

INFORMATIONAL STATEMENT

R112-19

1. A clear and concise explanation of the need for the adopted regulation:

NRS Chapter 289 authorizes the Commission to adopt regulations setting the minimum standards for the certification, decertification, training and selection of peace officers. (See NRS 289.510.)

The existing regulations establish the minimum standards of training for certain category I, category II, category III, and reserve peace officer. (NAC 289.140-170)

Existing regulations establish a procedure for the award of a basic certificate to any peace officer who meets the minimum standards of appointment and has been certified by another state or completed certain federal training approved by the Commission, authorizing the award if: (1) the Commission determines that the training required for certification was equivalent to that of the basic training course for basic certification; (2) the certification in the other jurisdiction has not been revoked or suspended; (3) not more than 60 months have lapsed since the employment in the other jurisdiction; (4) the peace officer completed a minimum of 80 hours of training in a course approved by the Executive Director of the Commission; (5) the peace officer passes the state certification examination for the appropriate category of peace officer. (NAC 289.200).

Existing regulation provide that the basic certificate of a peace officer will be placed on inactive status upon the termination of the peace office for any reason. Existing regulations provide that the basic certificate expires after 5 consecutive years of inactive status, meaning that upon the expiration of the basic certificate, the peace officer must renew his or her certificate by completing the standards process. (NAC 289.200).

This regulation provides that the Executive Director may return to active status the basic certificate of a category I or category II peace officer that would have otherwise expired if the peace officer: (1) meets the minimum standards for appointment; (2) successfully completes the training course, certification examination and physical fitness examination requirements established in the procedure for basic certification of a peace officer certified in another state or federally trained in an approved program; and (3) within 5 consecutive years of the termination of employment of the category I or category II peace officer, or he or she became employed as a full time employment of the Commission or the law enforcement officer of a federal law enforcement agency, approved by the Commission, and subsequently, within 5 consecutive years of termination his or her employment with the Commission or the federal law agency, as applicable, the peace officer obtained his or her current employment as a category I or category II peace officer in the same category of peace officer as he or she held prior to his or her employment with the Commission or federal law enforcement agency.

2. A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary:

Workshop held 11/04/2019, public comment accepted during workshop and regularly scheduled meeting. A copy of this notice and the regulations to be adopted, amended or repealed are on file at the State Library, 100 Stewart Street, Carson City, for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted, amended or repealed will be available at the Commission on POST Administrative Offices, 5587 WaPai Shone Ave., Carson City, NV. All Nevada County Libraries received notices for inspection and copying by members of the public during business hours. This notice and text of the proposed regulations are also available and published monthly by the Legislative Counsel Bureau pursuant to NRS233B.0653 and on the Internet at <http://leg.state.nv.us>, the POST website at <http://post.nv.us> and the Nevada State Notice Website at <http://notice.nv.gov>

Public Comment Hearing held 08/13/2020. Public comment accepted during Public Comment Hearing and regularly scheduled meeting. A copy of this notice and the regulations to be adopted, amended or repealed are on file at the State Library, 100 Stewart Street, Carson City, for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted, amended or repealed will be available at the Commission on POST Administrative Offices, 5587 WaPai Shone Ave., Carson City, NV. All Nevada County Libraries received notices for inspection and copying by members of the public during business hours. This notice and text of the proposed regulations are also available and published monthly by the Legislative Counsel Bureau pursuant to NRS233B.0653 and on the Internet at <http://leg.state.nv.us>, the POST website at <http://post.nv.us> and the Nevada State Notice Website at <http://notice.nv.gov>. (Postings for this meeting fell under the Governor's Declaration of Emergency Directive 006, Section 4.)

The number of persons who:

- a. Attended each hearing 27**
11/04/2019 – 14
08/13/2020-13
 - b. Testified at each hearing**
11/04/2019-0
08/13/2020-0
 - c. Submitted to the agency written statements**
11/04/2019-0
08/13/2020-0
- 3. Contact information of each person that testified at each hearing or submitted statements to the agency. (If no contact information was provided state “not provided”):** N/A

- 4. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary:**

Notices posted in public locations and online. These meetings have no impact on businesses

- 5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:**

This regulation meets the requirements and was adopted with no changes

- 6. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case much include:**

- a. Both the adverse and beneficial effects; and**

There is no economic effect and this regulation does not pertain to businesses

- b. Both immediate and long-term effects**

No effect to business. The regulation allows for more peace officers to return to work in Nevada Law Enforcement after Government or Academy Service.

- 7. The estimated cost to the agency for enforcement of the proposed regulation:**

N/A

- 8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

N/A

- 9. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**

N/A

- 10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:**

N/A