

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NOTICE OF PUBLIC HEARING

To Receive Comments Pursuant to Executive Order 2023-003

April 20, 2023

Date: April 20, 2023

Time: 10:00 AM

Video Conference Meeting: 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

AGENDA

Please note: The Nevada State Board of Professional Engineers and Land Surveyors may 1) take agenda items out of order, 2) combine two or more items for consideration, 3) remove an item from the agenda or delay discussion related to an item at any time.

Members of the public may provide public comment by logging into the ZOOM meeting by accessing the following link: <https://zoom.us/j/8286438008>. This option will require a computer with audio and video capabilities or can dial into the Zoom meeting, +1 669 900 6833, Meeting ID: 8286438008, and provide comments by telephone. Additionally, public comment can be submitted prior to, during, and up to 10 minutes after the meeting is adjourned via email to board@boe.state.nv.us. Public comment received by email prior to and during the meeting will be read into the record. Public comment received by email within 10 minutes of meeting adjournment will be added to the record.

1. Meeting conducted by Chair Michael Kidd, call to order and roll call of board members to determine presence of quorum—board members Karen Purcell, Thomas Matter, Angelo Spata, Brent Wright, Matt Gingerich, Robert Fyda, Lynnette Russell, Greg DeSart.
2. Pledge of Allegiance
3. Public comment. (General public comment on matters within the Board’s jurisdiction. May be limited to 5 minutes per speaker.) **(Discussion only)** Action may not be taken on any item brought up under public comment until scheduled on an agenda for action at a later meeting.
4. Open public hearing to receive comments pursuant to Executive Order 2023-003 by Chair Michael Kidd. **(For possible action)**
 - a. Public comment on the Board’s recommendations as set out in Attachments A and B
 - b. Public comment on any other regulatory changes that workshop participants feel are worthy of consideration by the Board

Notice of Public Hearing
April 20, 2023
Video Conference Meeting

5. Public comment. (General public comment on matters within the Board's jurisdiction. May be limited to 5 minutes per speaker.). (**Discussion only**)
6. Close public hearing to receive comments pursuant to Executive Order 2023-003.
7. Adjournment

Supporting material for this meeting is available at <https://nvbpels.org/board/meetings/>, and may be requested from Patty Mamola, PE, Executive Director at (775) 688-1231 (board@boe.state.nv.us) and at 1755 East Plumb Lane, Suite 258, Reno, NV 89502.

AFFIDAVIT OF POSTING

The undersigned affirms that in accordance with NRS 241.020, this public notice and agenda was posted on or before 9:00 AM on April 5, 2023, on the Nevada State Board of Professional Engineers and Land Surveyors website, <http://www.nvbpels.org/>, and the State of Nevada's Public Notice website, <http://notice.nv.gov>.

SIGNATURE

Name: Patty Mamola

Title: Executive Director

Date and Time of Posting: _____

ATTACHMENT A

Regulation		Status	Proposed Action
GENERAL PROVISIONS			
625.010	Definitions.	No change	
625.011	“Biennial renewal period” defined.	No change	
625.012	“Board” defined.	No change	
625.0123	“Board Liaison” defined.	No change	
625.0125	“Examination” defined.	No change	
625.013	“Firm” defined.	No change	
625.014	“Licensee” defined.	No change	
625.016	“Professional development hour” defined.	No change	
625.017	“Quarter credit hour” defined.	No change	
625.018	“Respondent” defined.	No change	
625.019	“Semester credit hour” defined.	No change	
625.020	Engineering and land surveying licensed as separate professions.	No change	
STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS			
625.100	Officers: Election; term; vacancies; removal.	No change	
625.110	Meetings.	No change	
625.125	Appointment of members emeriti.	No change	
LICENSURE, CERTIFICATION AND REGISTRATION			
625.210	Application for licensure or certification; fees.	Proposed to Amend	Waive application fees for active military, active military spouses, military veterans and military veteran spouses
625.215	Experience in land surveying.	No change	
625.217	Active experience in engineering.	Added in 2021	
625.220	Disciplines of engineering.	No change	
625.230	Applications for licensure in multiple categories or disciplines.	Proposed Repeal	Priority 1 - Repeal
625.240	Licensure on basis of previous licensure in another jurisdiction; examinations; evaluation of applications; issuance of license.	Proposed to Amend	Waive application fees for active military, active military spouses, military veterans and military veteran spouses
625.260	Licensure as structural engineer required for certain activities; exceptions.	Updated in 2019	
625.310	Examinations: Generally.	Proposed to Amend	Remove Nevada specific exams to streamline and speed licensing process
625.330	Examinations: Notice and duty to appear.	Proposed Repeal	Priority 2 – Repeal
625.410	Expiration and renewal of licensure; fees.	Updated in 2021	
625.420	Retired or inactive status of licensee; reinstatement to active status.	No change	
625.425	Registration of firm: Application; requirements; renewal; fees; notice to Board of certain changes.	Updated in 2021	
CONTINUING EDUCATION			

ATTACHMENT B

In support of the Governor's initiative to make Nevada the most military friendly state in the US, the Board voted to waive application fees for active military, active military spouses, military veterans, and military veteran spouses at its July 14, 2021, regular meeting. The proposed regulation change amends the regulation to that effect.

NAC 625.210 Application for licensure or certification; fees. ([NRS 625.140](#), [625.390](#))

1. An applicant shall not give the Executive Director of the Board as a professional reference.
2. Each applicant must complete and transmit a National Council of Examiners for Engineering and Surveying Record that verifies his or her college and postgraduate education, work experience, references and license examinations to the Board.
3. Each applicant, *with the exception of those outlined in section 4*, must pay the following fee, as appropriate, at the time of application:
 - (a) For each application for licensure as a professional engineer or professional land surveyor or for licensure in an additional discipline of engineering, \$25.
 - (b) For each application for certification as an engineer intern or a land surveyor intern, \$50.
4. *Application fees are waived for the following:*
 - (a) *Active military members and active military spouses.*
 - (b) *Military veterans and military veteran spouses.*

[Bd. of Reg'd Professional Eng'rs, § 625.210, eff. 8-16-78]—(NAC A 3-18-80; 5-13-82; 12-22-83; 12-9-86; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R115-12, 12-20-2012; R137-20, 4-14-2021)

This regulation is outdated and does not conform to current Board practices. An NCEES Record details all experience of an applicant and a single record can be used for multiple disciplines. Also, several engineering disciplines overlap, such as Electrical Engineering and Control System Engineering or Mechanical Engineering and Fire Protection Engineering. It is not uncommon for an applicant to seek licensure in two similar disciplines. It is therefore unnecessary to require a separate application/NCEES Record for a secondary discipline.

~~[NAC 625.230—Applications for licensure in multiple categories or disciplines. (NRS 625.140)~~

~~—1.—An applicant who applies for licensure in more than one discipline of engineering or in both the categories of professional engineer and land surveyor must:~~

~~—(a)—File a separate application for each additional category or discipline requested and pay the application fee for each additional application filed; and~~

~~—(b)—Complete and transmit separate National Council of Examiners for Engineering and Surveying Records that verify his or her college and postgraduate education, work experience, references and license examinations to the Board for each category or discipline for which he or she is applying.~~

~~—2.—If an applicant who is not a professional engineer concurrently applies for initial licensure in two or more disciplines of engineering, the Board will not approve the application unless the applicant submits evidence of significant experience, or education and experience, in each of the disciplines.~~

~~—3.—The Board generally will not approve an application in an additional discipline of engineering unless the applicant possesses a minimum of 10 years of education and experience.~~

~~—4.—The Board may accept a second baccalaureate degree in an approved curriculum in partial satisfaction of the requirements for licensure in an additional discipline of engineering if the applicant clearly shows that he or she possesses significant experience in the additional discipline, but in no case will the Board grant such a license within 6 years after the applicant received his or her first baccalaureate degree.~~

~~—5.—An applicant who applies for licensure on the basis of comity in more than one discipline of engineering may be granted licensure in the additional disciplines if the applicant clearly shows in the application that he or she possesses the required education and experience and his or her claims of proficiency are substantiated by an examination offered by the Board.~~

~~[Bd. of Reg'd Professional Eng'rs § 625.230, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010; R115-12, 12-20-2012; R137-20, 4-14-2021.)~~

In support of the Governor's initiative to make Nevada the most military friendly state in the US, the Board voted to waive application fees for active military, active military spouses, military veterans, and military veteran spouses at its July 14, 2021, regular meeting. In addition, the Board voted to remove the requirement of 1.(b) and replace with an attestation of review of Chapters 625 of NRS and NAC in the application for licensure to expedite the licensure process for endorsement/comity licensure applicants. The proposed changes amend the regulation to that effect.

NAC 625.240 Licensure on basis of previous licensure in another jurisdiction; examinations; evaluation of applications; issuance of license. (NRS 625.140, 625.382)

1. An applicant who applies for licensure in this State on the basis of previous licensure in another state, territory, possession of the United States or country that is a signatory to the mobility agreements of the International Engineering Alliance must:

(a) Pay an application fee of \$125, *with the exception of those identified in section 5*, and:

(1) File the required application with the Board; or

(2) Transmit a National Council of Examiners for Engineering and Surveying Record to the Board;

~~[(b) Pass a short written examination on chapter 625 of NRS and the regulations and code of conduct of the Board; and~~

~~(c)](b) Pass an oral examination if required by the Board.~~

2. After the oral examination, if applicable, the Board may require the applicant to pass another examination acceptable to the Board as a condition precedent to licensure.

3. The Executive Director of the Board may review and evaluate the applications submitted pursuant to this section to determine if the applications satisfy the criteria of a Model Law Engineer or Model Law Surveyor, as set forth by the National Council of Examiners for Engineering and Surveying. If the applicant satisfies these requirements, the Executive Director of the Board shall notify the Board and the Board may issue a license to practice professional engineering or land surveying to the applicant.

4. As used in this section, "mobility agreements" includes, without limitation, the APEC Agreement and the International Professional Engineers Agreement.

5. Application fees are waived for the following:

(a) Active military members and active military spouses.

(b) Military veterans and military veteran spouses.

The Board proposes updating this regulation in two areas—the structural exam and state-specific exams.

The proposed update related to the structural exam is to clarify the requirements. Prior to taking the structural exam, applicants must take the national fundamentals of engineering exam. This is stated in statute but not in regulation, and it is not specifically addressed in relation to the structural exam. Also, currently the national structural exam is a two-part 16-hour exam,—two separate eight-hour exams, only offered in pencil-and-paper. One exam is for vertical components and the other exam is for horizontal components, and both exams must be passed for licensure as a structural engineer (SE). In the future, the exam will be a computer-based four-part exam—still 16-hours, but offered as four shorter exams. Therefore, the language is proposed to be updated to provide clarity and allow for the upcoming changes to the exam length/format.

The other proposed regulation changes Removing the requirement for Nevada specific exams streamlines and expedites the licensing process enabling applicants to begin work in Nevada as soon as the applicant is approved to be licensed. The state-specific-exam for engineers (NAC 625.310(4.)) creates a lag time of approximately 9 days and for land surveyors (NAC 625.310(5.)) creates a lag time of approximately 218 days between license approval and licensing. It is to be noted that the delay is not due to any action/in- action on the part of NVBPELS, it is due to the applicant choosing to delay taking the state-specific exam. The state specific exam for land surveyors is open-book and proctored virtually, on-demand.

Due to the lack of public support, and the public comments received at a Public Workshop held March 27, 2023, and written public comment received post-workshop, predominately in opposition of removing NAC 625.310 (5.), the Board no longer supports removing the regulatory requirement for a state-exam for land surveyors that covers the laws of this State and the procedures for the practice of land surveying. NVBPELS rescinds its proposed change to strike NAC 625.310 (5.), as noted in the regulation citation below, and proposes the language be retained as currently written in the regulations.

NAC 625.310 Examinations: Generally. ([NRS 625.140](#), [625.154](#), [625.193](#), [625.280](#))

~~[1. The Board will offer Nevada-specific examinations at least once each year. Specific information concerning times and places for scheduled examinations may be obtained from the office of the Board.]~~

[2.] 1. The Board will require the passing of the following examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as an engineer:

- (a) The Fundamentals of Engineering, which is a national examination that covers the fundamentals of engineering, unless the requirement is waived by the Board; and
- (b) The Principles and Practice of Engineering, which is a national examination that covers the principles and practice of engineering.

2. *The Board will require the passing of the following examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as a structural engineer:*

- (a) The Fundamentals of Engineering, which is a national examination that covers the fundamentals of engineering, unless the requirement is waived by the Board; and*
- (b) The Principles and Practice of Structural Engineering, which is a national examination that covers vertical and lateral components for design of buildings.*

3. The Board will require the passing of the following examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as a land surveyor:

- (a) The Fundamentals of Surveying, which is a national examination that covers the fundamentals of land surveying, unless the requirement is waived by the Board; and
- (b) The Principles and Practice of Surveying, which is a national examination that covers the principles and practice of land surveying.

~~[4.—The Board will require the passing of a short examination on this chapter and chapter 625 of NRS:~~

5. In addition to the examination set forth in subsection 4, the Board will prepare and offer a 2-hour examination that covers the laws of this State and the procedures for the practice of land surveying. The Board will offer this examination at least once each year.

~~6.4. The examination to become a structural engineer is a 16-hour examination which is composed of two parts, each of which lasts 8 hours.]~~

[Bd. of Reg'd Professional Eng'rs, § 625.310, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 3-18-80; 12-9-87; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010; R115-12, 12-20-2012; R137-20, 4-14-2021)

This regulation is recommended to be repealed as it is unnecessary. If an applicant chooses not to appear for an examination scheduled by the Board, the only harm is to the applicant. This is really common sense and does not need to be stated in a regulation.

~~**[NAC 625.330—Examinations: Notice and duty to appear. (NRS 625.140)**~~

~~—1.—If the Board schedules an examination for an applicant, the Board must send to that applicant a notice of the time and place to appear before the Board for the examination.~~

~~—2.—An applicant who is sent a notice shall appear before the Board in accordance with the schedule established by the Board.~~

~~—[Bd. of Reg'd Professional Eng'rs, § 625.330, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R115-12, 12-20-2012; R137-20, 4-14-2021)]~~

This regulation is proposed to be repealed. A licensed professional should not need to be reminded in regulation that being in responsible charge of work means adhering to the statutes and regulations relating to their profession and the work performed.

~~[NAC 625.660—Responsibility for compliance with standards of practice. (NRS 625.140, 625.250)~~

~~Responsibility for adherence to the minimum standards of practice for engaging in the practice of land surveying rests with the professional land surveyor in responsible charge of the work. Failure on the part of any Nevada professional land surveyor to comply with these minimum standards may be considered by the Board as evidence of gross negligence, professional incompetence or misconduct in the practice of land surveying.~~

~~— (Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97).]~~

This regulation is proposed to be repealed. The regulation restates what is written in NAC 625.666 and therefore it is redundant and is not necessary.

~~[NAC 625.668 — Positional certainty: Horizontal and vertical positions of monuments. (NRS 625.140, 625.250)]~~

~~When conducting a land boundary, topographic, control or geodetic survey, a professional land surveyor shall ensure that the horizontal and vertical positions of the monuments established by the surveyor comply with the requirements for positional certainty set forth in NAC 625.666.~~

~~— (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)]~~

DRAFT

This regulation is proposed to be repealed. Item 1 states the obvious—that is the duty of a professional land surveyor. Item 2 is already stated in NRS 625.380.

~~[NAC 625.690—Location of corners, boundaries and monuments. (NRS 625.140, 625.250)~~

~~—1.—The professional land surveyor shall make a final analysis and reach a conclusion as to the most probable location of corner positions and boundary lines.~~

~~—2.—A professional land surveyor shall set monuments pursuant to the provisions of NRS 625.380 and all applicable local ordinances.~~

~~—(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97.)]~~

DRAFT

This regulation is proposed to be repealed. This regulation is not necessary. Positional certainty related to construction surveys is addressed in other regulations.

~~[NAC 625.765 — Establishment of final location of points. (NRS 625.140, 625.250)]~~

~~When conducting a construction survey, a professional land surveyor shall establish the final location of points within positional certainties which ensure that the proposed fixed works may be properly constructed:~~

~~-~~

~~—(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)]~~

DRAFT

This regulation is recommended to be repealed. The regulation is outdated and no longer applicable/necessary.

~~[NAC 625.795—Duties regarding geographic information systems. (NRS 625.140, 625.250)]~~

~~—1.—When contributing information to a geographic information system, a professional land surveyor must include for use as metadata a statement describing the positional certainty of each type of information contributed to the system by the professional land surveyor.~~

~~—2.—When advising the developers of a geographic information system, a professional land surveyor must make recommendations concerning the appropriate methods for:~~

~~—(a) Conducting a survey for the development of the system; and~~

~~—(b) Compiling data for the contribution of additional information to the system after it is developed.~~

~~—3.—A professional land surveyor shall comply with the provisions of NAC 625.651 to 625.795, inclusive, when conducting surveys to collect information that will be included in a geographic information system.~~

~~—4.—As used in this section:~~

~~—(a) “Geographic information system” means a collection of computer hardware, software and data that is used for the collection, management, manipulation, analysis and display of information that includes a positional component.~~

~~—(b) “Metadata” means data that describes information used to describe an object.~~

~~—(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97).]~~

This regulation is outdated and proposed to be repealed. The Board's online license renewal system (put into operation in 2015) clearly states the license expiration date, whether a licensee chooses active or inactive status at time of license renewal. The second sentence is already covered by NAC 625.420.

~~[NAC 625.460—Inactive status: Requirements for renewal of identification card. (NRS 625.140, 625.398)]~~

~~The identification card issued to a licensee who has changed his or her status to inactive status pursuant to NAC 625.420 expires on the same date as his or her license would expire if the licensee were on active status. To renew the identification card, a licensee who has changed his or her status to inactive pursuant to NAC 625.420 must comply with the requirements of NAC 625.430 in the same manner as a licensee who is on active status.~~

~~— (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)]~~

This regulation is outdated and proposed to be repealed. The Board's online firm registration process requests the same information that would be included in a "certificate of fictitious name". The Board requires a Nevada Business License as part of its firm registration and in obtaining a Nevada Business License, a firm would be required to file a certificate of fictitious name in the form required by chapter 602 of NRS with the Nevada Secretary of State's Office.

~~**[NAC 625.620—Fictitious names. (NRS 625.140)**~~

~~Any licensee or firm which conducts business under an assumed or fictitious name or designation and which does not show the real name of the firm or names of the persons engaged or interested in the business shall file with the Board a certificate of fictitious name in the form required by chapter 602 of NRS within 30 days after the first use of the name or designation.~~

~~—[Bd. of Reg'd Professional Eng'rs § 625.620, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs & Land Surv. by R077-09 & R078-09, 10-15-2010).]~~

This regulation is outdated and recommended for repeal. The intent of 1. (a), contact information, is already addressed in NAC 625.615, and any change relating to discipline of engineering or land surveying is information that is collected at the time of license renewal and no additional notification is required.

~~[NAC 625.625—Notice of change in licensee’s employer, category or discipline. (NRS 625.140)~~

- ~~—1.— If any information on file with the Board concerning a licensee’s:~~
 - ~~—(a) Employer; or~~
 - ~~—(b) Category or discipline of engineering or land surveying,~~
- ~~→ changes, the licensee shall submit written notice of the change to the Board within 30 days. The notice must include any change of the contact information of the licensee’s principal place of business.~~
- ~~—2.— As used in this section, “contact information” means the address, telephone number and electronic mail address of the licensee’s principal place of business.~~

~~(Added to NAC by Bd. of Reg’d Professional Eng’rs & Land Surv., eff. 10-11-91; A by Bd. of Professional Eng’rs & Land Surv. by R137-20, 4-14-2021.)~~

It is proposed that this regulation be repealed. The regulation states the obvious and it does not need to be in regulation, especially in consideration, as stated in item 1, a party can be represented by any person he/she designates.

~~[NAC 625.635—Representation of parties; qualifications of attorneys. (NRS 625.140)]~~

~~—1.—A party may, in any proceeding before the Board, represent himself or herself or be represented by an attorney or any other person he or she designates.~~

~~—2.—If a party chooses to be represented by an attorney, the attorney must be admitted to practice and in good standing before the highest court of any state. If the attorney is not admitted and entitled to practice before the Supreme Court of Nevada, he or she must associate with an attorney who is so admitted and entitled to practice.~~

~~—(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97.)~~



Nevada Board of Professional Engineers & Land Surveyors

May 1, 2023 Report

Prepared for the Office of the Governor and the Director of the
Legislative Counsel Bureau

In response to Executive Order 2023-003

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Introduction

The **Nevada Board of Professional Engineers and Land Surveyors (NVBPELS)** statutorily protects the public health, safety, and welfare by regulating and providing leadership to the engineering and land surveying professions—individuals and companies—that practice engineering and land surveying in Nevada. NVBPELS operates on behalf of the Nevada government through the Professional Engineering Act of March 29, 1919. Professional Land Surveying was added to the act on March 31, 1947. The regulations promulgated by the Nevada Legislative Counsel Bureau and administered by NVBPELS for ethical, professional, and technical competency, ensure that Nevadans are protected in their workplaces and communities. NVBPELS is funded solely by its licensing revenues and is independent from the state’s general fund.

NVBPELS regulates over 22,000 professional engineers and land surveyors. Actively practicing professionals total over 13,500—about 3,400 of whom are Nevada residents—with a nearly equal split between northern and southern Nevada. These **professional engineers and land surveyors are vital contributors to Nevada** in the following areas:

- Design, construction, maintenance, renovation of hospitals, healthcare facilities, schools, and other essential public infrastructure needed for communities, such as roadways and transit, and clean safe drinking water;
- Operate at the forefront of discovering and developing Nevada’s resources and the identification of alternative energy sources, such as wind power, fuel-cell technology, other renewable resources; and
- Create and expand cutting edge companies and innovate technology that helps drive diversification of Nevada’s economy.

NVBPELS has **implemented initiatives to expedite licensing** by endorsement and **support diversification of our economy** by partnering with cutting edge companies and technology innovators through:

- Processing approximately 100 endorsement license applications monthly, and approving licenses in less than three days—often licensing professionals the same day as approving license applications;
- Implementing simpler and faster processes for new firms seeking to offer and provide professional services; and
- Committing to continuous review of statutes, regulations, and processes for eliminating unnecessary barriers to professional practice in Nevada and improving processes that are customer-focused and provide for simpler faster licensing.

NVBPELS has put forward **initiatives to become one of the most military-friendly state** by:

- Waiving application fees and priority processing for military members and their spouses (\$0 fee and licensing in less than 3 days);
- Waiving application fees and priority processing for military veterans and their spouses (\$0 fee and licensing in less than 3 days).

Section 1 Comprehensive Review of Regulations

Per chapter 625 of Nevada Revised Statutes, the legislature empowers the Nevada Board of Professional Engineers and Land Surveyors to issue licenses to qualified and competent professional engineers and land surveyors and regulate the practice of engineering and land surveying. The qualifications and requirements for determining competency have been determined legislatively to be three-part—education, national exams, and four years of qualifying experience. Nevada statutes are consistent and similar to laws in all fifty US states and its territories for licensing of professional engineers and land surveyors.

Regulations support and provide detail on the processes used by NVBPELS to support statutory requirements. As of July 2017, NVBPELS has worked diligently to review all regulations in Nevada Administrative Code chapter 625 and has updated many to improve and remove outdated text. To date, NVBPELS has updated 32 and eliminated 5 regulations to streamline, clarify, reduce, improve, and ultimately remove unnecessary barriers to licensure. These prior regulatory updates have expedited the licensing process for new workers, endorsement applicants are approved to be licensed within three days of NVBPELS receiving a completed application. Often applicants are approved the same day the application is received. For new/first-time licensees, applicants are approved on average within 20 days of NVBPELS receiving a completed application. New/first-time applicants are considered at board meetings and the NVBPELS meets every month to review and approve initial applicants.

In response to Governor Lombardo's Executive Order 2023-003, NVBPELS has identified three regulations that could be updated to further speed licensure for new workers coming to Nevada and support efforts to be the most military friendly state in the US, NVBPELS proposes updating:

- NAC 625.210 - add text to waive fees for active military, spouse of active military, military veterans, and spouses of military veterans
- NAC 625.240 - add text to waive fees for active military, spouse of active military, military veterans, and spouses of military veterans
- NAC 625.310 - remove text related to state-specific exam for professional engineers

Regulations Proposed to be Updated:

Proposed edits to NAC 625.210

1. Citation with Edits

NAC 625.210 Application for licensure or certification; fees. ([NRS 625.140](#), [625.390](#))

1. An applicant shall not give the Executive Director of the Board as a professional reference.
 2. Each applicant must complete and transmit a National Council of Examiners for Engineering and Surveying Record that verifies his or her college and postgraduate education, work experience, references and license examinations to the Board.
 3. Each applicant, *with the exception of those outlined in section 4*, must pay the following fee, as appropriate, at the time of application:
 - (a) For each application for licensure as a professional engineer or professional land surveyor or for licensure in an additional discipline of engineering, \$25.
 - (b) For each application for certification as an engineer intern or a land surveyor intern, \$50.
 4. *Application fees are waived for the following:*
 - (a) *Active military members and active military spouses.*
 - (b) *Military veterans and military veteran spouses.*
- [Bd. of Reg'd Professional Eng'rs, § 625.210, eff. 8-16-78]—(NAC A 3-18-80; 5-13-82; 12-22-83; 12-9-86; A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-20-89; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R115-12, 12-20-2012; R137-20, 4-14-2021)

2. Explanation

At its July 14, 2021, regular board meeting, NVBPELS voted to waive application fees for active military and active military spouses, and military veterans and military veteran spouses. This proposed change aligns with Nevada's desire to become the most military friendly state in the US.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment for this proposed regulation change**.

A Public Hearing was held on April 20, 2023 to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment for this proposed regulation change**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are reduced costs to military and military spouses (active military and veterans). Adopting the change demonstrates support of the military and is in alignment with Nevada's initiatives to make it the most military friendly state in the US. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed edits to NAC 625.240

1. Citation with Edits

NAC 625.240 Licensure on basis of previous licensure in another jurisdiction; examinations; evaluation of applications; issuance of license. ([NRS 625.140](#), [625.382](#))

1. An applicant who applies for licensure in this State on the basis of previous licensure in another state, territory, possession of the United States or country that is a signatory to the mobility agreements of the International Engineering Alliance must:

(a) Pay an application fee of \$125, *with the exception of those identified in section 5*, and:

(1) File the required application with the Board; or

(2) Transmit a National Council of Examiners for Engineering and Surveying Record to the Board;

~~(b) Pass a short written examination on chapter 625 of NRS and the regulations and code of conduct of the Board; and~~

~~(c)~~ (b) Pass an oral examination if required by the Board.

2. After the oral examination, if applicable, the Board may require the applicant to pass another examination acceptable to the Board as a condition precedent to licensure.

3. The Executive Director of the Board may review and evaluate the applications submitted pursuant to this section to determine if the applications satisfy the criteria of a Model Law Engineer or Model Law Surveyor, as set forth by the National Council of Examiners for Engineering and Surveying. If the applicant satisfies these requirements, the Executive Director of the Board shall notify the Board and the Board may issue a license to practice professional engineering or land surveying to the applicant.

4. As used in this section, “mobility agreements” includes, without limitation, the APEC Agreement and the International Professional Engineers Agreement.

5. *Application fees are waived for the following:*

(a) *Active military members and active military spouses.*

(b) *Military veterans and military veteran spouses.*

[Bd. of Reg'd Professional Eng'rs § 625.240, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 11-19-85; 11-20-89; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R115-12, 12-20-2012; R137-20, 4-14-2021)

2. Explanation

At its July 14, 2021, regular board meeting, NVBPELS voted to waive application fees for active military and active military spouses, and military veterans and military veteran spouses. In addition, the Board voted to remove the requirement of 1. (b) with an attestation of review of Chapters 625 of NRS and NAC in the application for licensure to expedite the licensure process for professional engineer endorsement licensure applicants. Eliminating the state exam for professional engineer applicants will eliminate the average lag time of 9 days between license approval and licensing.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment for this proposed regulation change**.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment for this proposed regulation change**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are reduced costs to military and military spouses (active military and veterans). Adopting the change demonstrates support of the military

and is in alignment with Nevada's initiatives to make it the most military friendly state in the US. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed edits to NAC 625.310

1. Citation with Edits

NAC 625.310 Examinations: Generally. ([NRS 625.140](#), [625.154](#), [625.193](#), [625.280](#))

~~[—1.—The Board will offer Nevada-specific examinations at least once each year. Specific information concerning times and places for scheduled examinations may be obtained from the office of the Board.]~~

2. 1. The Board will require the passing of the following examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as an engineer:

- (a) The Fundamentals of Engineering, which is a national examination that covers the fundamentals of engineering, unless the requirement is waived by the Board; and
- (b) The Principles and Practice of Engineering, which is a national examination that covers the principles and practice of engineering.

2. ~~The Board will require the passing of the following examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as a structural engineer:~~

- ~~(a) The Fundamentals of Engineering, which is a national examination that covers the fundamentals of engineering, unless the requirement is waived by the Board; and~~
- ~~(b) The Principles and Practice of Structural Engineering, which is a national examination that covers vertical and lateral components for design of buildings.~~

3. The Board will require the passing of the following examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as a land surveyor:

- (a) The Fundamentals of Surveying, which is a national examination that covers the fundamentals of land surveying, unless the requirement is waived by the Board; and
- (b) The Principles and Practice of Surveying, which is a national examination that covers the principles and practice of land surveying.

~~[4.—The Board will require the passing of a short examination on this chapter and [chapter 625](#) of NRS.]~~

~~5.—In addition to the examination set forth in subsection 4, the Board will prepare and offer a 2-hour examination that covers the laws of this State and the procedures for the practice of land surveying. The Board will offer this examination at least once each year.~~

~~6. 4. The examination to become a structural engineer is a 16-hour examination which is composed of two parts, each of which lasts 8 hours.]~~

[Bd. of Reg'd Professional Eng'rs, § 625.310, eff. 8-16-78]—(NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 3-18-80; 12-9-87; 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010; R115-12, 12-20-2012; R137-20, 4-14-2021)

2. Explanation

Removing the requirement for Nevada specific exams streamlines and expedites the licensing process enabling applicants to begin work in Nevada as soon as the applicant is approved to be licensed. The state-specific-exam for engineers (NAC 625.310(4.)) creates a lag time of approximately 9 days and for land surveyors (NAC 625.310(5.)) creates a lag time of approximately 218 days between license approval and licensing. It is to be noted that the delay is not due to any action/in- action on the part of NVBPELS, it is due to the applicant choosing to delay taking the state-specific exam. The state-specific exam for land surveyors is open-book and proctored virtually, on-demand.

In addition, NVBPELS proposes updating the structural exam requirement to clarify it is a national exam and is taken following the FE exam unless the FE exam is waived. The proposed change makes no fundamental changes, just provides additional language for clarity.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices, concurrently. Between the two locations, 31 people attended, and **26 people provided public oral or written comment or testimony in opposition to the proposed changes to regulations**. Following the Public Workshop, **6 additional written public comments in opposition** to the proposed change were received via email. There was **no public comment in support** of the proposed changes to regulations. Please see [Appendix A](#) for Public Workshop minutes, which contains written and oral public testimony, correspondence received by email post-workshop, and contact information of each person who provided public comment or testimony and their verbatim testimony for the March 27, 2023, Public Workshop.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **xxxxx public comment for this proposed regulation change**. Please see [Appendix B](#) for Public Hearing minutes, which contains written and oral public testimony and contact information of each person who provided public comment or testimony and their verbatim testimony for the April 20, 2023, Public Hearing.

Due to the lack of public support, and the public comments in opposition of removing NAC 625.310 (5.), the Board no longer supports removing the regulatory requirement for a state-exam for land surveyors that covers the laws of this State and the procedures for the practice of land surveying. NVBPELS rescinds its proposed change to strike NAC 625.310 (5.) and proposes the language be retained as currently written in the regulations.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are reducing the time between license approval and licensing, essentially speeding new workers to work in Nevada. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Section 2 Regulations for Removal

In response to Governor Lombardo's Executive Order 2023-003, NVBPELS has identified eleven regulations that could be repealed to improve or reduce regulations. The proposed regulations to be repealed are listed below in order of priority:

1. NAC 625.230
2. NAC 625.330
3. NAC 625.620
4. NAC 625.625
5. NAC 625.460
6. NAC 625.635
7. NAC 625.660
8. NAC 625.668
9. NAC 625.690
10. NAC 625.765
11. NAC 625.795

Regulations Proposed to be Repealed:

Proposed repeal of NAC 625.230 – Priority #1

1. Citation

~~[NAC 625.230 — Applications for licensure in multiple categories or disciplines. (NRS 625.140)~~

~~—1.— An applicant who applies for licensure in more than one discipline of engineering or in both the categories of professional engineer and land surveyor must:~~

~~—(a)— File a separate application for each additional category or discipline requested and pay the application fee for each additional application filed; and~~

~~—(b)— Complete and transmit separate National Council of Examiners for Engineering and Surveying Records that verify his or her college and postgraduate education, work experience, references and license examinations to the Board for each category or discipline for which he or she is applying.~~

~~—2.— If an applicant who is not a professional engineer concurrently applies for initial licensure in two or more disciplines of engineering, the Board will not approve the application unless the applicant submits evidence of significant experience, or education and experience, in each of the disciplines.~~

~~—3.— The Board generally will not approve an application in an additional discipline of engineering unless the applicant possesses a minimum of 10 years of education and experience.~~

~~—4.— The Board may accept a second baccalaureate degree in an approved curriculum in partial satisfaction of the requirements for licensure in an additional discipline of engineering if the applicant clearly shows that he or she possesses significant experience in the additional discipline, but in no case will the Board grant such a license within 6 years after the applicant received his or her first baccalaureate degree.~~

~~—5.— An applicant who applies for licensure on the basis of comity in more than one discipline of engineering may be granted licensure in the additional disciplines if the applicant clearly shows in the application that he or she possesses the required education and experience and his or her claims of proficiency are substantiated by an examination offered by the Board.~~

~~— [Bd. of Reg'd Professional Eng'rs § 625.230, eff. 8-16-78] — (NAC A by Bd. of Reg'd Professional Eng'rs & Land Surv., 7-10-92; A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R073-09, 10-15-2010; R115-12, 12-20-2012; R137-20, 4-14-2021)]~~

2. Explanation

This regulation is outdated and does not conform to current Board practices. An NCEES Record details all experience of an applicant and a single record can be used when applying for licensure in more

than one engineering discipline. It is an unnecessary barrier to require a separate application/NCEES Record for a secondary discipline.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.330 – Priority #2

1. Citation

~~[NAC 625.330—Examinations: Notice and duty to appear. (NRS 625.140)~~

~~— 1. — If the Board schedules an examination for an applicant, the Board must send to that applicant a notice of the time and place to appear before the Board for the examination.~~

~~— 2. — An applicant who is sent a notice shall appear before the Board in accordance with the schedule established by the Board.~~

~~— [Bd. of Reg'd Professional Eng'rs § 625.330, eff. 8-16-78] — (NAC A by Bd. of Professional Eng'rs & Land Surv. by R211-99, 5-10-2000; R115-12, 12-20-2012; R137-20, 4-14-2021)~~

2. Explanation

NVBPELS proposes that this regulation be considered for repeal. If an applicant chooses not to appear for an examination scheduled by the Board, the only harm will be to the applicant. This regulation is not necessary, it is common sense and does need to be stated in a regulation.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.620 – Priority #3

1. Citation

~~[NAC 625.620—Fictitious names. (NRS 625.140)~~

~~Any licensee or firm which conducts business under an assumed or fictitious name or designation and which does not show the real name of the firm or names of the persons engaged or interested in the business shall file with the Board a certificate of fictitious name in the form required by chapter 602 of NRS within 30 days after the first use of the name or designation.~~

~~—[Bd. of Reg'd Professional Eng'rs § 625.620, eff. 8-16-78]—(NAC A by Bd. of Professional Eng'rs & Land Surv. by R077-09 & R078-09, 10-15-2010.)~~

2. Explanation

This regulation is outdated and proposed to be repealed. The Board's online firm registration process requests the same information that would be included in a "certificate of fictitious name". The Board requires a Nevada Business License as part of its firm registration and in obtaining a Nevada Business License, a firm would be required to file a certificate of fictitious name in the form required by chapter 602 of NRS with the Nevada Secretary of State's Office.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.625 – Priority #4

1. Citation

~~[NAC 625.625—Notice of change in licensee's employer, category or discipline. (NRS 625.140)~~

- ~~—1. If any information on file with the Board concerning a licensee's:~~
 - ~~—(a) Employer; or~~
 - ~~—(b) Category or discipline of engineering or land surveying;~~
- ~~→ changes, the licensee shall submit written notice of the change to the Board within 30 days. The notice must include any change of the contact information of the licensee's principal place of business.~~
- ~~—2. As used in this section, "contact information" means the address, telephone number and electronic mail address of the licensee's principal place of business.~~

~~(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 10-11-91; A by Bd. of Professional Eng'rs & Land Surv. by R137-20, 4-14-2021)~~

2. Explanation

This regulation is outdated and recommended for repeal. The intent of 1. (a), contact information, is already addressed in NAC 625.615, and any change relating to discipline of engineering or land surveying is information that is collected at the time of license renewal and no additional notification is required.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.460 - Priority #5

1. Citation

~~[NAC 625.460—Inactive status: Requirements for renewal of identification card. (NRS 625.140, 625.398)~~

~~The identification card issued to a licensee who has changed his or her status to inactive status pursuant to NAC 625.420 expires on the same date as his or her license would expire if the licensee were on active status. To renew the identification card, a licensee who has changed his or her status to inactive pursuant to NAC 625.420 must comply with the requirements of NAC 625.430 in the same manner as a licensee who is on active status.~~

~~— (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)~~

2. Explanation

This regulation is outdated and proposed to be repealed. The Board's online license renewal system (put into operation in 2015) clearly states the license expiration date, whether a licensee chooses

active or inactive status at time of license renewal. The second sentence is already covered by NAC 625.420.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.635 – Priority #6

1. Citation

~~[NAC 625.635—Representation of parties; qualifications of attorneys. (NRS 625.140)~~

~~— 1. — A party may, in any proceeding before the Board, represent himself or herself or be represented by an attorney or any other person he or she designates.~~

~~— 2. — If a party chooses to be represented by an attorney, the attorney must be admitted to practice and in good standing before the highest court of any state. If the attorney is not admitted and entitled to practice before the Supreme Court of Nevada, he or she must associate with an attorney who is so admitted and entitled to practice.~~

~~— (Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)]~~

2. Explanation

It is proposed that this regulation be repealed. The regulation states the obvious and it does not need to be in regulation, especially in consideration, as stated in item 1, a party can be represented by any person he/she designates.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.660 – Priority #7

1. Citation

~~[NAC 625.660 — Responsibility for compliance with standards of practice. (NRS 625.140, 625.250)~~

~~Responsibility for adherence to the minimum standards of practice for engaging in the practice of land surveying rests with the professional land surveyor in responsible charge of the work. Failure on the part of any Nevada professional land surveyor to comply with these minimum standards may be considered by the Board as evidence of gross negligence, professional incompetence or misconduct in the practice of land surveying.~~

~~—(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97)]~~

2. Explanation

This regulation is proposed to be repealed. A licensed professional should not need to be reminded in regulation that being in responsible charge of work means adhering to the statutes and regulations relating to their profession and the work performed.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.668 – Priority #8

1. Citation

~~[NAC 625.668—Positional certainty: Horizontal and vertical positions of monuments. (NRS 625.140, 625.250)~~

~~When conducting a land boundary, topographic, control or geodetic survey, a professional land surveyor shall ensure that the horizontal and vertical positions of the monuments established by the surveyor comply with the requirements for positional certainty set forth in NAC 625.666.~~

~~—(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97.)~~

2. Explanation

This regulation is proposed to be repealed. The regulation restates what is written in NAC 625.666 and therefore it is redundant and is not necessary.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.690 – Priority #9

1. Citation

~~[NAC 625.690—Location of corners, boundaries and monuments. (NRS 625.140, 625.250)~~

~~—1.—The professional land surveyor shall make a final analysis and reach a conclusion as to the most probable location of corner positions and boundary lines.~~

~~—2.—A professional land surveyor shall set monuments pursuant to the provisions of NRS 625.380 and all applicable local ordinances.~~

~~—(Added to NAC by Bd. of Reg'd Professional Eng'rs & Land Surv., eff. 7-18-88; A 7-10-92; A by Bd. of Professional Eng'rs & Land Surv., 11-14-97.)~~

2. Explanation

This regulation is proposed to be repealed. Item 1 states the obvious—that is the duty of a professional land surveyor. Item 2 is already stated in NRS 625.380.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.765 – Priority #10

1. Citation

~~[NAC 625.765— Establishment of final location of points. (NRS 625.140, 625.250)~~

~~When conducting a construction survey, a professional land surveyor shall establish the final location of points within positional certainties which ensure that the proposed fixed works may be properly constructed.~~

~~—(Added to NAC by Bd. of Professional Eng'rs & Land Surv., eff. 11-14-97)—~~

2. Explanation

This regulation is proposed to be repealed. This regulation is not necessary. Positional certainty related to construction surveys is addressed in other regulations.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Proposed repeal of NAC 625.765 – Priority #11

1. Citation

~~[NAC 625.795—Duties regarding geographic information systems. (NRS 625.140, 625.250)~~

- ~~— 1. —When contributing information to a geographic information system, a professional land surveyor must include for use as metadata a statement describing the positional certainty of each type of information contributed to the system by the professional land surveyor.~~
- ~~— 2. —When advising the developers of a geographic information system, a professional land surveyor must make recommendations concerning the appropriate methods for:
 - ~~— (a) —Conducting a survey for the development of the system; and~~
 - ~~— (b) —Compiling data for the contribution of additional information to the system after it is developed.~~~~
- ~~— 3. —A professional land surveyor shall comply with the provisions of NAC 625.651 to 625.795, inclusive, when conducting surveys to collect information that will be included in a geographic information system.~~
- ~~— 4. —As used in this section:
 - ~~— (a) —“Geographic information system” means a collection of computer hardware, software and data that is used for the collection, management, manipulation, analysis and display of information that includes a positional component.~~
 - ~~— (b) —“Metadata” means data that describes information used to describe an object.~~~~
- ~~— (Added to NAC by Bd. of Professional Eng’rs & Land Surv., eff. 11-14-97) }~~

2. Explanation

This regulation is recommended to be repealed. The regulation is outdated and no longer applicable/necessary.

3. Public Meetings

A **Public Workshop was held on March 27, 2023**, in the NVBPELS Las Vegas and Reno offices. Between the two offices, 31 people attended. There was **no public comment, against or for**, the proposed regulation repeal.

A Public Hearing was held on April 20, 2023, to provide a second opportunity for stakeholders/public to provide oral or written comment or testimony on proposed regulation changes. There was **no public comment, against or for, this proposed regulation repeal**.

4. Impacts to Business, Person, or Agency if Change is to Occur

There are no adverse effects related to the proposed changes. The beneficial effects are a reduction in regulations. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS’s website, <https://nvbpels.org/business-impact-survey-results-2023/>. There is no positive or negative economic impact and there are no cost savings to the state or NVBPELS.

Section 3 Mandatory Meeting and Report

Consistent with Chapter 233B of the Nevada Revised Statutes, a Small Business Impact Survey was emailed to all licensees whose email addresses are registered with the Board and emailed to all persons who have requested in writing that they be placed upon a mailing list, which is maintained by the Board for this purpose. Based on the survey results, a Small Business Impact Report was drafted and distributed to all interested parties along with the Notice of Public Workshop. The Small Business Impact Report and Small Business Impact Survey can be found on NVBPELS's website, <https://nvbpels.org/business-impact-survey-results-2023/>.

A **Public Workshop was held March 27, 2023**, and a **Public Hearing was held April 20, 2023**, to provide key industry stakeholders the opportunity to: (i) vet NVBPELS's recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration.

Please see [Appendix A](#) for Public Workshop minutes, which contains written and oral public testimony, correspondence received by email post-workshop, and contact information of each person who provided public comment or testimony and their verbatim testimony for the March 27, 2023, Public Workshop.

Please see [Appendix B](#) for Public Hearing minutes, which contains written and oral public testimony and contact information of each person who provided public comment or testimony and their verbatim testimony for the April 20, 2023, Public Hearing.

DRAFT

Appendix A

Public Workshop Meeting Minutes

Post-Workshop Public Comment

Public Comments Contact Information

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NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Regulations Workshop Meeting Minutes
Held at 1755 E Plumb Lane, Suite 258, Reno, NV 89502
and 241 W Charleston Blvd., Suite 130, Las Vegas, NV 89102
on Monday, March 27, 2023 at 12:00 pm

1. Call to order

Ms Mamola began the meeting by thanking everyone in attendance and called the meeting to order at 12:01 pm. She said this meeting is a public workshop for receiving public comment on the board's recommendations as set out in attachment A and B in response to Governor Lombardo's executive order 2023-003. It's also for public comment to identify any other regulatory changes that workshop participants feel are worthy of consideration by the board.

2. Introduction of workshop process

Ms Mamola introduced the rules of engagement for the workshop and said that public comment is limited to 5 minutes. She said that Derek Vogel will serve as timekeeper. She instructed everyone who intends to make public comment that they will need to complete a public comment form and hand it to Mr Vogel before coming up to the microphone. Mr Vogel will note the time on the form.

Ms Mamola informed everyone that we will alternate between Las Vegas and Reno for each regulation proposed to be amended or appealed, beginning with the regulation that most people are here for. She said she would then go back to the other regulations proposed for repeal or update.

3. Public comment

There was no public comment.

4. Public comment on proposed repeal and amendments of Nevada Administrative Code chapter 625 as set out in Attachments A and B

The proposed repeal and amendments to Chapter 625 of the Nevada Administrative Code will provide for the following:

1) Eliminate license application fees for active military and active military spouses, and military veterans and military veterans' spouses

Ms Mamola reviewed the category and asked if there were any public comments. There were no comments.

2) Eliminate state specific exams

Ms Mamola asked if there were public comments on NAC 625.310, which the board proposes to remove Nevada specific exams to streamline and speed the licensing process.

Bob LaRiviere – *Bob LaRiviere, land surveyor for the record, previous board chair and member of this board for nine plus years. I've always found the best way to work with people as a middle ground. My solution is I'm not for, I'm not against. What I would like to do is find a middle of ground of what I did 30 years ago in the state of California is a take home exam. That way everybody could take it, do a take home exam, be tested on our statutes of 278 and 625, and I see nothing wrong with the take home exam. Thank you.*

Ms Mamola thanked Mr LaRiviere and read the following comment sent via email from **Robert McMillan**, a licensed land surveyor from California:

Dear Executive Director Mamola,

Please read this into the record at today's public hearing and register my comments in extreme opposition to the possibility of elimination of the Nevada State Specific Professional Land Surveyor Exam. I have been licensed as a Professional Land Surveyor in California since 1996. I am currently considering pursuing licensure in Nevada, with the intent to relocate to the Silver State. The actual practice and the laws that govern the practice of land surveying in Nevada are similar to those in California, however, Nevada is different enough that I, as a licensee, would feel very uncomfortable with the reduction of professional competency of licensees that would be caused by the elimination of the Nevada State Specific Professional Land Surveyor Exam. I understand that some people are concerned with the time between candidates being approved for examination in Nevada, and them actually taking the Nevada State Specific Professional Land Surveyor Exam, however, that is not attributable to any bureaucratic, legislative or regulatory delays created by the Nevada Board. The responsibility for the delay is entirely up to the candidates. The delay in scheduling is a matter of candidate choice. In fact, the Nevada Board has streamlined the process of exam application approval so much that a candidate's application can be approved and the candidate can schedule the examination in as little as 24 hours, and results are available within 3 days. The current Nevada State Specific Professional Land Surveyor Exam is an open book exam with a passing rate of approximately 85%. Eliminating this exam would result in those 15% of candidates who are incapable of passing the open book exam to become licensed as Land Surveyors in Nevada. This would unleash their incompetence on the citizens of Nevada, jeopardizing the largest and most sacred investment that most people ever make - their homes. The Nevada Board website features the following quote: "Licensed professionals are regulated and have an obligation to adhere to ethical standards and protect health, safety, welfare of the public." To eliminate the Nevada State Specific Professional Land Surveyor Exam would be an unconscionable breach of ethics and dereliction of duty by the Nevada Board and Governor to the people of Nevada.

Sincerely,

Robert McMillan

Ms Mamola then asked for public comment from Las Vegas and Murray Blaney welcomed speakers to the microphone.

Mr Burn – Good afternoon board, my name's Paul Burn, PLS 11174, since January of 1995. I've been practicing here ever since. That's about 28 years. I'm also licensed in other states, which I'll get to in a minute. Given the governor's regulations, I'm in support of almost all of the and commend the board on their work on these streamlining, however, I'm solidly against the action to remove the state specific exam for comity PLS, this is in NRS 625.240.2.B and NAC 625.310.4 and 5, which I understand that's where we are now. My reasons are land surveying is very unique science and differences between states vary greatly. I also have a license in California and Colorado and have practiced in each with important differences in each land surveying. Differences are found in history, boundary determination and mapping to name a few. Surveyors in other states within our region have difficulty with mapping. Without understanding our laws in NRS 625.N78, they should at a minimum have to be familiar and show that by passing a state exam, NCEES uses the analogy of the three-legged table. The legs represent education, experience and exams. Here in Nevada just two years ago, the state exam for surveyors changed to open book. Even though I wasn't totally in favor of that, it happened and that raised the pass rate from percents in the forties to approximately 83%. I would think that would be sufficient to demonstrate a mindset of making it easier to successfully accommodate comity. I brought with me in closing one of many emails that I get often that this came, Thursday, March 23rd to me from one of my attorney clients. And it's not unusual and I want to read it to you word for word. Paul. Hope you're doing well. We are looking to carve out the drive-through pad from the AP and above, which is attached to this email. The client hired in Alice State Surveyor who said this can't be done by record of survey, but it looks like the property is already within a commercial subdivision. I am hoping to get the work moved to you guys. Would you be able to confirm this would be by record of survey and provide an information, quote, retiming and cost? If I am wrong, please let me know. Thank you. From my attorney client, we have, as we're all aware very unique mapping law here, which the testing forces a review. I know that you have some alternatives in mind, but the actual state exam is totally important for anyone who shows up with a PLS from another state and asks for comity in our state. It seems to me that it is the minimum requirement to become a PLS here. Thank you.

Mr Hancock – Good afternoon, Gary Hancock, city surveyor for the city of North Las Vegas. I'm going to try, I don't want to repeat a lot of this stuff because I agree with everything that both, Robert, which you read in and Paul have said 100%, just want to add a couple words. I do disagree with the proposal to eliminate this state specific exam, eliminating the state specific exam jeopardizes the health and the safety, and will have a negative impact on the public. I think it's very important that we vet who actually gets licensed, specifically for that reason. That is in statute that we are here to protect the health and the safety and you know, just signing something to say, yes, I've read the statutes, I don't think is good enough. Anybody can and it will happen. Unfortunately, there are people out there, they'll, hey, I'll just sign it and go on. And now I'm licensed. The exam already is open book and available during any time in the week, that's not prohibitive at all to me. That's, I don't know how you could speed that up any further than that, one of the things I know that they've talked to, you know, take home exam. I'm not sure if I'm in favor of a take home exam. This was my kind of idea on that one, and I'm not opposed to this completely, is have an internet exam that is timed and is at least, instead, hey, take this home and take three weeks to look up the specific statutes to answer the questions. I think that's a little much, go ahead and have something that is timed. I'm not one who's completely in favor of memorizing statute. I'm in statute all the time. I'm rereading statute all the time. I get a question from the outside and I'm

reviewing it. I'm also asking, towards other surveyors, what's your opinion on this and how do you read it? So, you're always back into statute. So I'm not asking people to memorize, which they don't have to. Thing is you have to be familiar enough to actually look it up. So, we need to know, we need to vet who is actually being licensed to know that they have that ability to do it. And with the pass rate where it is with open book, I think we're actually doing that already. And I don't see, by eliminating the exam with how it is currently set up, or even just modifying it a little bit, we'll really actually change and speed any of that up at the moment. Thank you.

Mr Wittie – *Good afternoon. My name's Frank Wittie. I'm a Nevada PLS since 2011. PS number 21292. I'm the current NALS treasurer and I am the GPS coordinator for City of North Las Vegas. I am here to express my opposition to the proposed elimination of the Nevada State specific exam. I've reviewed the governor's executive orders 2023-003 and 004, and the board's minutes to address the same. In my professional opinion, the board has misinterpreted the orders by proposing the elimination of the Nevada State specific exam. The orders are requesting that the licensing process be sped up not eliminated. And if we were to eliminate the exam, we would be the only state to not have a state specific exam. That's not a state I want to be in. Thank you.*

Mr Hulslander – *Hello, my name's Jonas Hulslander, LSIT, Nevada Resident. I'm grateful for your time and consideration for my concerns regarding this proposal, the repeal of NAC 625.310. And I firmly believe that repealing this state's specific exam would negatively affect our profession in Nevada. It's widely acknowledged that among the Western states that there are significant gaps between the national exam and the public land survey system. And therefore, until NCEES can bridge this gap, it's crucial to maintain a state specific exam. And I believe that it's in our best interest of the entire profession to explore alternative solutions, in line with the governor Lombardo's executive order that will expedite incoming surveyors while safeguarding the integrity of our state surveyors. Thank you again for your time and attention to this matter.*

Mr Phan – *Good afternoon. My name is Eric and I'm a Nevada surveyor number 22408. I'm associated with the Aerotech mapping in town. I've been surveying for 20 years plus, between California and Nevada, the reason I'm here, I just want to state my statement as opposed to the board regard to eliminate the Nevada's state Pacific exam. For me, my opinion is that that's the only scale or the only hold back that we allowed to, I mean, for the system to investing the individual that who can qualify to do the work. I mean, technically surveying is very unique and, I'm proud to be part of that this profession. And, I don't want to make it any more kind of like handed out to me is, it's almost like now you're taking away, it's almost like handed out to anybody walking down the street. So, would you like to have a surgeon doctorate without taking a specific exam and going and surgery on you? I don't think that you want to do that. So that's what my take on it. Thank you.*

Mr Blaney said that concludes comment from Las Vegas.

Ms Mamola then invited speakers in the Reno office and began by reading a letter from **Nancy Almanzan**:

Dear Ms. Mamola,

The Nevada Association of Land Surveyors (NALS) Board of Directors has reviewed Nevada State Board of Professional Engineers and Land Surveyors (BP ELS) proposed changes to the Nevada Administrative Code (NAC) 625 in response to the Nevada Governor's Executive Order 2023-003. In the interest of public safety, NALS strongly opposes the removal of the state-specific exam requirement. While we wholeheartedly support reciprocity and mobility of licensure, it is critical for those practicing have an understanding of the standards of practice, regulations, and laws for the creation of legal boundaries in the state of Nevada. The state-specific exam ensures that those seeking licensure meet that minimum competency. Professions such as Land Surveying are highly technical, and laws vary from state to state. We understand that the FS and PS provide the assessment of minimum competency for initial entry into the profession, but they do not address individual state laws and regulations. Requiring the state-specific examination provides this safeguard and protects the public. Since the state-specific examination is open book and can be administered immediately upon application, maintaining this protection does not create a barricade or hardship to those seeking reciprocity. Therefore, to safeguard life, health, and property and to ensure public welfare, we urge the State Board to not proceed with the proposal to change the current requirements for Licensure pursuant to NAC 625.310. Representatives of NALS are available to discuss our position, should you have any questions.

Sincerely,

Nancy Almanzan, PLS

Ms Almanzan – *Thank you, Patty. My name is Nancy Almanzan. I'm a licensed land surveyor in Nevada PLS 1363. I'm the current state president of the Nevada Association Land Surveyors and also the director from Nevada to the National Society of Professional Surveyors Professional Licensure According to the NCEES website, under the Surveying licensure section states that professional licensure ensures that individuals practice in a manner that protects the health, safety, and welfare of the public by satisfying minimum qualifications and education work experience and exams. Removal of the Nevada State specific exam unprecedented and will weaken the minimum competency of the Nevada surveying profession and have negative impacts on the public. I oppose the board's proposed proposal to eliminate the Nevada specific exam for professional land surveyors. In addition, I have comments from our executive director of the National Society of Professional Surveyors. The National Society of Professional Surveyors is the National Association representing professionally licensed land surveyors from all 50 states and territories. We work with our affiliate associations to provide guidance in keeping the health, safety and welfare of the public foremost in our duties of the surveying profession. NSPS has reviewed the proposed Nevada State Board of Professional Engineers and land surveyors proposed change to the Nevada Administrative Code 6 25. In response to the Nevada Governor's Executive Order, 2023-003, we offer the following comments. The surveying profession is dissimilar to other license professions. Each state has statutory law and procedural rules that provide specific guidance for preparing a boundary survey. The state's specific exam is a critical part of assessing a candidate's competency. In regards to said laws and rules, this state's specific testing requirement must be in addition to the technical competencies typically tested by the National Council of Examiners for Engineers and surveying standard exams consisting of the fundamentals of surveying and the practical survey by keeping the state specific exam in place. This requirement supports surveyors duties to provide professional services that coincide with protecting the health, safety, and welfare of the public we serve.*

We also work with our affiliates to help educate those professionals who seek licensure by providing educational materials and training. Each state affiliate can guide the potential candidate with key information that highlights the unique laws and rules to recognize the successful completion of the state specific exam, also is our understanding that the state specific examination for Nevada is open book for each candidate. NSPS sees this as an opportunity for testing state law and rural competency is the best possible environment to encourage applicants to successfully pass the exam. In the interest of health, safety and public and welfare of the public NSPS strongly opposes the removal of the state specific exam requirement as proposed by the executive order. And signed by Timothy Birch, PLS the director of Executive Director of NSPS. Thank you.

Mr Keenan – *Good afternoon, everyone. My name is Trent Keenan. I'm Nevada PLS 16802. Been licensed since December of 2004. I'm also licensed in Arizona, California, Utah, and Washington, where I took a and passed the state specific exam to practice in each one of those states. I'm here today on behalf of the Western Federation Professional Surveyors Board of Directors, where I'm currently the secretary Treasurer on the board. West Fed has reviewed this Nevada State Board of Professional Engineers and Lance Surveyors proposed changes to the Nevada administrative code NAC 625 in response to the executive order 2023-003 issued by the Nevada governor. The Westford West Fed Board opposes the elimination of the state specific examination requirement in the interest of public safety. While the West Fed Board supports the idea of reciprocity and mobility of licensure for its members, it is crucial for the practitioners to comprehend the standards and practices, regulations, and laws for creating boundaries in each state that they practice. The state's specific examination ensures that all aspiring licensees meet the minimum competency level. Land surveying is highly specialized profession and laws vary from state to state. And of course, while the FS and the PS offer the minimum competency of evaluation for initial entry into the profession, they do not address individual state laws. The state specific examination requirement is necessary to guarantee the public protection since the state specific examination is open and immediately available upon application. Retaining this requirement does not create a hindrance or hardship for individuals seeking licensure to practice in Nevada. Therefore, to protect the public health safety and ensure the welfare, the West Fed Board urges the state and the state board to not proceed with the proposed changes to the existing licensure requirements under NAC 625.310. Thank you.*

Mr Carrington – *Hello, my name is Robert Carrington. I'm a land surveyor in the state Nevada PLS number 9103 prior, and during my career I also served as a city surveyor for the city of Henderson. So I'm uniquely qualified to speak about the laws of the state of Nevada because I made sure that surveyors complied with them. First of all, I do agree with all the comments today about the removal of the state specific exam, it does prove minimum competency. It at least requires surveyors to review those statutes and then further on as they develop their career to follow the statutes and regulations of local governments, and that's what I'd say. Thank you.*

Mr Calkins – *Good afternoon, Las Vegas. Good afternoon. Byron Calkins, great Basin College Land Surveying Department. I'm one of the instructors there. If you go to GBC, their website, if you go to the land surveying page, under degree plan, we have six or seven bullet points. These are objectives that a student would earn if earning this degree. And I'm just going to read the bullet list. Yep. Okay. So, land surveying GEOMATIC program objectives graduates with a BS with an emphasis and land surveying and geomatics will be able to proficiently apply sound measurement methods, mathematics, science, and*

surveying tools to collect, analyze, edit spatial information and professional applications, demonstrate competency in fundamentals and applications of land surveying and the acquisition and management of spatial data. Develop a sound background in the humanities social sciences, the arts to function in a multicultural and diverse environment. Provide fundamentals in business management to enable graduates to understand business environments and decision making processes, convey spatial information and graphical textual and verbal forms as an individual or a member of a collaborating group and professional team prepared to take and pass the fundamentals of land surveying examination developed by the National Council of Examiners and Engineering and Surveying and NCEES enter interprofessional employment in land surveying geomatics in the state of Nevada or other states or other countries, covered by we have the North American Free Trade Agreement. I have to update that. Obviously, we're no longer practicing under that. The statutes believe it's and then finally, satisfy the educational requirements for licensure required by NRS 625.257 as a professional land surveyor in Nevada and recognize the benefit of lifelong learning by participating in continuing education as students or as instructors. Thank you very much.

Mr C deBaca – *Also, hello to Las Vegas. Hello, my name is Carl deBaca. My license number in Nevada is 7633. I was licensed in 1987. As a side note, I was licensed in 1988 in California after taking and passing a 50 question take home test, which they ceased offering in 1988, maybe minutes after I took the test. I have been an active participant in professional societies, including the Nevada Association of Land Surveyors, the California Land Surveyors Association, and the National Society of Professional Surveyors. Since 1990, I have served the profession of Land surveying in a number of capacities, including being the 2016 President of NALS. I have edited both the California surveyor and the Nevada Traverse magazines and have acted as the liaison from NALS to this board. And I have acted as the liaison from CLSA to the California Board of Professional Engineers, land Surveyors and geologists, for those reasons, I think that makes me uniquely qualified to comment on some of this stuff. In addition to those things, I also have served for many years on the curriculum advisory committee for Great Basin College, and I served as an adjunct professor there. So, I believe the proposed change to eliminate the state's specific examination and the licensing criteria is the result of the conflation of two completely separate issues. The first and most obvious is the problem with a declining number of professional surveyors and by association Nevada licensees. This is a national and demographic problem, and I don't believe that the proposed change will contribute to a resolution of this problem in any way. The second issue is a nationwide movement embraced and recently expressed by our governor to tear down barriers to occupational licensing. This is a very honorable endeavor and one that I support completely, however, there's a world of difference between occupational licensing and professional licensing and the high standards that boards of regulation hold professional licensed land surveyors to in order to safeguard the health and safety of the public. In the case of the reciprocity applicant, the board can look at both the educational background and experience, but is there any guarantee that his knowledge of the public land survey system and Nevada laws and regulations is sufficient in the absence of an exam? In the case of a new applicant, the average college course on the public land survey system is not by itself sufficient to guarantee minimal competency any more than a single college course on route surveying that most civil engineering schools used to offer would guarantee that an engineer would be minimally competent to practice surveying, the exam in some form is a necessary component to ensure the public is protected and to prevent an inevitable increase in enforcement cases and an increase in malpractice related*

litigation. I believe that there are other options available to streamline the licensing process for reciprocity applicants. Thank you.

Mr Higgins said he has a letter from his firm that he wants entered into the record. Ms Mamola said that the letter would be entered without reading it out loud.

Dear Mr. Kidd,

Wallace Morris Kline Surveying, LLC (WMK) is a Nevada based land surveying only firm with over fifty employees and eleven (11) Nevada licensed professional land surveyors. The following comments are made regarding the proposed elimination of the Nevada State specific exam for professional land surveyors.

We have reviewed the Nevada Governor's Executive Orders 2023-003 and 2023-004, together with the minutes from the February 9, 2023 Interim Board meeting, which passed the motion to eliminate the state exams for licensing engineers and land surveyors as proposed by staff in the supporting documents for the board meeting.

WMK commends the work by the Nevada State Board of Professional Engineers and Land Surveyors (Board) in recent years of streamlining the process for reciprocity and testing. We encourage the Board to include the accomplishments already completed and proven successful in its report to the Office of the Governor and the Director of the Legislative Counsel Bureau.

WMK supports the expedited process, now in place for those seeking initial licensure or by reciprocity. However, the elimination of the state specific exam jeopardizes the mission of the Board, as stated in Nevada Revised Statute 625.005, "is to safeguard life, health and property and to promote the public welfare by providing for the licensure of qualified and competent professional engineers and professional land surveyors."

All 50 states and the District of Columbia require examination in order to demonstrate specific knowledge within each state. Executive Order 20233-004, Section 3 states:

"To the extent an occupation or profession is currently licensed in Nevada but is not subject to licensure requirements in the majority of states (26 or more), licensure shall be presumed to be unnecessary and that board shall provide a recommendation for phasing out such a licensing requirement by July 1, 2023."

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Eliminating the state exams for licensing engineers and land surveyors is in direct conflict with this portion of the executive order. The National Council of Examiners for Engineering and Surveying (NCEES) promotes the path to licensure through three (3) steps, Education, Experience and Exams. Elimination of the Nevada State specific exam for professional land surveyors weakens 1/3 of this pathway.

Statutes and code vary greatly between states and specifically between eastern states, Texas and the Public Land Survey System (PLSS). Nevada now has an open book exam for the state specific exam for land surveyors. It is our understanding that the pass rate has increased dramatically since the open

book was introduced. This has further advanced the licensing process, while maintaining an applicant's responsibility to be familiar with Nevada statutes, administrative code, the PLSS, water law, etc.

WMK will continue to support the Board, professional associations and our Nevada community. We believe an open dialogue between the Board and the professional community is warranted, prior to major decisions like this being made. We make the following recommendations:

- *Remove the proposed elimination of the Nevada State specific exam for professional land surveyors.*
- *Immediately create a legislative sub-committee to address this specific issue. Include the formation of this sub-committee within the Board's report to the Office of the Governor and the Director of the Legislative Counsel Bureau. Also note that findings of the sub-committee's work will be provided in a subsequent report.*
- *Create legislative sub-committee, with a majority being Nevada licensed professional surveyors.*
- *Provide requisite public meeting notice(s) and start meetings as soon as practicable.*

WMK will provide a representative if asked, should a legislative sub-committee be formed. Thank you for considering our comments. Please contact us with any questions you may have.

Sincerely,

Kevin Wallace, PLS Principal/CEO, Craig L. Morris, PLS Principal/COO, Jason Kline, PLS Principle/President, Tex J. Brooks, PLS Principal, Matthew Burrell, PLS Principal, Jason Higgins, PLS Principal, Craig Matsueda, PLS, Kurt Orban, PLS, Lance West, PLS

Mr Higgins – *Members of the board. Thank you for the opportunity to be here. My name is Jason Higgins, Nevada, PLS 13601. I'm also licensed in Arizona. I've served our professional community on numerous boards, including a state president of the Nevada Association of Land Surveyors in 2019. I've served on the Nevada Board of Engineers and Land Surveyor subcommittee on the Nevada specific exam review for Land surveyors and currently serve on the standards of practice subcommittee. I've review reviewed the proposed changes outlined in materials provided for this public workshop. The governor's executive orders 2023-003 and 004. I support the proposed changes included herein with the exception of the elimination of any state specific exam currently required. I provide the following comments regarding the elimination of the state specific exam for Land surveyors. One, the Nevada Board of professional Engineers and Land surveyors is to be commended for the proactive work accomplished in recent years to streamline the process of licensure. Gone are the days when it would take months to have an application approved exams given twice a year and results would take weeks or longer to find out. Once an application is approved, a candidate may sit for examination the next business day, allowing issuance of licensure within weeks or even days from initial application. The barrier of someone seeking reciprocity has in effect been removed. The board has also made the Nevada specific exam for land survey's and open book exam. This has increased the pass rate from less than 50 to over 80%. The board has satisfied the governor's request without elimination of the Nevada State specific exam. I believe the board's proactive approach to getting applicants licensed in an expedient manner provides a great story to tell in its report to the office of the governor and the director of the legislative general counsel bureau. The Nevada specific exam for land surveyors tests for minimum competency on the public land survey system and the following chapters of Nevada law NRS 116 Common Interest Communities, 278 Planning*

and zoning, 327 Nevada Coordinate System, 329 Perpetuation of Corners, 533 Adjudication of vested water rights, 534 underground water and wells, 625 professional engineers and land surveyors and also NAC 625 being the same. These statutes and codes are unique to Nevada and have been the foundation of the Nevada specific exam since its beginning. Removal of the exam lowers the minimum competency requirement below minimum. How can the board, public or other professionals rely upon professional and surveyors that have not met the minimum competency to provide these professional services? I encourage the board to consider the following. Remove the proposal to eliminate the state specific exams. Immediately create a legislative subcommittee to include Nevada license land surveyors include the subcommittee creation in the board's report to the governor's office of the governor and the director of the legislative council. Then provide subsequent reports as needed to continue to show the board's proactive work beyond the requirements and request in the executive orders. This approach satisfies or exceeds compliance with the governor's executive orders while providing an opportunity for dialogue with the professional community. Thank You.

Mr Phillips – *Good afternoon. My name is Greg Phillips. I'm a Nevada Professional Land Surveyor Certificate 17616. I am past president of Nevada Associational Land surveyors and the other west Fed delegate from Nevada. I'm here today to oppose elimination of the Nevada State specific exam for professional and surveyors in my opinion this proposal will jeopardize the health and safety of the public. There's been a lot of good comments today and I'm sure there's going to be quite a few more. So, I will follow up with a written statement with more detail on my specific concerns. Thank you.*

Mr Moore – *Hello, good afternoon. My name is Justin Moore, Nevada Professional Land Surveyor 22362. And I am in opposition, imagine that as everyone here seems to be, all 50 states including, Washington, DC have a state specific examination for that reason, because every state is different, a universal or a regional licensure would, excuse me, it's not effective going state to state. Each state has different regulations, different codes, and a professional needs to be competent in those state and local codes, statutes. And I just am in opposition. Thank you.*

Mr Jefferson – *Good morning. My name is Brett Jefferson. I'm a fellow of the National Society of Professional Land Surveyors, a trustee to the NSPS Foundation, past area director for NSPS and a past NSPS Governor. I'm a past president of the Nevada Association of Land Surveyors as well as the Southern chapter. I'm also a past adjunct professor in the Land Surveying Associate Program at CSN, where I taught surveying 101 boundary control and legal principles and writing and interpreting legal descriptions. I'm a professional land surveyor licensed to practice in Nevada, California, and Arizona. I was first licensed in Nevada in 1989. I was required to pass a state specific exam. I then applied to California and successfully passed their state exam in 1990 and subsequently applied to Arizona and pass their state specific exam. In 1991, I did not view the requirement to pass a state-specific exam as a barrier to licensure or to expand my practice to other states. It was a process to measure my professional competence and I accepted it and in fact embraced it. I reached out to those states for study material recommendations and I studied before I sat for the exams. Neither did I feel that it was anything unfair or unnecessary contained in these exams. They ensured that I was minimally competent to practice in those states as well as the unique problems and challenges that are prevalent to surveying in those states. The qualifications and examination standards set by the Nevada Board of Professional and Surveyors, for ethical, professional and technical competency are intended to protect Nevadans in their*

businesses, public and private developments, real property investments and incorporated cities and counties. Lowering the proven knowledge by eliminating the state specific exam will obviously reduce that level of protection. If the knowledge component contained in the state specific exam is no longer tested for the state board sacrifices the security provided by the exam, which will likely lead to increased complaints and litigation filed by damaged agencies, governments, and citizens. As a result, the purpose of the board to safeguard life, health and the property and promote the public welfare through the state specific exam has accomplished these goals for decades. The result of eliminating the exam will lower the minimum competence bar the board's mission to uphold the value and of the professional of land surveying licensure by assessing minimum competency for initial entry into the profession. The state's specific exam for land surveying in Nevada has been the gold standard in the Western states for literally decades. Other states have emulated Nevada's exam the board and now should be complimented on the relevancy of the exam. The board should also be complimented for streamlining the state specific exam process. It is an open book exam. Zoom proctors can be scheduled with the examinees within 24 hours of application. The streamlining of the exam process by the board has now facilitated an expedient state specific exam timeline. That eliminates time as a barrier to obtaining a PLS license. The fact that 15 to 20% of applicants fail the state specific exam is a critical argument to this issue. There are individuals that are the individuals that are of concern that elimination of the exam would become licensed. The protection of agencies, governments, and of citizens would be reduced. The exam is doing its job. Perhaps even more importantly, to note that the public does not and will not ever know which professional land surveyors have been tested versus those land surveyors that have not been tested for Nevada state specific laws. These things will not come to fruition until damages have occurred. Complaints have been filed and litigation instituted. I urge the board and our PLS representatives to take testimony today into consideration and not lower the minimum competency standards for Nevada PLS candidates by eliminating the state specific exam. Thank you for your time regarding and thank you for this opportunity to speak on this very important issue. Thank you.

Mr Denman – *Good afternoon. Just want to take a minute to thank the board for allowing us to be here, it's an honor to be in the building, just an honor for the representation they give to our profession and the livelihood that is brought to all of us and to be in the same room with all of you. So, my name is Eric Denman. I'm a Nevada PLS 14900. Been a PLS for over 20 years and currently serving as the Vice President of the Southern Chapter of the Nevada Association of Land Surveyors. I believe the board has taken practice steps to streamline the licensing process over the last decade with the most recent step in making the Nevada State Specific Exam open book. The board is to be commended for these accomplishments. However, elimination of the state specific exam for Land Surveyors goes a step too far. Each and every state in our nation has different laws, regulations, and codes applicable to their respective states. Whether an initial applicant or someone seeking reciprocity, minimal competency is an essential to licensure. Elimination of the state's specific exam lowers the bar where minimal competency cannot be reached. I also find the elimination of the state's specific exam as a conflicting concept from the board that recently implemented a requirement for continuing education for Nevada licensed surveyors focused on the same state specific material. If it's important enough to require continuing education, which it definitely is, then it remains important for new licensees to this great state to be tested on the same specific exam to maintain competency. Thank you for your time.*

Mr Enke – Good morning, Todd Enke, PLS 19734, second generation surveyor. My dad is a licensed surveyor in California where I grew up, I strive to get a California surveyor's license, after obtaining my Nevada one, I realized how hard I had to study to be proficient in that. One of my goals is to, again, a California surveying license, but I understand how different the rules are from continually talking to my dad, who is the city surveyor for City of Tracy, that's my goal law. And I, for me to be a competent surveyor in our state or any other state, I believe knowing the laws and rules and regulations of those states is important. Thank you.

Mr Trotter – Hi everyone, Shane Trotter, Nevada PLS 24870. I'm here to express my opposition to the proposed elimination of the Nevada State Specific Exam for professional land surveyors. And the one thing I have to add is, I am a land surveyor that was licensed with a bachelor's degree in land surveying in geomatics as well as, I was an adjunct professor at GBC, and just to kind of give you guys an idea or example, when I graduated from GBC I took the national exam. I studied about 30 minutes for it and, and passed the test on my first try, with the education, knowledge and experience that I was given as a student of GBC. I studied several hours for the Nevada State specific exam, reading and becoming familiar with the laws and I barely passed the state specific exam. So I think it's important to keep an exam, and I think that the board has done a good job of streamlining it. Making it open book is fair because we all as professionals reference the law, and, I think it's important to keep the exam. Thank you.

Mr Wright – Hi there. My name is Stewart Justin Wright. I'm licensed in Arizona originally and in Nevada second as a reciprocity applicant here in 2009. I'm opposing the removal of the state specific exam, when I moved here from the state of Arizona, I was familiar with the Arizona law because I had taken their state specific exam and I had learned how to navigate the laws in regards to subdividing land according to their laws. When I moved to Nevada and applied for reciprocity, I took their state exam as well, studied for the exam. I learned quickly that the laws that applied in Arizona were significantly different than the laws in Nevada, and I think that's important. And in my case, I feel like the test did its job, so I'm opposed to it. I also believe that the test should be testing us on ethics. And, I think that if we don't have a benchmark for ethics, so we don't test people on ethics, how are we going to offer continued education on ethics and how are we going to ask people to apply continuing education when it comes to ethics, when we don't even test them as a baseline when it comes to the ethical values. And finally, I'd just like to state that I think that the exam also touches on the public land survey system and others from other states. The move here may not be familiar with the public land survey system, and I think that we need to touch base on the public land survey system. And I think the idea was to try to test people on their weaknesses when they come to our state and work under our laws.

Mr West – Lance West, Nevada PLS 18232. Also licensed in the state of Oklahoma. Currently to become a PLS in Nevada, you have to have a land surveying degree, but we don't differentiate if that comes from a PLS state or some other state. By removing the state specific, you have no way to know if that applicant has met the minimum competency requirements yesterday, someone compared driving a car from one state to another and how the laws are different. And comparing that to the survey laws. If I break a law in another state driving a car that affects me, I pay the price. If I don't know the law of surveying in another state that not only affects me, but countless other people as well. That's all I have. Thank you.

Mr Matsueda – Hi, I'm Craig Matsueda from Las Vegas, Nevada PLS 17022. Also licensed in California, licensed number 6820. I would like the record to show that as a licensed surveyor in the state of Nevada, I oppose the elimination of the state's specific exam currently required for in Nevada. From a mapping perspective, there are specific regulations in the Nevada revised statutes that are unique to Nevada and are essential to the minimum proficiency requirements for Nevada licensure. My main concern in eliminating the state specific exam presumes and I emphasize presumes a minimum proficiency regarding state statutes rather than currently an applicant has to demonstrate to the public that he or she has knowledge and possesses a minimum proficiency in regarding Nevada statutes by passing an exam. I strongly feel that knowledge of and possession of minimum proficiency requirements of state specific regulations to practice land surveying in the state of Nevada should be demonstrated and I emphasize demonstrated by passing an exam and not presumed prior to licensure. Thank you.

Mr Wooten – Good afternoon. My name is Jonathan Wooten, PLS number 18146, licensed in Nevada and also Arizona. I'm here today to object to the board's recommendation to remove the requirement for the state specific exam. I feel that the state exam is a necessary step in the licensing process to ensure the minimum competency to practice land surveying in accordance with the laws and regulations specific to the professional work of land surveying in this state, without testing the applicant for licensure, I believe that we're failing to protect the profession of land surveying in the state and also, failing to promote the ethical obligations. Land surveyors are charged with to protect the public safety and welfare. And I also believe that it's the duty of this board to ensure that you're providing licensure to qualified and competent professional land surveyors as stated in NRS 625.005. And I strongly urge the board to not eliminate the requirement for the state specific exam.

Mr Hamlin – Hello, I'm Cole Hamlin. I'm not a PLS, but as a person who's working towards licensure, I think my perspective is important. I'm opposed to removing the state specific exam because I believe it is important for a state licensed professional to be competent in state statute. I also feel that the state exam is not a hurdle, but a necessary step in becoming a professional, a licensed professional.

Mr Ariotti – Hello, my name is Nicholas Arriotti, Nevada PLS 22373. I would like to say that I strongly disagree with the removal of the state specific exam, and I would like to support every comment made here today as being something that I would like to say myself. So, thank you.

Mr Perazzo – Hello Las Vegas. My name is Pete Perazzo, PLS 14634. I was licensed in the year 2000. I sat for the test and also the state specific, which I failed. I got passed on the federal level. So I started survey in 1985, sat for the test 15 years later and failed the state specific, I'm not proud of that, but working eight years with the Bureau Land management gives you a perspective that you don't have at other agencies. I then went to the state DOT where there was a few PLSs, but very few in the field, none of which had PLSS backgrounds. Other comments I will send by email, but I'm in opposition to the change. Thank you.

Mr Callahan – Silas Callahan, I am not a surveyor. I am an engineer, but I want to express my opposition as an engineer. I rely on land surveyors that know the laws and removing that test is a detriment to that, that's all I have.

Ms Mamola asked if there are any more comments related to NAC 625.310. There were no comments, and she moved on to the next category.

3) Repeal regulations that are outdated, unnecessary, and/or redundant

There were no comments.

5. Public comment on any other regulatory changes that workshop participants feel are worthy of consideration by the Board.

There were no comments.

6. Closing public comment.

There were no comments.

7. Adjournment

Ms Mamola thanked everyone for their participation and adjourned the workshop at 1:05 pm.

Received via email – 4.4.2023

NRS 625 requires an applicant to demonstrate to the Board of Engineers and that they have sufficient education and experience to meet the minimum requirements for licensure in the state. According to statute, that means an acceptable four year college degree and passing the Fundamentals of Surveying and the Principals and Practices of Land Surveying Exam, as well as the Nevada State Specific Exam (2 hours). The Fundamentals and Principals exams test according to national requirements for surveying and are computer based exams administered and graded by NCEES. These exams are only designed to determine "Minimum Competence" as a surveyor. Nevada registrants need to demonstrate they have the skills tested by the national exams, but they also need to demonstrate that they have a good understanding of the requirements for surveying in Nevada as presented in NRS 625, 328, 329, NAC 625 and 329, as well as the rules for surveying in the Public Land Surveying System. This makes Nevada a unique state in which to survey and the state specific exam is designed to determine that the applicant is at least minimally competent to survey within the borders of Nevada. If an applicant is approved to take the test, they can access it and take it within 24 hours of being approved. I don't know how an applicant can demonstrate knowledge of Nevada statutes without taking at least the 2 hour exam that tests their knowledge in these areas. Even applicants for comity, would need to demonstrate understanding of Nevada laws and public land surveying procedures.

Elimination of the State Specific Exam, would be a detriment to public health and safety in Nevada, which is the reason that as engineers and land surveyors we need to demonstrate our competence for licensure.

Please keep the requirement for this exam in place. It is important to the health and safety of all Nevadans.

Respectfully submitted,

George G. Lindesmith
Nevada PLS 6306
Nevada WRS 704

April 4, 2023

Nevada Board of Professional Engineers and Land Surveyors
1755 E. Plumb Lane Suite 258
Reno, NV 89502

RE: Proposed Change to NAC 625.310

Dear Board members,

My name is Carl C.de Baca, Licensee No. 7633. I was licensed in the Silver State in 1987. I have been an active participant in professional societies, including the Nevada Association of Land Surveyors, the California Land Surveyors Association and the National Society of Professional Surveyors since 1990. I have served the profession of Land Surveying in a number of capacities including being the 2016 president of NALS, editor of both the California Surveyor and Nevada Traverse magazines, and have acted as a liaison to both this board and the California BPELSG over the years. I have also served for many years on the Great Basin College LSG Curriculum Advisory Committee and have been an adjunct professor for that program. I believe all this makes me uniquely qualified to comment on the proposed changes to NAC 625.310(B)5.

I suggest that the proposed change to eliminate the state-specific examination from the licensing criteria is the result of the conflation of two completely separate issues and will not adequately address either one. The first and most obvious issue is the problem with the declining number of professional surveyors and by association of Nevada licensees. This is a national demographic problem and the proposed change will not contribute to a resolution of this problem.

The second issue is a nationwide movement, embraced and recently expressed by our governor to tear down barriers to occupational licensing. This is an honorable endeavor and one which I completely support. However, **there is a world of difference between occupational and professional licensing**, which requires the high standards that Boards of Regulation hold professional surveyors to in order to protect the health and safety of the public.

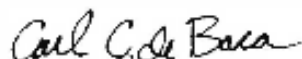
In the case of reciprocity applicants, the Board can look at both the educational background and experience of the candidate but is that any guarantee that his or her knowledge of the PLSS and Nevada laws and regulations is sufficient, in the absence of an exam?

In the case of the new applicant, the average college course on the PLSS is not sufficient, by itself, to guarantee minimal competency, any more than a single college course on route surveying that most civil engineering schools used to offer would guarantee that an engineer would be minimally competent to practice surveying.

An exam, similar to those required in all the other surrounding states, is a necessary component to ensure that the public is protected and to prevent an obvious and inevitable increase in enforcement cases and an increase in malpractice-related litigation.

It seems to me that the Board has other options available to streamline the licensing process, without foregoing examination, at least for reciprocity applicants.

Respectfully submitted,



Carl R. C.de Baca PLS 7633

April 4, 2023

Patty Mamola
Executive Director
Nevada State Board of Professional Engineers and Land Surveyors

Subject: Nevada Governor's Executive Order 2023-003: Proposed Changes to NAC 625

Dear Ms. Mamola,

I am a licensed Professional Surveyor in the State of Nevada, a member of the Nevada Association of Land Surveyors and I have reviewed the Nevada State Board of Professional Engineers and Land Surveyors (BPELS) proposed changes to the Nevada Administrative Code (NAC) 625 in response to the Nevada Governor's Executive Order 2023-003. **In the interest of public safety, I strongly opposes the removal of the state-specific exam requirement.**

I wholeheartedly support reciprocity and mobility of licensure, it is critical for those practicing to have an understanding of the standards of practice, regulations, and laws for the creation of legal boundaries in the state of Nevada. The state specific exam ensures that those seeking licensure meet that minimum competency.

Professions such as Land Surveying are highly technical and laws vary from state to state. I understand that the FS and PS provide the assessment of minimum competency for initial entry into the profession, but they do not address individual state laws and regulations. Requiring the state-specific examination provides this safeguard and protects the public.

Since the state-specific examination is open book and can be administered immediately upon application, maintaining this protection does not create a barricade or hardship to those seeking reciprocity.

Therefore, to safeguard life, health, and property and to ensure public welfare, I urge the State Board to not proceed with the proposal to change the current requirements for Licensure pursuant to NAC 625.310.

Should you have any questions, you can reach me at kalmeterw@wdroddgers.com

Sincerely,



Kevin Almeter, P.L.S.
Nevada Certificate No. 19052

April 4, 2023

Patty Mamola
Executive Director
Nevada State Board of Professional Engineers and Land Surveyors

Subject: Nevada Governor's Executive Order 2023-003: Proposed Changes to NAC 625

Dear Ms. Mamola,

I am a licensed Professional Surveyor in the State of Nevada, a member of the Nevada Association of Land Surveyors and I have reviewed the Nevada State Board of Professional Engineers and Land Surveyors (BPELS) proposed changes in the Nevada Administrative Code (NAC) 625 in response to the Nevada Governor's Executive Order 2023-003. In the interest of public safety, I strongly opposes the removal of the state-specific exam requirement.

I wholeheartedly support reciprocity and mobility of licensure, it's critical for those practicing to have an understanding of the standards of practice, regulations, and laws for the creation of legal boundaries in the state of Nevada. The state-specific exam ensures that those seeking licensure meet that minimum competency.

Professions such as Land Surveying are highly technical and laws vary from state to state. I understand that the FS and PS provide the assessment of minimum competency for initial entry into the profession, but they do not address individual state laws and regulations. Requiring the state-specific examination provides this safeguard and protects the public.


Since the state-specific examination is open book and can be administered immediately upon application, maintaining this protection does not create a barricade or hardship to those seeking reciprocity.

Therefore, to safeguard life, health, and property and to ensure public welfare, I urge the State Board to not proceed with the proposal to change the current requirements for licensure pursuant to NAC 625.310.

I took and passed the State Specific Survey Exam to obtain my Nevada Land Surveyors license via reciprocity. It is imperative that this requirement continues to protect the public as it educates future Nevada Land Surveyors. It will also help to avoid bad survey practices, future litigation, and help to reduce the Nevada State Board of Professional Engineers and Land Surveyors time investigating future violations.

Should you have any questions, you can reach me at mloans@woodrogers.com or Ph. 916.869.3286.

Sincerely,


Michael F. Long
Nevada Certificate No. 11186
Licensed in CA, NV, AZ, UT, OR, ID
Certified Federal Surveyor No. 1566

Received via email – 4.4.2023

Members of the Board,

I am writing this letter as a written objection to the removal of the Nevada State Specific Land Surveyors exam for new and reciprocity licensees. As I stated in my testimony at the Workshop last week, I was originally licensed in Arizona in 2005. In 2008, I sought reciprocity in Nevada as I moved with my family to Henderson, NV. I was shocked when I studied for the Nevada State Specific Exam at the difference in the laws between Arizona and Nevada, particularly in regards to Land Divisions in NRS 278.

The State-Specific Exam requires new licensees and reciprocity licensees to study the Statutes applicable to Land Surveying in our state. The National Exams required prior to licensure through NCEES do not cover this material. This exam is the best and most efficient way to make sure that new licensees know and understand our laws.

In addition, the State Specific Exam also tests new licensees on many of the basics of working within the Public Land Survey System PLSS. Many states within the United States are not PLSS states. Those applying for reciprocity from one of those states that do not have PLSS experience would not be trained to perform boundary survey work in our state. The Nevada State Specific is the only place where this can be tested for reciprocity licensees.

The State-Specific Exam was carefully crafted to test new licensees on information that they will need to know prior to working as a professional in our state. It is designed to protect the public welfare and also protect new licensees from unknowingly breaking laws and getting themselves in trouble.

I believe we will see an uptick in court cases and disciplinary actions by the board if we remove this examination in our state. Finally, another result of this policy will result in municipalities and utility agencies facing a heavier burden in reviewing submittals from Land surveyors who are not completely educated on this material. This will result in higher taxes and higher utility fees all of which would have a negative impact on Nevada Residents.

Please reconsider your position on this matter. I believe there are other avenues that can be explored to accomplish the Governor's mission to streamline development in our state without sacrificing the quality of our workmanship and our reputation as Nevada Licensed Land Surveyors.

Respectfully,
Stewart "Justin" Wright
Nevada Professional Land Surveyor, PLS 1919 /
Arizona Registered Land Surveyor, RLS 43351
Certified Federal Land Surveyor, CFFDS Certificate No. 1660

Received via email – 4.5.2023

Members of the Board,

It is my understanding that under Governor Lombardo's Executive Orders No. 2023-003 and 2023-004, the state specific exams under the purview of the Nevada Board of Professional Engineers and Land Surveyors are proposed to be eliminated.

Please note that we are opposed to this. Although all options for expediting the licensure process should be examined, I believe that the state-specific exam is important for engineers and surveyors, due to the ethics requirements that are not reflected in other states, and especially with the surveyor exam, this is our state's opportunity to identify criteria and minimum standards of care that apply specifically within Nevada and should not be eliminated. Just as Nevada does not require a seismic section for civil engineers, it is my understanding there are specifics covered in the state-specific survey exam that help set a standard of care that we have come to expect from the surveyors providing information to us in Nevada, and the thought of eliminating is a concern.

Thank you for your consideration.

Tom Brady

Appendix A – Public Comment Contact Information

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Tom Brady	bradyt@cityofnorthlasvegas.com	Self

Appendix B

Public Hearing Meeting Minutes

Post-Hearing Public Comment

Public Comments Contact Informaton