

Chapter 289 of NAC

LCB File No. T004-06

**ADOPTED TEMPORARY REGULATION OF THE  
PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION**

**Filed with the Secretary of State on August 17, 2006**

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

AUTHORITY: NRS 289.510 and 289.590.

A REGULATION relating to training of peace officers; revising the provisions concerning the certification of basic training courses for peace officers; and providing other matters properly relating thereto.

**Section 1.** NAC 289.290 is hereby amended to read as follows:

**NAC 289.290 Denial, revocation, suspension and reinstatement of certificate.** (NRS 289.510)

1. Each of the following constitutes cause for the Commission to revoke, refuse or suspend the certificate of a peace officer:

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's ability to perform his full range of duties.
- (c) Chronic drinking or drunkenness on duty.
- (d) Addiction to or the unlawful use or possession of narcotics or other drugs.
- (e) Conviction of a gross misdemeanor. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed.
- (f) Failure to comply with the standards established in NAC 289.010 to 289.380, inclusive.
- (g) Conviction of a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction, the certificate will be revoked.
- (h) Conviction of a misdemeanor. If the employing agency recommends suspension or revocation following conviction of the employee for a misdemeanor, suspension or revocation may be imposed. In determining whether to suspend or revoke the certificate, the Commission will consider the type of conviction and other information provided by the agency indicating unprofessional conduct or similar undesirable activity by the officer that resulted in disciplinary action.

2. Denial, suspension or revocation procedures will not be considered by the Commission in cases where the employment of an officer is terminated for violations of the policies, general orders or similar guidelines of operation of the employing agency which do not constitute any of the causes for denial, suspension or revocation specified in subsection 1.

3. The employing agency shall notify the Commission any time that it becomes aware that one of its officers has been charged with a crime that could result in denial, suspension or revocation procedures. Upon receipt of information alleging any of the causes enumerated in subsection 1, the Commission will determine whether to pursue revocation or suspension of the certificate of the officer.

4. The Commission will notify the officer by certified mail at the officer's last known address of any pending revocation or suspension action and of the nature of the charges and the officer's right to appear and answer the charges. The officer shall, within 15 days after the date on the certified mail receipt, respond in writing, notifying the Commission of his intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his intention to appear in answer to the pending action, the Commission will:

(a) Consider the case on its own merits, using the statement from the head of the employing agency or the substantiated information derived from any independent investigation it deems necessary;

(b) Take no action pending the outcome of possible criminal action which may be filed against the officer; and

(c) Take no action pending the outcome of an appeal.

The Commission's decision will be determined by a majority vote of the members of the Commission present.

6. When an officer notifies the Commission of his intention to appear and answer the charges pending against him, the Commission will elect to sit as a whole at a hearing or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. The Commission will review the recommendations of any such hearing officer and arrive at a decision by majority vote of the members present.

7. The Commission will notify the officer of its decision within 15 days after the hearing.

8. An applicant for a certificate who has not been previously certified, but who would be subject to revocation for any cause set out in subsection 1, will not be granted a certificate.

9. If, upon receiving a written allegation that a peace officer is in violation of any provision of subsection 1 and that the facts and circumstances indicate that suspension rather than revocation would be in the best interests of the agency and law enforcement in general, the Commission will suspend the officer's certificate.

~~[10. Any suspension pursuant to this section will be for no longer than 60 days.]~~

~~[11.]~~ **10.** The Commission will provide each peace officer whose certificate is suspended with written notice of the suspension by certified registered mail. The suspension becomes effective 24 hours after receipt of the certified notice. The notice will contain a statement advising the officer of his right to a hearing.

~~[12.]~~ **11.** Suspension of a certificate is not a bar to future revocation of the certificate and any prior suspensions may be considered as a factor if revocation is being considered by the Commission.

~~[13.]~~ **12.** Five years after the revocation of a certificate, an officer may submit a written request to the Commission to allow him to reinstate his certificate. The Commission will schedule a hearing to consider whether to reinstate the officer's certificate. The Commission will notify the agency that requested the revocation of the date and time of the hearing. After the hearing, the Commission will determine whether to reinstate the certificate. If the certificate is reinstated, the

Commission may establish a probationary period during which any misconduct by the officer would result in revocation.

**Section 2.** NAC 289.230 is hereby amended to read as follows:

**NAC 289.230 Basic or reserve certificate: Requirements for continuing education of officer.** (NRS 289.510, 289.590)

1. To maintain a basic certificate or reserve certificate, the officer must annually complete 24 hours of additional training prescribed by the administrator of the employing agency of the officer and approved by the Executive Director. The employing agency shall ensure that its officers receive the required training. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 3 for failure to comply with this section. After an officer completes such training, the employing agency shall submit verification of completion of training to the Executive Director on a form approved by the Commission. Verification must be submitted before January 31 following the year in which training was required.

2. If the Executive Director has not received verification of completion of training pursuant to subsection 1 before January 31 following the year in which training was required, the Executive Director shall notify the administrator of the employing agency that he has not received the verification required by subsection 1 and that if the verification is not received on or before March 1 of that year, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification of completion of training pursuant to subsection 1 on or before March 1 following the year in which training was required, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

3. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the continuing education requirement. The Commission will notify each officer and his employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not obtain the required training within 60 days after the date on which he received the notice of noncompliance. The Commission will reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he has complied with the continuing education requirement.

4. As part of the continuing education required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each firearm he is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any firearm he is authorized to use may not carry or use the firearm until he participates in a remedial course established by the employing agency to ensure that he achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less lethal weapon, demonstrate a minimum level of proficiency in the use of each such weapon or device he is authorized to use.

(c) If the duties of an officer require him to use defensive tactics, demonstrate annually a minimum level of proficiency in the use of defensive tactics, including, without limitation,

techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

5. Each employing agency shall establish and provide the courses set forth in subsection 4 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

**6. An officer must, at a minimum, meet the requirements of subsection 4 and 5 prior to returning to their peace officer duties if:**

**(a) During a period of continuous employment as a peace officer by an agency, an officer is absent from their peace officer duties for more than 12 consecutive months as a result of medical, military activation or other extended leave; or**

**(b) An officer leaves employment as a peace officer with an agency for a period of 12 through 60 months.**

**For the purpose of compliance with this subsection, an officer must demonstrate one proficiency in the use of each firearm he is authorized to use to satisfy the requirements of subsection 4a.**

~~6.~~ **7.** An officer who is certified by the Executive Director to instruct courses in firearms, impact weapons or defensive tactics is not required to comply with the continuing education requirements of subsection 4 if the officer:

(a) Instructs a course in the subject for which his certificate is issued during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he instructs.

~~7.~~ **8.** Each agency shall maintain documentation of the courses provided pursuant to subsection 4. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

**Section 3.** NAC 289.140 is hereby amended to read as follows:

**NAC 289.140 Minimum standard of training: Training category I.** (NRS 289.510, 289.600)

The minimum standard of training for officers in training category I is successful completion of a basic course that includes 480 hours of training in:

1. ~~Legal subjects, specifically:~~ **Law and legal procedures:**
  - (a) ~~Constitutional law~~ **Civil Liability;**
  - (b) ~~Probable cause~~ **Constitutional Law;**
  - (c) ~~Search and seizure~~ **Coroner Law;**
  - (d) ~~Laws of arrest~~ **Crimes against Persons;**
  - (e) Crimes against property;
  - (f) ~~Crimes against persons~~ **Drug Laws and Current Drug Trends;**
  - (g) ~~Laws governing coroners~~ **Juvenile Law;**

- (h) ~~[Traffic laws]~~ *Laws of Arrest*;
- (i) ~~[Laws relating to narcotics]~~ *Miscellaneous Crimes*;
- (j) ~~[Civil liability]~~ *Probable Cause*;
- (k) ~~[Use of force]~~ *Search and Seizure*;
- (l) ~~[Laws relating to child abuse]~~ *Traffic Law*;
- (m) ~~[Laws relating to the abuse of elderly persons]~~ *Use of Force*; and
- ~~[(n) Laws relating to domestic violence;]~~ *Victim's Rights.*
- ~~[(o) Laws relating to stalking and aggravated stalking;]~~
- ~~[(p) Laws relating to juveniles;]~~
- ~~[(q) Miscellaneous crimes; and]~~
- ~~[(r) Operation of emergency vehicles.]~~
- 2. ~~[Procedures for patrol, specifically relating to:]~~ *Patrol operations and investigations:*
  - (a) ~~[Basic patrol procedures;]~~ *Abuse of Elderly Persons*;
  - (b) ~~[Stopping and citing of drivers of vehicles;]~~ *Accident Investigations*;
  - (c) ~~[Survival of officers;]~~ *Basic Patrol Procedures*;
  - (d) ~~[Searching of buildings;]~~ *Child Abuse and Child Sexual Assault*;
  - (e) Domestic ~~[v]~~ *Violence and Stalking*;
  - (f) ~~[Stalking and aggravated stalking;]~~ *DUI Detection & Standardized Field Sobriety Testing*;
  - (g) ~~[Child abuse;]~~ *Investigation of Crime Scenes, Collection and Preservation of Evidence and Fingerprinting*;
  - (h) ~~[Abuse of elderly persons;]~~ *Principles of Investigations*;
  - (i) ~~[Handling persons who are mentally ill;]~~ *Techniques of Interviewing and Interrogation*;
- and*
- (j) ~~[Crisis intervention; and]~~ *Unknown and High Risk Vehicle Stops*
- ~~[(k) Weapons of mass destruction.]~~
- 3. ~~[Skills of officers, specifically:]~~ *Performance Skills:*
  - (a) ~~[Techniques of interviewing and interrogation;]~~ *Arrest and Control Tactics to include Methods of Arrest and Less Lethal Weapons*;
  - (b) ~~[Writing of reports;]~~ *Emergency First Aid and Cardiopulmonary Resuscitation*;
  - (c) ~~[Fingerprinting;]~~ *Emergency Vehicle Operations Course*;
  - (d) ~~[Methods of arrest;]~~ *Firearms Training*;
  - (e) ~~[Nonlethal weapons;]~~ *Interpersonal Communications*;
  - (f) ~~[Retention of weapons;]~~ *Report Writing*;
  - (g) ~~[Qualification for use of firearms;]~~ *Searching of Buildings*; and
  - (h) ~~[Defensive tactics; and]~~ *Health, Fitness and Wellness.*
  - ~~[(i) Operation of emergency vehicles.]~~
- 4. ~~[Investigation, specifically:]~~ *Peace officer functions:*
  - (a) ~~[Principles of investigation;]~~ *Care of Persons in Custody*;
  - (b) ~~[Investigation of crime scenes;]~~ *Community Policing*;
  - (c) ~~[Collection and preservation of evidence;]~~ *Counter-Terrorism and Weapons of Mass Destruction*;
  - (d) ~~[Investigation of drivers who are under the influence of alcohol or a controlled substance;]~~
- Courtroom Demeanor and Testifying*;
- (e) ~~[Investigation of accidents;]~~ *Criminal Justice Systems*;
- (f) ~~[Investigation of allegations of the abuse of elderly persons; and]~~ *Crisis Intervention*;

(g) ~~[Investigation of allegations of stalking and aggravated stalking.]~~ *Ethics in Law Enforcement;*

(h) *Handling Persons Who Are Mentally Ill;*

(i) *History and Principles of Law Enforcement;*

(j) *National Crime Information Center procedures;*

(k) *Officer Survival;*

(l) *Reality of Law Enforcement; and*

(m) *Stress Management.*

~~[5. Community relations, specifically:]~~

~~[(a) Ethics in law enforcement;]~~

~~[(b) Victim's rights;]~~

~~[(c) History and principles of law enforcement; and]~~

~~[(d) Interpersonal communication].~~

~~[6. Miscellaneous subjects, specifically:]~~

~~[(a) Stress;]~~

~~[(b) Criminal justice process;]~~

~~[(c) Courtroom demeanor;]~~

~~[(d) Emergency first aid;]~~

~~[(e) Cardiopulmonary resuscitation;]~~

~~[(f) National Crime Information Center procedure; and]~~

~~[(g) Physical conditioning.]~~

~~[7.]~~ 5. Course administration and examinations.

**Section 4.** NAC 289.150 is hereby amended to read as follows:

**NAC 289.150 Minimum standard of training: Training category II.** (NRS 289.510, 289.600)

The minimum standard of training for officers in training category II is successful completion of a basic course that includes 200 hours of training in:

1. ~~[Legal subjects, specifically:]~~ *Law and legal procedures:*

(a) ~~[Constitutional law;]~~ *Civil Liability;*

(b) ~~[Probable cause;]~~ *Constitutional Law;*

(c) ~~[Search and seizure;]~~ *Crimes Against Persons;*

(d) ~~[Laws of arrest;]~~ *Crimes Against Property;*

(e) ~~[Crimes against property;]~~ *Drug Laws and Current Drug Trends;*

(f) ~~[Crimes against persons;]~~ *Juvenile Law;*

(g) ~~[Laws relating to narcotics;]~~ *Laws of Arrest;*

(h) Miscellaneous ~~[e]~~ *Crimes;*

(i) ~~[Civil liability;]~~ *Probable Cause;*

(j) ~~[Use of force;]~~ *Search and Seizure;*

(k) ~~[Laws relating to child abuse;]~~ *Use of Force; and*

(l) ~~[Laws relating to the abuse of elderly persons;]~~ *Victims Rights.*

~~[(m) Laws relating to domestic violence;]~~

~~[(n) Laws relating to stalking and aggravated stalking; and]~~

~~[(o) Laws relating to juveniles.]~~

2. ~~[Procedures in the field, specifically:]~~ *Operations and investigations:*

(a) ~~[Survival of officers;]~~ *Abuse of Elderly Persons;*

(b) ~~[Domestic violence;]~~ *Child Abuse and Child Sexual Abuse;*

- (c) ~~[Stalking and aggravated stalking;]~~ *Domestic Violence and Stalking;*
- (d) ~~[Child abuse;]~~ *Investigation of Crime Scenes, Collection and Preservation of Evidence and Fingerprinting;*
- (e) ~~[Abuse of elderly persons;]~~ *Principles of Investigation; and*
- (f) ~~[Handling persons who are mentally ill;]~~ *Techniques of Interviewing and Interrogation.*
- ~~[(g) Crisis intervention; and]~~
- ~~[(h) Care and custody of prisoners.]~~
- 3. ~~[Skills of officers, specifically:]~~ *Performance skills:*
  - (a) ~~[Techniques of interviewing and interrogation;]~~ *Arrest and Control Tactics to include Methods of Arrest and Less Lethal Weapons;*
  - (b) ~~[Writing of reports;]~~ *Emergency First Aid and Cardiopulmonary Resuscitation;*
  - (c) ~~[Fingerprinting;]~~ *Firearms Training;*
  - (d) ~~[Physical methods of arrest and defensive tactics;]~~ *Interpersonal Communications;*
  - (e) ~~[Retention of weapons;]~~ *Report Writing; and*
  - (f) ~~[Qualification for use of firearms; and]~~ *Health, Fitness and Wellness.*
  - ~~[(g) Physical conditioning.]~~
- 4. ~~[Investigations, specifically:]~~ *Peace officer function:*
  - (a) ~~[Principles of investigation;]~~ *Care of Persons in Custody;*
  - (b) ~~[Investigation of crime scenes;]~~ *Counter-Terrorism/Weapons of Mass Destruction;*
  - (c) ~~[Investigation of allegations of the abuse of elderly persons;]~~ *Courtroom Demeanor and Testifying;*
  - (d) ~~[Investigation of allegations of stalking and aggravated stalking; and]~~ *Criminal Justice Systems;*
  - (e) ~~[Collection and preservation of evidence.]~~ *Crisis Intervention;*
  - (f) *Ethics in Law Enforcement;*
  - (g) *Handling Persons Who Are Mentally Ill;*
  - (h) *History and Principles in Law Enforcement;*
  - (i) *National Crime Information Center procedures;*
  - (j) *Officer Survival;*
  - (k) *Reality of Law Enforcement; and*
  - (l) *Stress Management.*
- ~~[5. Community relations, specifically:]~~
  - ~~[(a) Ethics in law enforcement;]~~
  - ~~[(b) Victim's rights;]~~
  - ~~[(c) History and principles of law enforcement; and]~~
  - ~~[(d) Communication skills.]~~
- ~~[6. Miscellaneous subjects, specifically:]~~
  - ~~[(a) Stress;]~~
  - ~~[(b) Criminal justice process;]~~
  - ~~[(c) Courtroom demeanor;]~~
  - ~~[(d) Emergency first aid;]~~
  - ~~[(e) Cardiopulmonary resuscitation; and]~~
  - ~~[(f) National Crime Information Center procedure.]~~
- ~~[7]~~ 5. Course administration and examinations.

**Section 5.** NAC 289.200 is hereby amended to read as follows:

**As amended by R146-05 (effective 12-29-05)**

1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score at or above the 70th percentile;

and

- (c) Passed the state physical fitness examination. To pass the examination, a person must:
  - (1) Complete a vertical jump of not less than 14 inches;
  - (2) Complete not less than 15 sit-ups in 1 minute;
  - (3) Complete not less than 18 push-ups;
  - (4) Run 300 meters in not more than 77 seconds; and
  - (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.

2. The Executive Director may award a basic certificate to any peace officer who has been previously certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Center training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

- (a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;

- (b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;

- (c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

- (d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training *that conforms with the standardized performance objectives established by the commission* ~~in~~:

***1. Law and legal procedures:***

- (1) ~~Constitutional law;~~ ***Abuse of Elderly Persons;***
- (2) ~~Probable cause;~~ ***Civil Liability;***
- (3) ~~Search and seizure;~~ ***Constitutional Law;***
- (4) ~~Laws of arrest;~~ ***Crimes Against Persons;***
- (5) Crimes ~~a~~ Against ~~p~~ Property;
- (6) ~~Crimes against persons;~~ ***Cultural Awareness;***
- (7) ~~Laws relating to narcotics;~~ ***Drug Laws and Current Drug Trends***
- (8) ~~Civil liability;~~ ***Domestic Violence and Stalking;***
- (9) ~~Use of force;~~ ***Juvenile Law;***
- (10) ~~Laws relating to child abuse;~~ ***Laws of Arrest;***
- (11) ~~Laws relating to domestic violence;~~ ***Miscellaneous Crimes;***
- (12) ~~Laws relating to juveniles;~~ ***Probable Cause;***
- (13) ~~Miscellaneous crimes;~~ ***Search and Seizure;***
- (14) ~~Rights of victims;~~ ***Use of Force***
- (15) ~~Ethics in law enforcement or for correctional officers;~~ ***Rights of Victims;***
- (16) Sexual ~~h~~ Harassment;
- (17) ~~Cultural awareness;~~ ***Ethics in Law Enforcement or for Correctional Officers;***

and

- (18) ~~Laws relating to abuse of elderly persons;~~ ***Counter Terrorism and Weapons of Mass Destruction.***

- ~~[(19) Laws relating to stalking and aggravated stalking; and]~~  
~~[(20) Weapons of mass destruction [;] ; and]~~  
~~[(21) Counter terrorism;]~~

(e) The peace officer passes the state certification examination with a score at or above the 70th percentile; and

(f) The peace officer passes the state physical fitness examination. To pass the examination, a person must:

- (1) Complete a vertical jump of not less than 14 inches;
- (2) Complete not less than 15 sit-ups in 1 minute;
- (3) Complete not less than 18 push-ups;
- (4) Run 300 meters in not more than 77 seconds; and
- (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.

3. The Executive Director may award a basic certificate in training category I to a peace officer who holds a basic certificate in training category II issued by the Commission if the peace officer:

- (a) Is currently employed as a peace officer by an agency;
- (b) Has satisfactorily completed a training course approved by the Executive Director that consists of a minimum of 280 hours of training in:

- (1) ~~[Legal subjects, specifically:]~~ **Law and legal:**
  - (I) ~~[Laws governing coroners;]~~ **Coroner Law; and**
  - (II) Traffic laws~~[; and]~~.
  - ~~[(III) Operation of emergency vehicles;]~~
- (2) ~~[Procedures for patrol, specifically relating to:]~~ **Patrol Operations and**

**investigations:**

- (I) ~~[Basic patrol procedures;]~~ **Accident Investigations;**
- (II) ~~[Stopping and citing of drivers of vehicles;]~~ **Basic Patrol Procedures;**
- (III) ~~[Searching of buildings;]~~ **DUI Detection & Standardized Field Sobriety**

**Testing; and**

- (IV) ~~[Weapons of mass destruction; and]~~ **Unknown and High Risk Vehicle Stops.**
- ~~[(V) Counter terrorism;]~~

- (3) **Performance Skills** ~~[of officers, specifically]:~~
  - (I) ~~[Less than lethal weapons; and]~~ **Emergency Vehicle Operations;**
  - (II) ~~[Operation of emergency vehicles;]~~ **Searching of Buildings; and**
  - (III) Arrest and Control Tactics to include Methods of Arrest and Less Lethal**

**Weapons.**

- (4) ~~[Investigations, specifically]~~ **Peace Officer Function:**
  - (I) ~~[Investigation of drivers who are under the influence of alcohol or a controlled substance; and]~~ **Counter Terrorism and Weapons of Mass Destruction.**
  - ~~[(II) Investigation of accidents;]~~ **and**

**(c) Passes the state certification examination for training category I with a score at or above the 70th percentile.**

4. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for a reserve certificate;
- (b) Passed the state certification examination with a score at or above the 70th percentile;

and

- (c) Passed the state physical fitness examination. To pass the examination, a person must:
  - (1) Complete a vertical jump of not less than 14 inches;
  - (2) Complete not less than 15 sit-ups in 1 minute;
  - (3) Complete not less than 18 push-ups;
  - (4) Run 300 meters in not more than 77 seconds; and
  - (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.

5. Except as otherwise provided in subsection 6 or 7, an officer must pass the state physical fitness examination:

(a) While enrolled in a basic training course certified or approved pursuant to NAC 289.300; or

(b) Not earlier than 16 weeks before, or not later than 16 weeks after, the date on which he was hired or, if the officer is a reserve officer, the date of activation of his reserve status.

6. If a student enrolled in a basic training course certified or approved pursuant to NAC 289.300 sustains a bona fide physical injury that renders him incapable of completing the requirements of the state physical fitness examination, an agency may submit a request for an extension of time for the student to complete the examination. The agency shall submit such a request to the Executive Director. The request must include, without limitation, written verification by a physician that the student is incapable of completing the requirements of the state physical fitness examination. If the Executive Director determines that an extension of time is warranted, the Executive Director shall authorize an extension of time for a period not to exceed 12 months after the date on which the student was hired or, if the student is a reserve officer, the date of activation of his reserve status.

7. If an officer passes the state physical fitness examination:

(a) While not enrolled in a basic training course certified or approved pursuant to NAC 289.300; and

(b) More than 16 weeks, but less than 12 months, after the date on which he was hired or, if the officer is a reserve officer, the date of activation of his reserve status, the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection 5. The request must include, without limitation, the reason the officer was unable to pass the state physical fitness examination within the periods described in subsection 5. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

8. Upon satisfactory completion of the requirements listed in subsection 1, 2, 3 or 4, the employing agency shall submit a request for certification to the Executive Director. The request must include:

(a) The name, social security number and date of hire of the officer or, if the officer is a reserve officer, the date of activation of his reserve status;

(b) Documentary evidence that the officer has successfully completed an approved basic training course;

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by this chapter; and

(d) The statement concerning child support prescribed by the Welfare Division of the Department of Human Resources pursuant to NRS 425.520.

9. The basic certificate of an officer whose employment is terminated for any reason will be placed on inactive status. If such a person is again employed as a full-time peace officer, the employing agency shall request that the person's basic certificate be returned to active status. If

the certification of such a person is on inactive status for more than 5 consecutive years, the person must renew his basic certificate by successfully completing the requirements set forth in subsection 1.

10. If a person who successfully completes a basic training course for the purpose of obtaining a basic certificate is not employed by an agency within 24 months after he completes the course, the person must repeat all of the requirements for basic certification set forth in subsection 1.

**This section includes the changes made in R146-05**

**Section 6.** NAC 289.170 is hereby amended to read as follows:

**NAC 289.170 Minimum standard of training: Reserve officers.** (NRS 289.510, 289.600)

The minimum standard of training for reserve officers is successful completion of a basic course that includes 120 hours of training in:

1. ~~Legal subjects, including an overview of;~~ *Law and legal procedures:*
  - (a) ~~Constitutional law;~~ *Civil Liability;*
  - (b) ~~Probable cause;~~ *Constitutional Law;*
  - (c) ~~Search and seizure;~~ *Crimes Against Persons;*
  - (d) ~~Laws of arrest;~~ *Crimes Against Property;*
  - (e) ~~Crimes against property;~~ *Drug Laws and Current Drug Trends*
  - (f) ~~Crimes against persons;~~ *Juvenile Law;*
  - (g) ~~Traffic laws;~~ *Laws of Arrest;*
  - (h) ~~Laws relating to narcotics;~~ *Miscellaneous Crimes;*
  - (i) ~~Civil liability;~~ *Probable Cause;*
  - (j) ~~Use of force;~~ *Search and Seizure;*
  - (k) ~~Laws relating to child abuse;~~ *Traffic Law; and*  
~~(l) Laws relating to the abuse of elderly persons;~~ *Use of Force.*  
~~(m) Laws relating to domestic violence;~~  
~~(n) Laws relating to stalking and aggravated stalking;~~  
~~(o) Laws relating to juveniles; and~~  
~~(p) Miscellaneous crimes.~~
2. ~~Procedures for patrol, specifically relating to;~~ *Patrol operations and investigations:*
  - (a) ~~Basic patrol procedures;~~ *Abuse of Elderly Persons;*
  - (b) ~~Stopping and citing of drivers of vehicles;~~ *Basic Patrol Procedures;*
  - (c) ~~Survival of officers;~~ *Child Abuse and Child Sexual Abuse;*
  - (d) ~~Searching of buildings;~~ *Domestic Violence and Stalking;*
  - (e) ~~Domestic violence;~~ *Investigation of Crime Scenes, Collection and Preservation of Evidence and Fingerprinting;*
    - (f) ~~Handling persons who are mentally ill;~~ *Principles on Investigation; and*
    - (g) ~~Crisis intervention; and~~ *Unknown and High Risk Vehicle Stops.*  
~~(h) Weapons of mass destruction.~~
3. ~~Skills of officers, specifically;~~ *Performance skills:*
  - (a) ~~Writing of reports;~~ *Arrest and Control Tactics to include Methods of Arrest and Less Lethal Weapons;*
    - (b) ~~Fingerprinting;~~ *Emergency First Aid and Cardiopulmonary Resuscitation;*
    - (c) ~~Methods of arrest;~~ *Firearms Training;*
    - (d) ~~Nonlethal weapons;~~ *Report Writing;*
    - (e) ~~Retention of weapons;~~ *Searching of Buildings; and*

(f) ~~Qualification for use of firearms; and~~ *Health, Fitness and Wellness.*

~~[(g) Defensive tactics.]~~

4. ~~Investigation, specifically:]~~ *Peace officer function:*

(a) ~~Principles of investigation;]~~ *Counter Terrorism and Weapons of Mass Destruction;*

(b) ~~Investigation of crime scenes; and]~~ *Courtroom Demeanor and Testifying;*

(c) ~~Collection and preservation of evidence.]~~ *Crisis Intervention*

*(d) Ethics in Law Enforcement;*

~~(e) Handling Persons Who Are Mentally Ill;~~

~~(f) History and Principles of Law Enforcement;~~

~~(g) Officer Survival; and~~

~~(h) Community Policing~~

~~— [5. Community relations, specifically:]~~

~~[(a) Ethics in law enforcement;]~~

~~[(b) History and principles of law enforcement;]~~

~~[(c) Courtroom demeanor;]~~

~~[(d) Emergency first aid;]~~

~~[(e) Cardiopulmonary resuscitation; and]~~

~~[(f) Physical conditioning.]~~

~~[6.]~~5. Course administration and examinations.

**NOTICE OF ADOPTION OF TEMPORARY REGULATION  
LCB File No. T004-06**

The **Peace Officer' Standards and Training Commission** adopted temporary regulations assigned LCB File No. T004-06 which pertain to chapter 289 of the Nevada Administrative Code on July 19, 2006.

**Notice date:** 6/16/2006  
**Hearing date:** 7/19/2006

**Date of adoption by agency:** 7/19/2006  
**Filing date:** 8/17/2006

**INFORMATIONAL STATEMENT**

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

The Commission on Peace Officer' Standards and Training noticed its intent to amend certain regulations through notices of one (1) public workshop held at 1:00 p.m. and one (1) Public Comment Hearing held at 1:15 p.m. on July 19, 2006, at the Prospector Hotel and Casino in the Ghost Train Room, 1501 East Altman, Ely, Nevada, all in compliance with NRS 233B.0603.

Notice of the Public Comment hearings were sent via U.S., inter-departmental mail or faxed to all identified law enforcement agencies.

Notice for the Public Comment Hearing was posted at all Nevada county libraries, POST Administrative Offices, Carson City; Nevada State Capitol Building, Carson City; State Personnel-Blasdel Building, Carson City; Nevada State Library, Carson City; Grant Sawyer Building, Las Vegas; White Pine County Sheriffs Office, Ely Nevada; emailed to all Nevada criminal justice agency administrators, and posted on the Nevada POST website at [www.post.state.nv.us](http://www.post.state.nv.us) pursuant to NRS 241.020(4).

Persons who wished to comment on the proposed action of the Commission on Peace Officers' Standards and Training were invited to appear at the scheduled public hearings or were invited to address their comments, data, views or arguments, in written form, to Richard P. Clark c/o POST Commission, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

No written comments were received by the Commission prior to the hearing.

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

**(a) Attended the Public Comment Hearing;**

July 19, 2006 ( 16 )

**(b) Testified at the Public Comment Hearing;**

July 19, 2006 ( 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;**

Comment was solicited as provided in section one.

Interested agencies or persons employed by law enforcement agencies had an opportunity to submit written comments or testify at the workshop and the public comment hearing. Persons wishing to obtain a copy of any written comments, may request copies by calling (775 687-7678 or by writing to the Commission on Peace Officers' Standards and Training, Executive Director, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

**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 regulations were adopted at the POST Commission meeting on July 19, 2006. Based on public comments and commission deliberations, the proposed regulation included the following changes:

**Section:**

1. Repeal NAC 289.290(10) to remove the 60 day limit on suspension periods. This action will permit the Commission to set suspension periods according the particular circumstances of each case.
2. Amended NAC 289.230 to require peace officers who have been on extended absences in excess of 12 consecutive months from their peace officer duties to show proficiency in certain critical skill areas before returning to their peace officer duties.
3. Amended NAC 289.140 to revise the topics which are part of the minimum standards of training for officers in training category I. The revisions are necessary in order to combine current topic areas under single topic areas and to update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. Also, these revisions will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.
4. Amended NAC 289.150 to revise the topics which are part of the minimum standards of training for officers in training category II. The revisions are necessary in order to combine current topic areas under single topic areas and to update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. Also, these revisions will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.

5. Amended NAC 289.200 (2)(d)(1) to revise the topics which are part of the 80 hour course required for basic certification of peace officers who have been previously certified by another state or the federal government. The revisions are necessary in order to combine current topic areas under single topic areas and to update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. Also, these revisions will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification. **As previously amended by R146-05 (effective 12-29-05).**  
Amended this section of NAC 289.200(3) to revise the topics which are part of the course required for peace officers who are upgrading their Category II basic certificates to Category I basic certificates. The revisions are necessary in order to combine current topic areas under single topic areas and to update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. Also, these revisions will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification. **As previously amended by R146-05 (effective 12-29-05).**
6. Amended NAC 289.170 to revise the topics which are part of the minimum standards of training for Reserve Officers. The revisions are necessary in order to combine current topic areas under single topic areas and to update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. Also, these revisions will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.

**IMPORTANT NOTICE-EFFECTIVE DATE:** When the Commission adopted the regulation change for Sections 3, 4, 5, 6; they found that these regulations should only apply to basic training courses that commence after January 01, 2007. This means those agencies that present basic training courses must use, at a minimum, the performance objectives approved by the Commission for any basic training courses beginning after January 01, 2007. This should give agencies ample time to revise their lesson plans in order to implement the new performance objectives.

Sections 1 and 2 go into effect upon filing.

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

**(a) Both adverse and beneficial effects;**

**Adverse effects:**

- Sec. 1: There will be no adverse effect.
- Sec. 2: Agencies who must meet this requirement will incur additional training time and resources.
- Sec. 3: Basic Category I academies will need to adjust their curriculum to be consistent with the change and the new performance objectives.

- Sec. 4: Basic Category II academies will need to adjust their curriculum to be consistent with the change and the new performance objectives.
- Sec. 5: Basic 80 hour In-Lieu academies and Category II to Category I upgrade academies will need to adjust their curriculum to be consistent with the change and the new performance objectives.
- Sec. 6: Reserve academies will need to adjust their curriculum to be consistent with the change and the new performance objectives.

**Beneficial effects:**

- Sec. 1: This will not limit the Commission to a 60 day suspension period, and will permit the Commission to set suspension periods according the particular circumstances of each case.
- Sec. 2: This will ensure that all peace officers returning from extended absence from duty as a peace officer will demonstrate proficiency in certain critical skill areas before returning to their peace officer duties.
- Sec. 3: The revisions will combine current topic areas for Category I Basic Training under single topic areas and update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. This will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.
- Sec. 4: The revisions will combine current topic areas for Category II Basic Training under single topic areas and update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. This will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.
- Sec. 5: The revisions will combine current topic areas for the 80 hour In-Lieu and Category II to Category I upgrade academies under single topic areas and update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. This will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.
- Sec. 6: The revisions will combine current topic areas for Reserve Basic Training under single topic areas and update the topic names in order to use the modern terms which are generally accepted within the law enforcement community. This will make the topic areas consistent with the topic names and performance objectives which have been approved by the Commission for basic certification.

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

Same as stated above.

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

There is no anticipated cost associated with change to this regulation.

- 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.**

The Commission has no knowledge of any regulations imposed by other state, government or federal agencies, which overlap or duplicate this regulation.

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

The Commission is not aware of any Federal regulation that may be associated with this 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 adopted regulation neither establishes nor increases any existing fee.