

**ADOPTED REGULATION OF THE
STATE BOARD OF PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

LCB File No. R039-03

Effective May 4, 2006

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

AUTHORITY: §1, NRS 625.140 and 625.398.

A REGULATION relating to occupations; revising the requirements for a retired or inactive professional engineer or professional land surveyor to reinstate his license to active status; and providing other matters properly relating thereto.

Section 1. NAC 625.420 is hereby amended to read as follows:

625.420 1. In lieu of the renewal of his license, a licensee may apply to the Board to change his status to:

(a) Retired, by filing with the Board a notice in writing that states his intention to retire from practice. The Board will issue an identification card indicating that the licensee is retired and showing the period of his active professional licensure in this State.

(b) Inactive, by filing with the Board a notice in writing that states his intention to change his status to inactive and paying a fee that is equal to the fee required for a licensee who wishes to renew his license. The Board will issue an identification card indicating that the licensee is inactive.

2. If an identification card is issued to a licensee pursuant to this section, his license expires and he is not licensed to continue to practice.

3. A licensee who has changed his status to retired ~~[or inactive status]~~ pursuant to this section may reinstate his license to active status by complying with the requirements for the issuance of an original license ~~[prescribed in chapter 625 of NRS and this chapter.] and submitting proof that he has completed at least 30 professional development hours within the 2 years immediately preceding the date of his request to reinstate his license to active status.~~

4. *A licensee who has changed his status to inactive pursuant to this section may reinstate his license to active status by submitting proof that he has completed at least 30 professional development hours within the 2 years immediately preceding the date of his request to reinstate his license to active status.*

NOTICE OF ADOPTION OF PROPOSED REGULATION

LCB File No. R039-03

The State Board of Professional Engineers and Land Surveyors adopted regulations assigned LCB File No. R039-03 which pertain to chapter 625 of the Nevada Administrative Code on January 19, 2006.

Notice date: 9/19/2002

Hearing date: 11/7/2002

Date of adoption by agency: 11/7/2002; 7/10/2003; 1/19/2006

Filing date: 5/4/2006

INFORMATIONAL STATEMENT

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

Public comment was solicited by mailing a Notice of Workshop to Solicit Comments on Proposed Regulations and a Notice of Intent to Act Upon Proposed Amendments to Regulations to the individuals and entities identified in the mailing list attached as Exhibit "A". A copy of the Notice of Workshop to Solicit Comments on Proposed Regulations is attached as Exhibit "B". A copy of the Notice of Intent to Act Upon Proposed Amendments to Regulations is attached as Exhibit "C". The two separate Notices were also mailed to specific recipients together with a cover letter requesting those recipients to post the Notices in a public place and to distribute copies of the Notices to persons who may be interested in the proposed amendments to the regulations. A copy of the cover letter to those specific recipients is attached as Exhibit "D".

No public comment was received on the proposed amendments to regulations NAC 25.420 and NAC 625.490. A summary of the Board's discussion of the proposed amendments may be obtained by calling the Nevada State Board of Professional Engineers and Land Surveyors' office at (775) 688-1231 or by writing to the State Board at 1755 E. Plumb Lane, Suite 135, Reno, Nevada 89502.

2. The number of persons who:

- | | |
|--|---|
| (a) Attended each hearing: | 0 |
| (b) Testified at each hearing: | 0 |
| (c) Submitted to the Agency written comments: | 0 |

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 and members of the professions of professional engineering and professional land surveying as outlined in number 1 above. The Board did not receive any comments from affected businesses or from members of either profession. A copy of the Board's minutes concerning the proposed amendments to the regulations and the

subsequent adoption of the amended regulations can be obtained by calling the Nevada State Board of Professional Engineers and Land Surveyors at (775) 688-1231 or by writing to the State Board at 1755 E. Plumb Lane, Suite 135, Reno, Nevada 89502.

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

The language of the proposed amendments to the regulations was drafted following consultation with the Legislative Counsel Bureau which subsequently approved the proposed amendments. The board made no changes to the proposed language after that language had been approved by the Legislative Counsel Bureau. The board adopted the proposed amendments at a public meeting held on November 7, 2002 and forwarded notice of adoption of the amended Regulations to the Legislative Counsel Bureau on January 14, 2003.

The Legislative Counsel Bureau accepted the proposed amendments to NAC 625.490. however, on June 13, 2004, the Legislative Counsel Bureau made a slight change in the wording of the proposed amendment to NAC 625.420. The State Board adopted the modified language to NAC 625.420 at a public meeting held on July 10, 2003.

Thereafter, the Legislative Counsel Bureau requested the Nevada State Board of Professional Engineers and Land Surveyors to again adopt the amendments to Regulations NAC 625.420 and 625.490. The Nevada State Board adopted the proposed amendments at a public meeting held on January 19, 2006. Copies of the amended Regulations as adopted on January 19, 2006 are attached as Exhibit "E".

5. The estimated economic effect of the adopted regulation on the business which 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 amendments are not expected to have either an adverse or a beneficial economic effect upon the regulated community. The proposed amendments simply clarify the actions that must be taken by a licensee who wishes to change the status of his license to active from inactive or retired (NAC 625.420). The proposed amendment to NAC 625.490 clarifies that a licensee must submit proof of completion of at least thirty professional development hours to the State Board to qualify for the six month grace period to timely complete developmental hours that are acceptable to the Board.

(b) There will be no economic effect either immediate or long term on the public or on the engineering or land surveying professions.

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

The estimate cost to the State board for enforcement of the adopted amendments to the existing Regulations is \$1,000.00 annually.

7. A description of any regulation 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.

There are no other state or government agency regulations that the proposed amendments to Regulations duplicate.

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

There is no federal regulation that regulates the same activity.

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.

The amendments to the existing Regulations do not provide for or involve a new fee. Nor, do the amendments increase an existing fee.