



Proposed amendments to regulations relating to stamping and signing documents

Small Business Impact Statement

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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.

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