



**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB File: R027-25RP2

The following statement is submitted for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 534

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

The Division of Water Resources (Division), in coordination with the Well Driller’s Advisory Board (Board), has identified necessary revisions to the regulations governing applications, examinations, and licensing for well drillers. These revisions remove unnecessary barriers while maintaining the essential qualifications required for licensure. The revised regulations streamline the licensure process, enhance clarity and administrative efficiency, and support a more accessible and transparent regulatory framework, all without compromising public health, safety, or the integrity of the profession.

The Legislative Commission raised concerns about the reciprocity provision (LCB File No. R027-25RP1), noting that it lacked explicit statutory authority and suggested that the Division seek express authorization from the Legislature before moving forward. In response, the Division removed the reciprocity language from the regulation (R027-25RP2) and is proceeding with the other previously proposed updates related to well-driller licensing.

This adjustment does not diminish the need for, nor the value of, the remaining revisions. The revised regulation continues to provide essential improvements to the licensure process and remain necessary to ensure consistent, efficient, and effective administration of the program.

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

Public comment was solicited through multiple methods. A survey was distributed to small businesses to obtain initial feedback (see Question 5). The Division conducted a public workshop on October 3, 2025, to present the proposed regulatory revisions and receive oral or written comments; no public comment was submitted. An adoption hearing was held on November 12, 2025, during which the Division provided an additional presentation and accepted further comment. No public comment was received, and the regulations were adopted.

After the Legislative Commission deferred action on April 28, 2026, the Division held a second adoption hearing on September 1, 2026, to consider revised language that removed the reciprocity provision while retaining all other previously proposed revisions. No public comment was received, and the regulation was adopted.

Copies of the Small Business Impact Statement and recordings of the workshop and hearings are available on the Division's website.

3. The number of persons from the public who:

a. Attended each hearing:

- *November 12, 2025 - 5 attendees*
- *September 1, 2026 – 0 attendees*

b. Testified at each hearing:

- *November 12, 2025 - 0 public testimony*
- *September 1, 2026 – 0 public testimony*

c. Submitted to the agency written comments: *0 public written comments*

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.

No oral testimony or written statements were provided by the public for the hearing.

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

A Small Business Impact Survey was distributed on August 19, 2025, to the Division's Well Driller listserv, which includes all licensed well drillers in Nevada, including those who own and operate well-drilling businesses. The Division received 13 responses, of which 6 were excluded because the respondents employed more than 150 employees and therefore did not qualify as small businesses. Respondents who supported the proposed regulations indicated that the revisions would improve the licensure pathway for experienced out-of-state drillers, facilitate business expansion into Nevada, and streamline succession planning and onboarding.

Other respondents opposed changes to testing requirements or the introduction of reciprocity, expressing concern that less qualified drillers might obtain licensure without sufficient familiarity with Nevada's regulatory framework. The Division evaluated the survey responses, reviewed factors contributing to delays in scheduling examinations, and assessed recent testing data to determine the potential impacts on small businesses.

A Small Business Impact Statement was prepared in response to the survey and is available on the Division's website.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

On March 12, 2025, the Division adopted temporary regulations covering the same general material as these permanent regulations, with only minor adjustments. During and after that process, the Division completed a similar process of soliciting responses from small businesses

to prepare a Small Business Impact Statement and holding both a public workshop and adoption hearing.

Feedback gathered through the Small Business Survey, the public workshop, the adoption hearings, and the Legislative Commission review primarily focused on license reciprocity. Because most comments centered on the proposed reciprocity provision, the Division removed that portion of the regulation and will consider any future action on reciprocity separately.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulation and on the public. These must be stated separately, and each case must include:

a. Both adverse and beneficial effects; and

- **On business:** Testing for licensure will be more streamlined, and scheduling procedures will be clearer, which will directly benefit businesses and employees seeking licensure. The Division does not anticipate any adverse economic effects on regulated businesses.

- **On the public:** The Division does not anticipate any adverse or beneficial economic effects on the public resulting from this regulation.

b. Both immediate and long-term effects.

- **On business:** Immediate effects include a clearer and more efficient licensing process, reducing avoidable delays in exam scheduling and licensure. In the long term, the Division does not anticipate any change to the standards for licensed well drillers or additional economic impacts beyond improved administrative efficiency.

- **On the public:** The Division does not anticipate any immediate or long-term economic effects on the public resulting from these regulations.

8. The estimated cost to the agency for enforcement of the adopted regulation.

The Division does not anticipate incurring any additional cost resulting from the regulation.

9. 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.

The regulation does not overlap or duplicate any existing regulation.

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

The regulation is not more stringent than federal regulation.

11. 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.

The regulation does not create any new fees or increase existing fees.