

**ADOPTED REGULATION OF THE  
NEVADA ATHLETIC COMMISSION OF THE  
DEPARTMENT OF BUSINESS AND INDUSTRY**

**LCB File No. R083-00**

§§1-34 and 36-54 effective September 22, 2000

§35 effective January 1, 2001

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-5, 7 and 9-54, NRS 467.030; §6, NRS 467.030 and 467.125; §8, NRS 467.030 and 467.108.

**Section 1.** Chapter 467 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 31, inclusive, of this regulation.

**Sec. 2. “Board” means the medical advisory board.**

**Sec. 3. “Executive director” means the executive director of the commission employed pursuant to NRS 467.040.**

**Sec. 4. 1. “Manager” means a person who:**

**(a) Undertakes to represent the interest of another person, by contract, agreement or other arrangement, in procuring, arranging or conducting a professional contest or exhibition in which such person is to participate as a contestant;**

**(b) Directs or controls the professional unarmed combat activities of an unarmed combatant;**

**(c) Receives or is entitled to receive 10 percent or more of the gross purse or gross income of any professional unarmed combatant for services relating to participation of the unarmed combatant in a professional contest or exhibition; or**

(d) *Receives compensation for service as an agent or representative of an unarmed combatant.*

2. *The term does not include an attorney licensed to practice in this state, if his participation in such activities is restricted solely to his legal representation of the interests of an unarmed combatant as his client.*

Sec. 5. *“Respondent” means a person against whom a complaint has been filed pursuant to this chapter.*

Sec. 6. 1. *The promoter of a contest or exhibition shall provide primary insurance coverage in the amount of \$50,000 or more for each licensed contestant to provide medical, surgical and hospital care for licensed contestants who are injured while engaged in a contest or exhibition.*

2. *The terms of the insurance coverage must not require the contestant to pay a deductible for the medical, surgical or hospital care for injuries he sustains while engaged in a contest or exhibition.*

3. *If a licensed contestant pays for the medical, surgical or hospital care, the insurance proceeds must be paid to the contestant or his beneficiaries as reimbursement for the payment.*

Sec. 7. *For every program of unarmed combat, the promoter of the program shall reserve an area consisting of at least one whole side of the ring, from the ring apron to 15 feet back from the ring apron, for use by the commission during the program.*

Sec. 8. 1. *Not later than 14 days after the completion of a live professional boxing or wrestling contest, match or exhibition is held in this state, the promoter shall pay the fees required by subsections 1 and 2 of NRS 467.108 to the commission by check or money order.*

2. *To apply for a grant from money collected pursuant to NRS 467.108, an organization that promotes amateur boxing contests or exhibitions in this state must submit an application to the executive director on a form prescribed by the executive director.*

3. *After considering an application for a grant, the commission may:*

- (a) *Award the grant, in whole or in part;*
- (b) *Refuse to award the grant; or*
- (c) *Require the executive director or the organization applying for the grant to submit supplemental information.*

4. *When determining whether to award a grant, the commission will consider:*

- (a) *The need for, and the propriety of, the grant requested;*
- (b) *The recommendation of the executive director;*
- (c) *Previous grants to, and the accounting procedures of, the requesting organization;*
- (d) *The benefits to amateur boxing in this state to be derived from a requested grant; and*
- (e) *The current and prospective balance of the total amount of money collected pursuant to NRS 467.108.*

**Sec. 9. 1. Unless otherwise ordered by the commission, championship contests and other contests that the commission considers to be special events must comply with the Unified Championship Rules adopted by the Association of Boxing Commissions, which are hereby adopted by reference.**

2. *A copy of the Unified Championship Rules may be obtained free of charge from the commission, 555 East Washington Avenue, Suite 1500, Las Vegas, Nevada 89101.*

**Sec. 10. 1. For purposes of this chapter, when service of a document is delivered by mail, service shall be deemed to be complete on the date that a true copy of the document, properly addressed and with postage paid, is deposited in the United States mail.**

**2. If service of a document is delivered personally, service shall be deemed complete on the date of personal service.**

**3. Whenever a party has the right or is required to do some act or take some proceedings within a time prescribed by this chapter after the service of a notice or other paper upon him, and the notice or paper is served upon him by mail, 3 days must be added to the times prescribed by this chapter.**

**Sec. 11. 1. The commission may, at its sole discretion, waive a requirement set forth in this chapter for any cause deemed sufficient by the commission.**

**2. For good cause deemed sufficient by the commission, the chairman of the commission may alter a period of time prescribed by this chapter in which an action may be taken or must be taken, upon his own initiative or upon motion made by a party or other person affected by the prescribed period.**

**3. The chairman of the commission may designate a commissioner to perform any of the duties of the chairman set forth in this chapter.**

**Sec. 12. 1. An applicant for a license may file a written request with the commission to withdraw his application at any time before final action upon the application by the commission.**

**2. In making a determination on a request to withdraw an application, the commission may, in its discretion:**

**(a) Deny the request; or**

- (b) *Grant the request with or without prejudice.*
3. *If the request for withdrawal is granted with prejudice, the applicant is not eligible to apply again for licensing until 1 year after the date the commission grants the request.*

**Sec. 13.** *The expiration of a license does not deprive the commission of jurisdiction to:*

1. *Proceed with an investigation of the licensee;*
2. *Proceed with an action or disciplinary proceeding against the licensee;*
3. *Render a decision to suspend or revoke the license; or*
4. *Otherwise discipline the licensee.*

**Sec. 14. 1.** *The executive director or a commissioner may institute disciplinary proceedings described in NRS 467.110 to 467.117, inclusive, or 467.156, 467.157 or 467.158 against a person who is licensed pursuant to this chapter by filing a complaint with the commission. If a commissioner institutes disciplinary proceedings pursuant to this subsection, the commissioner shall not take any part in the adjudication of the matter.*

**2.** *Upon receipt of a complaint, the commission will serve a copy of the complaint upon the respondent personally or by registered or certified mail at his address on file with the commission.*

**Sec. 15. 1.** *The respondent shall file an answer with the commission not later than 20 days after the date the complaint is served on the respondent. In the answer, the respondent shall:*

- (a) *State in short and plain terms his defenses to each claim asserted;*
- (b) *Admit or deny the facts alleged in the complaint;*
- (c) *State which allegations he is without knowledge or information to form a belief as to their truth; and*

- (d) Set forth any avoidance or affirmative defense that the respondent desires to assert.
2. If a respondent answers allegations by stating that he is without knowledge or information to form a belief as to their truth, such allegations shall be deemed to be denied.
3. Unless the chairman of the commission has waived the requirement of personal attendance, a respondent shall personally attend a hearing on the merits.
4. If a respondent fails to file an answer to the complaint or to appear personally at a hearing on the merits without having obtained a waiver of appearance pursuant to subsection 3, such failure shall be deemed to be:
- (a) An admission of all matters and facts contained in the complaint with respect to such respondent; and
- (b) A waiver of the right to an evidentiary hearing.

**Sec. 16.** 1. If there has been an admission by the respondent pursuant to section 15 of this regulation, without further notice to the respondent, the commission may take action based upon such admission or other evidence, including, without limitation, affidavits.

2. Upon taking action based on an admission pursuant to subsection 1, the commission will include in the record a statement that specifies which evidence was used as the basis for the action.

**Sec. 17.** 1. Unless required for the disposition of ex parte matters authorized by law:

(a) A party or his representative shall not communicate with a member of the commission, directly or indirectly, in connection with an issue of fact or law related to a proceeding under this chapter, unless the party or representative provides all parties with prior written notice of the communications and an opportunity to participate; and

*(b) A member of the commission shall not communicate with a party or his representative, directly or indirectly, in connection with an issue of fact or law related to a proceeding under this chapter, unless the member of the commission provides all parties with prior written notice of the commission and an opportunity to participate.*

**2. This section does not preclude:**

- (a) A member of the commission from consulting with commission counsel or supervisory counsel concerning a matter before the commission; or*
- (b) A party or his representative from conferring with the chairman or commission counsel concerning procedural matters that do not involve issues of fact or law related to the proceeding.*

**Sec. 18. 1. A party may represent himself or be represented by an attorney.**

**2. If a party is represented by an attorney:**

- (a) The commission will serve all future notices, findings of fact, opinions and orders of the commission, and other papers filed by a party upon the attorney; and*
- (b) The attorney shall sign all motions, oppositions, notices, requests and other papers on behalf of the party, including, without limitation, requests for subpoenas.*

**Sec. 19. 1. The commission will only issue a subpoena to compel a person to:**

- (a) Appear at the hearing on the merits of the case;*
- (b) Give oral testimony; or*
- (c) Produce documents or other tangible items.*

**2. In addition to submitting a subpoena to the chairman of the commission, the party requesting the subpoena shall:**

- (a) Serve a copy of the subpoena on all other parties to the proceeding; and*

(b) File proof of such service with the commission.

3. The commission will not issue a blank subpoena. A subpoena submitted by a party for issuance must contain:

(a) The title of the case;

(b) The name of the person to whom it will be directed;

(c) The date, time and place of the hearing;

(d) The name and signature of the requesting party or his attorney; and

(e) If the subpoena is a subpoena duces tecum, a complete description of specific documents or other tangible items that the witness will have to produce at the hearing.

4. Unless the witness agrees otherwise, the requesting party shall serve a subpoena on the witness:

(a) At least 10 calendar days before the hearing; or

(b) During the hearing or upon less than 10 days' notice by order of the commission for reasonable cause shown by the requesting party.

Sec. 20. Upon motion by a party or a person to whom a subpoena is directed, the commission may make an order to protect such party or person from annoyance, embarrassment, oppression, or undue burden or expense, including, without limitation, an order that:

1. A subpoena be quashed or modified;

2. Certain matters not be inquired into or produced;

3. Testimony or production be limited to certain matters; and

4. A trade secret or other confidential research, development or commercial information not be disclosed or be disclosed only in a designated way.

**Sec. 21. At a hearing before the commission:**

- 1. Oral evidence may be taken only upon oath or affirmation administered by the commission.**
- 2. Each party has the right to:**
  - (a) Call and examine witnesses;**
  - (b) Introduce exhibits relevant to the issues of the case, including the transcript of testimony at an investigative hearing conducted by or on behalf of the board or the commission;**
  - (c) Cross-examine opposing witnesses on matters relevant to the issues of the case, even though the matter was not covered in a direct examination;**
  - (d) Impeach a witness regardless of which party first called him to testify; and**
  - (e) Offer rebuttal evidence.**
- 3. If the respondent does not testify on his own behalf, a party may call him and examine him as if under cross-examination.**
- 4. The commission need not follow the rules of evidence that a court must follow. All evidence that the commission determines to be relevant and submitted in accordance with the requirements of this chapter is admissible. If the commission determines that the evidence is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, the commission may use that evidence alone to support a finding of fact.**

**Sec. 22. Affidavits may be received in evidence at a hearing of the commission in accordance with the following:**

*1. A party that desires to introduce an affidavit at a hearing must, not later than 10 days before the date set for the hearing, serve upon the opposing party or counsel, personally or by registered or certified mail:*

- (a) A copy of the affidavit which he proposes to introduce in evidence; and*
- (b) A notice in the following form:*

*The accompanying affidavit of (here insert name of affiant) will be introduced as evidence at the hearing set for the (here insert day) of (here insert month and year).*

*(Here insert name of affiant) will not be called to testify orally, and you will not be entitled to question him unless you notify the undersigned that you wish to cross-examine him. To be effective, your request must be mailed or delivered to the undersigned not later than 7 days after the date that this notice and the enclosed affidavit are served upon you.*

.....  
*(Party or Counsel)*

.....  
*(Address)*

*2. Any party that desires to cross-examine an affiant must, not later than 7 days after he has been served with a copy of the affidavit, mail or deliver to the proponent a request to cross-examine the affiant. If a party does not mail or deliver a request to cross-examine the affiant*

*within 7 days, the party has waived his right to cross-examine the affiant, and the affidavit, if introduced in evidence, must be given the same effect as if the affiant had testified orally.*

**Sec. 23.** *The proponent of documentary and other physical evidence must authenticate such evidence. A party may authenticate evidence through any means which tends to show that the matter in question is what the proponent claims it to be and which the commission determines to be reasonable, including, without limitation, presenting evidence that proves the authenticity of the document. Any evidence the commission determines would be authentic in a court shall be deemed authentic by the commission.*

**Sec. 24. 1.** *If a respondent fails to testify in his own behalf or asserts a claim of privilege with respect to a question propounded to him, the commission may infer therefrom that his testimony or answer would have been adverse to his case.*

**2.** *If a person who is:*

- (a) Controlling;*
- (b) Controlled by;*
- (c) Under common control with;*
- (d) Employed by; or*
- (e) An agent of,*

**FLUSH**  
*a respondent fails to respond to a subpoena, or asserts a claim of privilege with respect to a question propounded to him, the commission may, taking into account all of the circumstances, infer that such testimony would have been adverse to the respondent.*

**3.** *If, on a ground other than the properly invoked privilege against self-incrimination, a respondent fails to respond to a subpoena, or fails or refuses to answer a material question propounded to him, the commission may deem such failure or refusal to be independent*

*grounds for granting the relief requested by the executive director in the complaint with respect to that respondent.*

**Sec. 25. Before making a final decision on a case, the commission may permit a party to file an amended or supplemental pleading. Upon such filing, the commission will provide all parties with notice and a reasonable opportunity to object to the amended or supplemental pleading.**

**Sec. 26. 1. All motions must be in writing, unless made during a hearing.**

**2. A motion must:**

- (a) State with particularity the grounds for the motion;**
- (b) Include a memorandum of points and authorities in support of the motion; and**
- (c) Set forth the relief or order sought.**

**3. For every written motion other than one considered by the commission to be ex parte, the moving party shall:**

- (a) File the motion with the commission; and**
  - (b) Serve the motion upon the adverse party or as the chairman of the commission directs.**
- 4. A party who desires to object to a motion must file with the commission and serve on all parties a memorandum of points and authorities in opposition to the motion not later than 10 calendar days after he is served with the motion.**

**5. The moving party must file with the commission and serve on all parties a reply memorandum of points and authorities not later than 5 calendar days after he is served with the opposing memorandum.**

**6. A moving party shall be deemed to consent to the denial of the motion if he fails to file a memorandum of points and authorities in support of a motion. A nonmoving party shall be**

*deemed to consent to the granting of the motion if he fails to file a memorandum of points and authorities in opposition to a motion.*

**Sec. 27.** *The commission will not grant a continuance except for good cause deemed sufficient by the commission. A party seeking a continuance must make a motion to continue a hearing at least 10 calendar days before the hearing date.*

**Sec. 28.** **1.** *The chairman of the commission may issue rulings on preliminary or procedural matters that are not dispositive of the case or any portion thereof. The rulings of the chairman are subject to review by the entire commission upon the request of a commissioner, or upon motion of a party or person affected by the ruling.*

**2.** *The failure of a party or person to move for a review by the entire commission of a ruling on a preliminary or procedural matter shall not be deemed to be a:*

- (a) Consent for the ruling; or*
- (b) Waiver of any objections previously made regarding the ruling.*

**Sec. 29.** **1.** *After the hearing of a contested matter, the commission will render a written decision on the merits that must contain findings of fact, a determination of the issues presented and the penalty to be imposed, if any.*

**2.** *A member of the commission who did not hear the evidence or read the record may not vote on the decision.*

**3.** *The commission will serve a copy of the decision on the parties personally or by registered or certified mail.*

**4.** *The decision is effective upon such service unless the commission orders otherwise.*

**Sec. 30. 1. If a party is not satisfied with the decision of the commission and if the party has evidence not introduced at the hearing, the party may file a motion for rehearing not later than 10 days after service of the decision on the party.**

**2. The moving party must support the motion for a rehearing with an affidavit of the moving party or his counsel showing with particularity the materiality and necessity of the additional evidence and the reason why it was not introduced at the hearing.**

**3. The commission may order a rehearing before the commission upon such terms and conditions as it deems just and proper if a petition for judicial review of the decision has not been filed.**

**4. The commission will not grant the motion for a rehearing unless the commission determines that:**

**(a) There is additional evidence which is material, necessary and reasonably calculated to change the decision of the commission; and**

**(b) The party submitting the additional evidence has an acceptable reason for failing to present the evidence at the hearing of the commission.**

**5. Upon rehearing, the commission will permit rebuttal evidence to the additional evidence.**

**6. After rehearing, the commission may modify its decision and order as the additional evidence may warrant.**

**Sec. 31. The commission will base its findings of fact made pursuant to subsection 4 of NRS 467.113 upon an evidentiary standard in which the evidence, when considered and compared with that opposed to it, has more convincing force and produces in the minds of the**

*members of the commission a belief that what is sought to be proved is more likely true than not true.*

**Sec. 32.** NAC 467.002 is hereby amended to read as follows:

467.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 467.0021 to 467.0039, inclusive, *and sections 2 to 5, inclusive, of this regulation* have the meanings ascribed to them in those sections.

**Sec. 33.** NAC 467.012 is hereby amended to read as follows:

467.012 1. An application for a license as a:

- (a) Professional boxer;
- (b) Professional wrestler;
- (c) Kickboxer;
- (d) Any other unarmed combatant;
- (e) Promoter;
- (f) Matchmaker;
- (g) Manager;
- (h) Second, including a trainer;
- (i) Referee;
- (j) Judge;
- (k) Timekeeper;
- (l) Announcer; or
- (m) Physician,

FLUSH must be made in writing on a form supplied by the commission *[.] and signed by the applicant under penalty of perjury.*

2. Each license issued is subject to the conditions and agreements set forth in the application.
3. Any false statement of a material matter in such an application is a ground:
  - (a) For denial of the application; or
  - (b) If the license has already been issued, for revocation of the license.
4. Before issuing a license, the commission or its staff may, when deemed appropriate, require an applicant to provide independent proof of his identity such as a photographic identification provided by a governmental authority.
5. *The commission may require an applicant to appear before the commission to answer questions or provide documents in conjunction with an application for a license.*
6. The renewal fee:
  - (a) For a boxer is \$25.
  - (b) For a wrestler is \$25.
  - (c) For a kickboxer is \$25.
  - (d) For any other unarmed combatant is \$25.
  - (e) For a matchmaker is \$100.
  - (f) For a manager is \$100.
  - (g) For a second is \$50.
  - (h) For an announcer is \$100.
7. *Unless the commission limits the license to a shorter period, a license is valid for the remainder of the calendar year for which it is granted.*
8. *Except as otherwise provided in this subsection, a licensee must pay the full renewal fee for a license, regardless of whether his license is limited or conditioned by the commission.*

*If the commission later removes the limitation or grants the licensee the same type of license for another period in the same calendar year, the licensee is not required to pay an additional renewal fee for a license within that same calendar year.*

**Sec. 34.** NAC 467.027 is hereby amended to read as follows:

467.027 1. An applicant who has applied for a license to engage in unarmed combat or an unarmed combatant who has applied for renewal of his license must ~~be~~ :

(a) *Be* examined by a physician to establish the physical and mental fitness of the applicant or unarmed combatant for competition ~~;~~; and

(b) *Provide the commission with an original or certified copy of the result of a dilated ophthalmologic eye examination that must have been performed:*

(1) *By an ophthalmologist who holds an M.D. or D.O.; and*

(2) *At least 1 day before the date of the first bout in which the unarmed combatant plans to compete in the calendar year for which the license is valid.*

2. An applicant or an unarmed combatant licensed by the commission may be required to submit to any examination or testing ordered by the commission.

3. An applicant or an unarmed combatant must provide with his application for a license or for renewal of a license an original or certified copy of the result of a medical test that:

(a) Was performed by a laboratory no earlier than 30 days before the date on which the application is submitted; and

(b) Shows that the applicant or unarmed combatant is not infected with the human immunodeficiency virus.

**Sec. 35.** NAC 467.027 is hereby amended to read as follows:

467.027 1. An applicant who has applied for a license to engage in unarmed combat or an unarmed combatant who has applied for renewal of his license must:

- (a) Be examined by a physician to establish the physical and mental fitness of the applicant or unarmed combatant for competition; and
- (b) Provide the commission with an original or certified copy of the result of a dilated ophthalmologic eye examination that must have been performed:
  - (1) By an ophthalmologist who holds an M.D. or D.O.; and
  - (2) At least ~~one~~ 1 day before the date of the first bout in which the unarmed combatant plans to compete in the calendar year for which the license is valid.

2. An applicant or an unarmed combatant licensed by the commission may be required to submit to any examination or testing ordered by the commission.

3. An applicant or an unarmed combatant must provide with his application for a license or for renewal of a license an original or certified copy of the ~~result of a medical test that:~~

~~—(a) Was~~ **results of medical tests which:**

**(a) Were** performed by a laboratory no earlier than 30 days before the date on which the application is submitted; ~~and~~

~~—(b) Shows~~

**(b) Show** that the applicant or unarmed combatant is not infected with the human immunodeficiency virus ~~H~~; **and**

**(c) Show that the applicant or unarmed combatant is not infected with the hepatitis virus.**

**Sec. 36.** NAC 467.071 is hereby amended to read as follows:

467.071 1. Ringside physicians must be licensed annually as need for their services is determined by the commission.

2. The application and renewal fee for a license as a ringside physician is \$100.
3. The renewal of a license as a ringside physician is not automatic. The commission will consider the applicant's past performance and abilities in evaluating his application for renewal.
4. A ringside physician must maintain his certification to administer cardiopulmonary resuscitation.

*5. A ringside physician licensed pursuant to this section or a member of the board may not treat or examine an unarmed combatant or an applicant for a license as an unarmed combatant unless the treatment is:*

- (a) *Provided in furtherance of the duties of the ringside physician described in NAC 467.642;*
- (b) *Provided in furtherance of the duties of the board described in NRS 467.018;*
- (c) *Provided in a medical emergency; or*
- (d) *Otherwise allowed by the commission.*

Sec. 37. NAC 467.082 is hereby amended to read as follows:

467.082 The commission may deny ~~[an application or revoke a license]~~ *the application of an applicant* if it finds that the applicant ~~for licensee or any partner, officer, director, stockholder or employee of the applicant or licensee has:~~

- ~~1. Performed]~~ *has performed* any act which would, if performed by a licensee, subject the licensee to discipline pursuant to NAC 467.885 . ~~[; or~~
- ~~2. Knowingly dealt or consorted with any person who:~~
  - ~~(a) Has been convicted of a felony;~~
  - ~~(b) Engages in illegal bookmaking;~~
  - ~~(c) Engages in any illegal gambling activity;~~

- ~~—(d) Is a reputed underworld character;~~
- ~~—(e) Is under suspension from any other commission; or~~
- ~~—(f) Is engaged in any activity or practice which is detrimental to the best interests of unarmed combat.]~~

**Sec. 38.** NAC 467.087 is hereby amended to read as follows:

467.087 1. Any applicant who has been denied a license by the commission may not file a similar application until 1 year after denial by the commission. ~~[Any application for a license filed within the 1-year period may be denied without a hearing.]~~

~~—2. Anyone]~~

*2. A person* who has had his license revoked may not petition for reinstatement or apply for a new license until 1 year after the revocation. ~~[Any petition for reinstatement or application for a license filed within the 1-year period may be denied without hearing.] If the petitioner files a petition for reinstatement after the 1-year period required pursuant to this subsection, and the commission denies the request, the petitioner may not petition again for reinstatement until 1 year after the denial.~~

*3. A person who has had his license suspended for a period of 1 year or less may not file a petition for reinstatement or an application for a new license until the period of the suspension has expired.*

*4. A person who has had his license suspended for a period of more than 1 year may not file a petition for reinstatement or an application for a new license until 1 year after the suspension is ordered. If the petitioner or applicant files a petition for reinstatement or an application for a new license after the 1-year period required pursuant to this subsection, and the commission denies the request, the petitioner may not petition again for reinstatement or*

*apply again for a new license until 1 year after the denial or until the suspension has expired, whichever is less.*

**5. The commission may deny a petition or application that is not filed in accordance with this section without a hearing.**

**Sec. 39.** NAC 467.127 is hereby amended to read as follows:

467.127 1. A promoter licensed by the commission shall not directly or indirectly make any loan or advance to an unarmed combatant *or a manager* except as otherwise provided in subsection 3 and NRS 467.130.

2. A promoter shall not, directly or indirectly, create any indebtedness ~~[which]~~ *that* becomes the obligation of an unarmed combatant *or a manager* unless the promoter has the express written permission of the commission for that action.

3. A promoter may make an advance of money to an unarmed combatant in preparation for a contest or exhibition if:

(a) The amount of the advance does not exceed 10 percent of the share of the purse to which the unarmed combatant is entitled for the contest or exhibition, or \$5,000, whichever is greater; and

(b) Before making the advance, the promoter has the express written permission of the chairman of the commission to make the advance.

**Sec. 40.** NAC 467.167 is hereby amended to read as follows:

467.167 1. Except as otherwise provided in NAC 467.169, a promoter shall not hold a program of unarmed combat unless, before the program is held:

(a) The promoter submits to the commission a written request for a permit, as required by NRS 467.105, and for approval of the date for the program; and

- (b) The commission approves the permit and the date for the program.
2. *A written request for a permit must include, without limitation:*
- (a) *The proposed site for the event;*
- (b) *A listing of all title fights to be held on the program; and*
- (c) *If the program will be televised, each date and network on which the program will be televised.*
3. The permit fee required by NRS 467.105 must be paid:
- (a) Within 10 days after the date for the program; or
- (b) If the program is canceled and the permit fee is forfeited pursuant to subsection [3.] 4, when ordered by the commission.

[3.] 4. The failure of the promoter to notify the commission of a cancellation at least 5 working days before the date for the program may result in the forfeiture of the permit fee and may subject the promoter to disciplinary action.

**Sec. 41.** NAC 467.238 is hereby amended to read as follows:

467.238 1. *For purposes of this chapter, inspectors, referees, judges, timekeepers and ringside physicians shall be deemed to be independent contractors of the commission.*

2. A promoter [must] shall pay *to the commission* the [fee] *total fees* set by the commission [to any person] *for all persons* whom the commission directs to officiate in a contest or exhibition promoted by that promoter.

3. *The commission will pay the money collected pursuant to this section to the officials described in subsection 1.*

**Sec. 42.** NAC 467.310 is hereby amended to read as follows:

467.310 The sale of tickets for any proposed contest or exhibition is prohibited until [the] :

**1.** *The aisle spacing, the exit facilities and the location of appliances to extinguish fires have been approved by the appropriate county or municipal authority [.] ; and*

**2.** *The commission issues a permit for the contest or exhibition pursuant to NAC 467.167.*

**Sec. 43.** NAC 467.340 is hereby amended to read as follows:

467.340 **1.** The promoter of a program of unarmed combat shall admit to [.] **such program** any referee, judge, ringside physician, inspector or timekeeper who is an [employee or] independent contractor of the commission and who presents his card **or commission badge** evidencing such status.

**2.** *A commission badge may only be used by:*

- (a) Commissioners;**
- (b) Commission staff;**
- (c) Commission legal counsel;**
- (d) Inspectors; and**
- (e) Ringside physicians.**

**3.** *The promoter of a program and officials of the venue shall allow a person listed in subsection 2 full access to the site of the program and dressing rooms upon the showing of his commission badge.*

**Sec. 44.** NAC 467.414 is hereby amended to read as follows:

467.414 **1.** Except as otherwise provided in this [subsection,] **section**, a program of unarmed combat must not be held unless an ambulance and [a person] **two persons** certified by this state as [an] advanced emergency medical [technician] **technicians** are present at the site of the program [A person certified by this state as an advanced emergency medical technician]

~~need not be present at the site of the program if the commission determines that, because of the location of the site, it would not be practical to have such a person present at the site.~~

~~2. A person certified by this state as an advanced emergency medical technician who is required to be present at the site of a program of unarmed combat pursuant to subsection 1:] and able and available to transport an unarmed combatant to a medical facility.~~

*2. If the ambulance or advanced emergency medical technicians leave the site of the program to transport an unarmed combatant to a medical facility, the program of unarmed combat must not continue until another ambulance or replacements for the advanced emergency medical technicians are present and available.*

*3. If an ambulance is not available because of the location of the site, the highest level of medical transport in that locale must be present and able and available to transport an unarmed combatant to a medical facility. If the advanced emergency medical technicians are not available because of the location of the site, two persons with the highest level of training as emergency medical technicians in that locale must be present and able and available to treat an unarmed combatant.*

*4. The medical personnel described in this section:*

- (a) Must be designated to render service only to the unarmed combatants in the program.
- (b) Shall position ~~himself and his~~ *themselves and their* equipment in a location at or near the ring that ~~he~~ *they* and the ringside physician deem appropriate.

~~[3.]~~ *5. Each promoter of such a program shall, without regard to the size of the anticipated attendance:*

- (a) Give notice of the time, date and site of the program to the ambulance service or emergency medical service which is located nearest to the site of the program and ascertain from the service the length of time required for one of its ambulances to reach the site.
- (b) Give such a notice to the nearest hospital and the persons in charge of its emergency room.

**6. *For purposes of this section, a program of unarmed combat begins with the commencement of the first bout and ends when the last unarmed combatant leaves the site of the program.***

**Sec. 45.** NAC 467.427 is hereby amended to read as follows:

467.427 The gloves used in a contest or exhibition must meet the following requirements:

- 1. The gloves must be examined by the representative of the commission and the referee. If padding in any glove is found to be misplaced or lumpy or if any glove is found to be imperfect, the glove must be changed before the contest or exhibition starts. No breaking, roughing or twisting of gloves is permitted.
- 2. The gloves for every contest or exhibition that is designated as a main event must be new, furnished by the promoter and made to fit the hands of the unarmed combatant.
- 3. If gloves to be used in preliminary contests or exhibitions have been used before, they must be whole, clean and in sanitary condition. The gloves are subject to inspection by the referee or representative of the commission. If a glove is found to be unfit, it must be replaced with a glove that meets the requirements of this section.
- 4. Each promoter must have an extra set of gloves of the appropriate weight available to be used in case a glove is broken or otherwise damaged during the course of a contest or exhibition.

5. Each unarmed combatant must wear gloves which weigh not less than 8 ounces and not more than 10 ounces, except that the commission will set the weight of gloves to be used in a championship contest.

6. All gloves must have the distal portion of the thumb attached to the body of the glove so as to minimize the possibility of injury to an opponent's eye.

***7. Both unarmed combatants shall use the same brand and model of gloves for their contest or exhibition.***

**Sec. 46.** NAC 467.442 is hereby amended to read as follows:

467.442 A boxing or kickboxing ring must meet the following requirements:

1. The ring must be 20 feet square within the ropes. The ring floor must extend at least 18 inches beyond the ropes. The ring floor must be padded with ensolite or another similar closed-cell foam. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges must not be used.

2. The ring platform must not be more than 5 feet above the floor of the building, and must be provided with suitable steps for use of unarmed combatants. Ring posts must be of metal, not more than 3 inches in diameter, extending from the floor of the building to a height of 58 inches above the ring floor. Ring posts must be at least 18 inches away from the ropes.

3. There must be four ring ropes, not less than 1 inch in diameter and wrapped in soft material. The lower rope must be 18 inches above the ring floor and offset 4 inches to the outside of the ring from the ropes above.

***4. There must not be any obstruction or object, including, without limitation, a triangular border, on any part of the ring floor.***

**Sec. 47.** NAC 467.514 is hereby amended to read as follows:

467.514 1. Each unarmed combatant must be weighed in the presence of the public, his opponent, a representative of the commission and an official representing the promoter, on scales approved by the commission at any place designated by the commission.

2. The unarmed combatant must have all weights stripped from his body before he is weighed in, but may wear shorts.

3. Representatives of newspapers and the electronic news media who properly identify themselves as such must be admitted to each official weighing in of an unarmed combatant.

4. The owner or operator of the premises in which the weighing in is held shall provide adequate security for the unarmed combatant and other persons who are present.

*5. The commission may require unarmed combatants to be weighed more than once for any cause deemed sufficient by the commission.*

**Sec. 48.** NAC 467.568 is hereby amended to read as follows:

467.568 1. ~~A female unarmed combatant must be qualified to perform as an unarmed combatant before she enters a contest or exhibition.~~

~~—2.]~~ A female unarmed combatant shall not engage in a contest or exhibition with a male unarmed combatant.

~~[3.]~~ 2. In addition to meeting such requirements of this chapter as are applicable to unarmed combatants generally, a female unarmed combatant shall:

- (a) Use a mouthpiece ~~specially designed~~ *that has been fitted* for her mouth;
- (b) Wear a breast protector as a binder;
- (c) Have her hair secured in a manner that does not interfere with the vision or safety of either unarmed combatant;

- (d) Use a minimum of cosmetics; and
- (e) For each contest or exhibition in which she competes, have two uniforms in contrasting colors, with each uniform consisting of a body shirt, blouse and shorts.

~~[4.] A female unarmed combatant must, in addition to signing the bout agreement, sign an addendum indicating that to her knowledge she is not pregnant.~~

~~—5.] 3. Before each bout in which a female unarmed combatant is scheduled to compete, the female unarmed combatant shall provide to the commission an original or certified copy of the result of a medical test taken not later than 1 week before the day of the bout which shows that the combatant is not pregnant. The commission will not permit a female unarmed combatant to compete if she:~~

- (a) Is determined to be pregnant; or*
- (b) Fails to comply with this subsection.*

**4.** The promoters of a contest or exhibition between female unarmed combatants shall provide them with adequate separate dressing rooms.

**[6.] 5.** The annual physical examination of a female unarmed combatant must include an examination of the pelvis, the abdomen and the breasts and the notation of any masses.

**Sec. 49.** NAC 467.740 is hereby amended to read as follows:

467.740 1. When an unarmed combatant is knocked down, the referee shall order the opponent to retire to the farthest neutral corner of the ring, by pointing to the corner, and shall immediately begin the count over the unarmed combatant who is down. The referee shall audibly announce the passing of the seconds, accompanying the count with motions of his arm, with the downward motion indicating the end of each second.

2. The timekeeper, by effective signaling, shall give the referee the correct 1-second interval for his count. The referee's count is the official count. Once the referee picks up the count from the timekeeper, the timekeeper shall cease counting. No unarmed combatant who is knocked down may be allowed to resume competing until the referee has finished counting to eight. The unarmed combatant may take the count either on the floor or standing.

3. If the opponent fails to stay in the farthest corner, the referee shall cease counting until he has returned to his corner and shall then go on with the count from the point at which it was interrupted. If the unarmed combatant who is down arises before the count of 10, the referee may step between the unarmed combatants long enough to assure himself that the unarmed combatant who has just arisen is in condition to continue. If so assured, he shall, without loss of time, order both unarmed combatants to go on with the contest or exhibition. During the intervention by the referee, the striking of a blow by either unarmed combatant may be ruled a foul.

4. When an unarmed combatant is knocked out, the referee shall perform a full 10-second count unless, in the judgment of the referee, the safety of the unarmed combatant would be jeopardized by such a count. If the unarmed combatant who is knocked down is still down when the referee calls the count of 10, the referee shall wave both arms to indicate that he has been knocked out.

5. If both unarmed combatants go down at the same time, the count [~~shall~~] **must** be continued as long as one is still down. If both unarmed combatants remain down until the count of 10, the contest or exhibition must be stopped and the decision is a technical draw.

6. If an unarmed combatant is down and the referee is in the course of counting at the end of

‡

—(a) A] a period of unarmed combat, [other than the period of unarmed combat of the final round,] the bell indicating the end of the period of unarmed combat must not be sounded, but the bell must be sounded as soon as the downed unarmed combatant regains his feet.

[(b) The period of unarmed combat of the final round, the bell must be sounded indicating the end of the contest or exhibition.]

7. When an unarmed combatant has been knocked down before the normal termination of a period of unarmed combat and the period of unarmed combat terminates before he has arisen from the floor of the ring, [E:

—(a) If the period of unarmed combat is in a round other than the final round,] the referee's count must be continued. If the unarmed combatant who is down fails to arise before the count of 10, he is considered to have lost the contest or exhibition by a knockout in the round containing the period of unarmed combat that was just concluded.

[(b) If the period of unarmed combat is in the final round, the referee's count must be discontinued upon the sound of the bell terminating the contest or exhibition.]

8. If a legal blow struck in the final seconds of a period of unarmed combat [other than the period of unarmed combat of the final round] causes an unarmed combatant to go down after the bell has sounded, that knockdown must be regarded as having occurred during the period of unarmed combat just ended and the appropriate count must continue . [into the period of rest following the bell.

9. An unarmed combatant who is knocked down three times in the same round automatically loses the contest or exhibition by technical knockout. The commission may, by prior directive, waive the provisions of this subsection.]

Sec. 50. NAC 467.757 is hereby amended to read as follows:

467.757 1. An unarmed combatant who has been knocked or has fallen through the ropes and over the edge of the ring platform during a contest or exhibition **[may]** :

(a) **May** be helped back by anyone except his seconds or manager **[, and the referee may allow a reasonable time for the unarmed combatant; and]**

(b) **Will be given 20 seconds** to return to the ring. **[If the unarmed combatant is]**

2. **An unarmed combatant who has been knocked or has fallen** on the ring platform outside the ropes **[, he must enter the ring immediately where he may resume the contest or exhibition or take a count. The referee shall start the count as soon as the unarmed combatant who had fallen is back in the ring.]**

— 2. **If the unarmed combatant stalls for time outside the ropes, the referee shall start the count without waiting for him to reenter the ring.**

— 3. **, but not over the edge of the ring platform:**

(a) **May not be helped back by anyone, including, without limitation, his seconds or manager; and**

(b) **Will be given 10 seconds to regain his feet and get back into the ring.**

3. **If the seconds or manager of the unarmed combatant who has been knocked or has fallen pursuant to subsections 1 and 2 helps the unarmed combatant back into the ring, such help may be cause for disqualification.**

4. When one unarmed combatant has fallen through the ropes, the other unarmed combatant shall retire to the farthest corner and stay there until ordered to continue the contest or exhibition by the referee.

[4.] 5. An unarmed combatant who deliberately wrestles or throws an opponent from the ring, or who hits him when he is partly out of the ring and is prevented by the ropes from assuming a position of defense, may be penalized.

**Sec. 51.** NAC 467.885 is hereby amended to read as follows:

467.885 ~~[A person who is licensed by the commission may have his license suspended or revoked, or he may be fined or be subject to discipline by the commission if he has:]~~ *The commission may suspend or revoke the license of, otherwise discipline or take any combination of such actions against a licensee who has, in the judgment of the commission:*

1. Violated the laws of Nevada, except for minor traffic violations;
2. Violated any provision of this chapter;
3. *Provided false or misleading information to the commission or a representative of the commission;*
4. Failed or refused to comply with a valid order of a representative of the commission; ~~for~~
- 4.] 5. Conducted himself at any time or place in a manner which is deemed by the commission to reflect discredit to unarmed combat ~~H~~; or
6. *Knowingly dealt or consorted with any person who:*
  - (a) *Has been convicted of a felony;*
  - (b) *Engages in illegal bookmaking;*
  - (c) *Engages in any illegal gambling activity;*
  - (d) *Is a reputed underworld character;*
  - (e) *Is under suspension from any other commission; or*
  - (f) *Is engaged in any activity or practice that is detrimental to the best interests of unarmed combat.*

**Sec. 52.** NAC 467.888 is hereby amended to read as follows:

467.888 The commission may honor the suspension of ~~[an unarmed combatant]~~ *a licensee* by an agency that regulates unarmed combat in another jurisdiction if the suspension is ordered for:

1. Medical safety;
  2. A violation of a law or regulation governing unarmed combat which also exists in this state; or
  3. Any other conduct which discredits unarmed combat, as determined by the commission.
- Sec. 53.** Unless a requirement set forth in this chapter or a period of time prescribed by this chapter is waived or altered by the commission or the chairman of the commission pursuant to section 11 of this regulation, the amendatory provisions of this regulation apply to any proceeding that is pending on the effective date of this regulation and any proceeding held on or after the effective date of this regulation.

**Sec. 54.** 1. This section and sections 1 to 34, inclusive, and 36 to 53, inclusive, of this regulation become effective upon filing with the secretary of state.

2. Section 35 of this regulation becomes effective on January 1, 2001.

## **NOTICE OF ADOPTION OF REGULATION**

Enclosed please find the adopted regulations of the Nevada Athletic Commission, LCB File No. R083-00. Three additional changes have been made and I have tabbed the pages showing those changes. I have also enclosed the Secretary of State cover sheet and the Informational Statement regarding the regulations.

### **INFORMATIONAL STATEMENT**

LCB FILE NO. R083-00

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 467.

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

R083-00 was noticed by posting at the (1) Office of the Athletic Commission, 555 East Washington Avenue, Suite 1500, Las Vegas, Nevada 89101; (2) Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104; (3) Washoe County District Courthouse, 75 Court Street, Reno, Nevada 89502; (4) Department of Parks & Recreation, 2601 East Sunset Road, Las Vegas, Nevada 89120; (5) State of Nevada Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, Nevada 89101; by mailing to all main public libraries in each Nevada county; and by mailing to all persons and businesses who had requested in writing that they be placed upon a mailing list pursuant to NRS 233B.0603. Comments from the public focused on (1) the presence of ambulances and emergency medical technicians at events of unarmed combat, and (2) getting a uniform set of rules for contests of unarmed combat throughout the United States. There were two written comments submitted, and there were eight persons who testified. A copy of a summary of the public response may be obtained by calling the Office of the Athletic Commission at (702) 486-2575, or writing to the Office of the Athletic Commission, 555 East Washington Avenue, Suite 1500, Las Vegas, Nevada 89101.

**2. The number of persons who:**

- |            |                                    |   |
|------------|------------------------------------|---|
| <b>(a)</b> | <b>Attended the</b>                |   |
|            | <b>February 22, 2000 workshop:</b> | 9 |
|            | <b>February 24, 2000 workshop:</b> | 0 |
|            | <b>August 16, 2000 hearing:</b>    | 5 |
| <b>(b)</b> | <b>Testified at the</b>            |   |
|            | <b>February 22, 2000 workshop:</b> | 8 |
|            | <b>February 24, 2000 workshop:</b> | 0 |
|            | <b>August 16, 2000 hearing:</b>    | 0 |

**(c) Submitted to the agency written comments:** Two (2) written comments were submitted to the agency.

**3. 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.**

Comments were solicited from affected businesses by posting the (1) Office of the Athletic Commission, 555 East Washington Avenue, Suite 1500, Las Vegas, Nevada 89101; (2) Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104; (3) Washoe County District Courthouse, 75 Court Street, Reno, Nevada 89502; (4) Department of Parks & Recreation, 2601 East Sunset Road, Las Vegas, Nevada 89120; (5) State of Nevada Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, Nevada 89101; by mailing to all main public libraries in each Nevada county; and by mailing to all persons and businesses who had requested in writing that they be placed upon a mailing list pursuant to NRS 233B.0603. Comments from interested businesses included (1) the presence of ambulances and emergency medical technicians at events of unarmed combat, and (2) getting a uniform set of rules for contests of unarmed combat throughout the United States. There were two written comments submitted. A copy of a summary of the businesses' response may be obtained by calling the Office of the Athletic Commission at (702) 486-2575, or writing to the Office of the Athletic Commission, 555 East Washington Avenue, Suite 1500, Las Vegas, Nevada 89101.

**4. A summary of the reasons for making changes to the regulation as proposed.**

The Nevada Athletic Commission adopted R083-00 as permanent regulation with three changes. The Commission made changes to (1) Section 34 by adding that an ophthalmologist with a M.D. or D.O. must perform the ophthalmologic eye examination; (2) Sec. 47 by deleting existing section 1 of NAC 467.568; and (3) the regulations by adding that the chairman of the Athletic Commission can designate another commissioner to act in his place with respect to the duties set forth in Chapter 467. Furthermore, the Athletic Commission provided that the hepatitis-testing requirement set forth in Sec. 34 and which will be designated as NAC 467.027(c)(3) will not go into effect until January 1, 2001, while all other changes will take effect immediately upon passage. The Athletic Commission favorably responded to the public concerns and adopted R083-00, as amended.

**5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

- a. The proposed regulation is not expected to have an immediate or long-term adverse economic effect, nor an immediate or long-term beneficial economic effect upon the regulated community.

- b. There is no estimated adverse effect on the public. However, there should be both immediate and long-term beneficial effect on the public because of improved regulation of unarmed combat in Nevada.

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

There is no additional cost to the agency for enforcement of these regulations, except that there may be nominal costs incurred in providing copies of the Uniform Championship Rules to members of the public who request such copies.

**7. A description of any regulations of other state or government agencies that 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.**

There are no other state or governmental agency regulations that the proposed regulation duplicates.

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

Not applicable.

**9. 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.**

This regulation does not provide a new fee or increase an existing fee. Since no fees are involved, there is not a total amount expected to be collected or used.