6 – New fees or increases in existing fees

The proposed amendments do not involve an increase to existing fees or create any new fees.

7 – Are any duplicative or more stringent provisions involved

There are no federal regulations associated with professional engineers and land surveyors. However, every state and US territory regulates the professions of engineering and land surveying. All states, except eight, have continuing education requirements that are like Nevada.

8 – Summary of conclusions

The proposed regulation amendments reduce regulatory burdens on small businesses.

DRAFT



Proposed amendments to regulations relating to code of conduct

Small Business Impact Statement

DRAFT

Small Business Impact Statement for proposed amendments to regulations relating to Code of Conduct:

NAC 625.510; NAC 625.520; NAC 625.530; NAC 625.540; and NAC 625.550

Summary

The State Board of Professional Engineers and Land Surveyors has determined that the proposed amendments will not have a negative financial impact on a small business. The proposed regulations have no negative impact on the formation, operation, or expansion of a small business in Nevada.

A small business in Nevada is defined in Nevada Revised Statute (NRS) 233B as a, “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement was created pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulations on a small business and provides the reasons for the conclusions of the agency followed by certification by the agency’s responsible person.

Background

The proposed amendments to the regulation include the following –

NAC 625.510

→ Edits to add clarity and use more definitive terms or phrases.

NAC 625.520

→ Edits to add degree of clarity to sections and remove areas that are difficult to define and possible infringements on free speech.

NAC 625.530

→ “Gratuities” is added to section 2 to align with typical language for industry/professional code of conduct.

NAC 625.540

→ Proposed edits remove sections of the regulation that are best left between the individual and firm; areas that are addressed elsewhere in regulation; and a section related to outreach that is almost universally done by companies and professional organizations for goodwill, public relations and recruitment (without the need for inclusion in a regulation).

NAC 625.550

→ Edits to focus intent of regulation on lack of competency and acknowledge that some projects may require more than three review cycles.

1 – Manner in which comments were solicited, response summary, and explanation of how interested parties may obtain a copy of summary

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input via a survey link sent to all Nevada licensed engineers and land surveyors, 15,848 professionals.

The survey asked for input on adverse/beneficial economic effects on small businesses, and indirect adverse/beneficial effects – with space to elaborate on responses.

A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/business-impact-survey-2020>

2 – Manner in which the analysis was conducted

Survey results were initially reviewed for general comments to gauge if the intent of the proposed regulation changes were adequately conveyed. The general comments provided a basis for refining revisions to the proposed amendments prior to holding public workshops.

Survey analysis then focused on “YES” responses – in the direct economic effect and indirect adverse effect, and the associated comments and explanations to determine the individual concerns. The same was done with survey results for the direct and indirect beneficial impacts.

3 – Estimated economic impacts of the proposed regulation on small businesses

Based on the survey results, there are no adverse economic impacts related to updating code of conduct regulations.

4 – Considerations were made to reduce impact of proposed regulation

Consideration was to reduce ambiguity and provide clarity in code of conduct for engineers and land surveyors. In doing so, the proposed regulation reduces regulatory burden.

5 – Cost estimate for agency enforcement

At this time there would be no additional cost to the regulatory board to enforce the proposed amendments. Any issues related to compliance would be absorbed into the existing workload of the current staffing levels.

6 – New fees or increases in existing fees

The proposed amendments do not involve an increase to existing fees or create any new fees.

7 – Are any duplicative or more stringent provisions involved

There are no federal regulations associated with professional engineers and land surveyors. However, every state and US territory regulates the professions of engineering and land surveying and proposed changes to code of conduct align with NCEES Model Rules that all states work to align with in making changes to state regulations.

8 – Summary of conclusions

The proposed amendments to code of conduct for professional engineers and land surveyors will have no adverse impacts on small businesses.

DRAFT



Proposed amendments to regulations relating to stamping and signing documents

Small Business Impact Statement

DRAFT

Small Business Impact Statement for proposed amendments to regulations relating to Stamping and Signing Documents:

NAC 625.610; NAC 625.611; and NAC 625.613

Summary

The State Board of Professional Engineers and Land Surveyors has determined that the proposed amendments will not have a negative financial impact on a small business and in some circumstances will have a beneficial impact. The proposed regulations are not expected to negatively impact the formation, operation, or expansion of a small business in Nevada.

A small business in Nevada is defined in Nevada Revised Statute (NRS) 233B as a, “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement was created pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulations on a small business and provides the reasons for the conclusions of the agency followed by certification by the agency’s responsible person.

Background

The proposed amendments to the regulation include the following –

NAC 625.610

- In sections 3 and 4 “image” to be replaced with “impression” for ability to apply professional stamp manually via ink or electronically via software/hardware. Other edits made for clarification.
- Amendments in section 10 suggested to allow mark-ups by public entities and also protect the work product of the professional.
- Removal of item (d) in section 12, if a document is not required by the project, it should not be in this list.
- Section 13 text added to provide clarification and additional edit suggested with the premise that a firm’s professional liability insurance covers the design, therefor a firm would retain ownership of a design after an engineer departs, and that another engineer at the firm could take responsibility for the design.

NAC 625.611

- Section 1 edits related to electronic submissions.
- Section 2 edits to include maps and remove a degree of ambiguity.

NAC 625.613

→ Proposed edits related to electronic submissions.

1 – Manner in which comments were solicited, response summary, and explanation of how interested parties may obtain a copy of summary

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input via a survey link sent to all Nevada licensed engineers and land surveyors, 15,848 professionals.

The survey asked for input on adverse/beneficial economic effects on small businesses, and indirect adverse/beneficial effects – with space to elaborate on responses.

A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/business-impact-survey-2020>

2 – Manner in which the analysis was conducted

Survey results were initially reviewed for general comments to gauge if the intent of the proposed regulation changes were adequately conveyed. The general comments provided a basis for refining revisions to the proposed amendments prior to holding public workshops.

Survey analysis then focused on “YES” responses – in the direct economic effect and indirect adverse effect, and the associated comments and explanations to determine the individual concerns. The same was done with survey results for the direct and indirect beneficial impacts.

3 – Estimated economic impacts of the proposed regulation on small businesses

There are no anticipated economic impacts of the proposed regulation changes on small businesses.

4 – Considerations were made to reduce impact of proposed regulation

Prior to the survey, initial drafts of the proposed amendments were circulated to professional engineering and land surveying associations. Input was received and incorporated into the progressive drafts of the proposed amendments. The intent of the proposed changes to the regulation is to reduce the burden on professionals and businesses without compromising public health, safety, and welfare.

5 – Cost estimate for agency enforcement

At this time there would be no additional cost to the regulatory board to enforce the proposed amendments. Any issues relation to compliance would be absorbed into the existing workload of the current staffing levels

6 – New fees or increases in existing fees

The proposed amendments do not involve an increase to existing fees or create any new fees.

7 – Are any duplicative or more stringent provisions involved

There are no federal regulations associated with professional engineers and land surveyors. However, every state and US territory regulates the professions of engineering and land surveying. The proposed amendments are intended to provide clarification and be less restrictive. There are no duplicative or more stringent provisions in these proposed amendments.

8 – Summary of conclusions

Input from stakeholders has been very valuable in shaping the current proposed amendments. It was concluded that the proposed revisions will provide clarity in the intent of the regulations. These conclusions are drawn from the survey responses received from small business owners and operators.

DRAFT



Proposed amendments to regulations relating to complaint investigations and disciplinary actions

Small Business Impact Statement

DRAFT

Small Business Impact Statement for proposed amendments to regulations relating to Complaint Investigations and Disciplinary Actions:

Disciplinary Actions – NAC 625.640; NAC 625.642; and NAC 625.645

Complaint Investigations – NAC 646; NAC 6465; NAC 625.647; NAC 6475; and NAC 625.648

Summary

The State Board of Professional Engineers and Land Surveyors has determined that the proposed amendments should not have a negative financial impact on a small business and in some circumstances may have a beneficial impact. The proposed regulations are not expected to negatively impact the formation, operation, or expansion of a small business in Nevada.

A small business in Nevada is defined in Nevada Revised Statute (NRS) 233B as a, “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement was created pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulations on a small business and provides the reasons for the conclusions of the agency followed by certification by the agency’s responsible person.

Background

The proposed amendments to the regulation include the following –

Disciplinary Actions

NAC 625.640

→ Proposed edits to regulation are to codify the revised Rules of Practice approved by the board 11.21.2019.

NAC 625.642

→ Edit proposed to section 3 because 30 days is often insufficient time for disciplined licensees to get signed disciplinary action from another state to the board.

NAC 625.645

→ Revision to limit board to probationary conditions, as legislators have had concerns of over-broad impositions on licensees.

Complaint Investigations

NAC 625.646; NAC 625.6465; NAC 625.647; and NAC 625.6475

→ Edits to regulations are to codify the revised Rules of Practice approved by the board 11.21.2019 and to enable the use of advisory committees during the investigation process.

NAC 625.648

→ Regulation is not necessary; language is included in other regulations related to complaints and advisory committees.

1 – Manner in which comments were solicited, response summary, and explanation of how interested parties may obtain a copy of summary

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input via a survey link sent to all Nevada licensed engineers and land surveyors, 15,848 professionals.

The survey asked for input on adverse/beneficial economic effects on small businesses, and indirect adverse/beneficial effects – with space to elaborate on responses.

A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/business-impact-survey-2020>

2 – Manner in which the analysis was conducted

Survey results were initially reviewed for general comments to gauge if the intent of the proposed regulation changes were adequately conveyed. The general comments provided a basis for refining revisions to the proposed amendments prior to holding public workshops.

Survey analysis then focused on “YES” responses – in the direct economic effect and indirect adverse effect, and the associated comments and explanations to determine the individual concerns. The same was done with survey results for the direct and indirect beneficial impacts.

3 – Estimated economic impacts of the proposed regulation on small businesses

Based on the survey results, there are no adverse economic impacts related to updating disciplinary actions and complaint investigations.

4 – Considerations were made to reduce impact of proposed regulation

Consideration was to reduce regulatory burden and to retain confidentiality of complaints during investigation process. Currently advisory committees used to aid investigation are a public process which could violate a professional’s right to due process.

5 – Cost estimate for agency enforcement

At this time there would be no additional cost to the regulatory board to enforce the proposed amendments. Any issues relation to compliance would be absorbed into the existing workload of the current staffing levels.

6 – New fees or increases in existing fees

The proposed amendments do not involve an increase to existing fees or create any new fees.

7 – Are any duplicative or more stringent provisions involved

There are no federal regulations associated with professional engineers and land surveyors. However, every state and US territory regulates the professions of engineering and land surveying.

8 – Summary of conclusions

The proposed amendments to disciplinary action and complaint investigations for professional engineers and land surveyors will have no adverse impacts on small businesses.

DRAFT