

**ADOPTED REGULATION OF THE BOARD  
OF WILDLIFE COMMISSIONERS**

**LCB File No. R022-03**

Effective October 30, 2003

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

AUTHORITY: §§1-12, NRS 488.045, 488.730, 488.740, 488.750, 501.181 and 501.243.

**Section 1.** Chapter 488 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this regulation.

**Sec. 2.** *As used in sections 2 to 12, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Boat Nevada correspondence course and self test” means the course in safe boating and examination provided by the Department that is taken at home without a proctor.*

**Sec. 4.** *“Boater education card” means the certificate issued by the Department as evidence of successful completion of a course in safe boating or passage of a proficiency examination with a minimum score of 80 percent.*

**Sec. 5.** *“Course in safe boating” means a course of instruction in safe boating that is approved by the National Association of State Boating Law Administrators.*

**Sec. 6.** *“Proctor” means a person who is a member of:*

- 1. The Department;*
- 2. The United States Coast Guard Auxiliary;*
- 3. The United States Power Squadrons; or*

*4. Another organization that is authorized by the Department to provide courses in safe boating or to give proficiency examinations.*

**Sec. 7.** *“Proficiency examination” means a test on safe boating that:*

*1. Is administered by a proctor; and*

*2. Tests the knowledge of information included in the curriculum of a course in safe boating.*

**Sec. 8.** *1. The Department shall issue a boater education card, without fee, to any person who submits the information required in subsection 2 of NRS 488.750 and who:*

*(a) Completes the Boat Nevada correspondence course and self test with a minimum score of 80 percent; or*

*(b) Receives a minimum score of 80 percent on a proficiency examination.*

*2. A person who wishes to take a proficiency examination pursuant to subsection 1 may request an examination appointment at any office of the Department during regular business hours, Monday through Friday.*

*3. A person may obtain the Boat Nevada correspondence course and self test by:*

*(a) Requesting the material in person at any of the offices of the Department;*

*(b) Mailing a request in writing to the Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512; or*

*(c) Visiting the Internet website of Boat Nevada at <<http://www.boatnevada.org>>.*

*4. A person may obtain information on available courses in safe boating by:*

*(a) Requesting the information in person or by telephone from any of the regional offices of the Department;*

*(b) Mailing a request to the Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512; or*

*(c) Visiting the Internet website of Boat Nevada at <<http://www.boatnevada.org>>.*

**Sec. 9. 1.** *The Department shall issue a boater education card, without fee, to any person who submits to any of the offices of the Department by mail or in person the information required in subsection 2 of NRS 488.750 and one of the following items:*

*(a) A certificate of completion issued by the United States Power Squadrons, United States Coast Guard Auxiliary or any other organization that is approved by the National Association of State Boating Law Administrators;*

*(b) A certificate, card or other official document issued by a proctor stating that the person has passed a proficiency examination with a minimum score of 80 percent;*

*(c) A valid United States Coast Guard operator's license or an equivalent license issued by the Canadian Coast Guard; or*

*(d) A copy of a certificate, card or other official document issued by another jurisdiction of the United States or by Canada that is equivalent to the boater education card issued by the Department.*

*2. If an original certificate, card or other official document described in subsection 1 is unavailable, a person may submit a signed statement from a course provider approved by the National Association of State Boating Law Administrators stating that the person has successfully completed a course in safe boating or has passed a proficiency examination with a minimum score of 80 percent.*

**Sec. 10.** *A holder of a lost or destroyed boater education card may be issued a duplicate boater education card by the Department if he:*

*1. Submits to the Department a written statement attesting that the boater education card has been lost or destroyed; and*

*2. Submits to the Department an original certificate, card or other official document as described in section 9 of this regulation or provides to the Department his name, his date of birth and the number of his original boater education card.*

**Sec. 11.** *1. A person who would like to teach a course in safe boating may apply with the Department to become an approved instructor.*

*2. An applicant to become an approved instructor must:*

*(a) Submit a copy of his boater education card;*

*(b) Agree to use the course outline provided by the Department or submit a course outline of his own to be approved by the Department; and*

*(c) Complete the instructor training program of the Department.*

**Sec. 12.** *1. A provider of a course in safe boating who is approved by the National Association of State Boating Law Administrators may charge a reasonable fee for any course materials.*

*2. To facilitate the issuance of boater education cards by the Department, a provider of a course in safe boating who is approved by the National Association of State Boating Law Administrators may submit to the Department, in lieu of issuing individual certificates of completion:*

*(a) A list of the persons who have successfully completed a course in safe boating; and*

*(b) The information required in subsection 2 of NRS 488.750 for each person on the list.*

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R022-03**

The Board of Wildlife Commissioners adopted regulations assigned LCB File No. R022-03 which pertain to chapter 488 of the Nevada Administrative Code on September 27, 2003.

**Notice date:** 8/15/2003  
**Hearing date:** 9/26/2003

**Date of adoption by agency:** 9/27/2003  
**Filing date:** 10/30/2003

**INFORMATIONAL STATEMENT**

1. **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.** Solicited input from County Advisory Boards and boating stakeholders by sending letters and a copy of the regulation.
2. **The Number of Persons Who:**
  - (a) **Attended each hearing:** Approximately 20
  - (b) **Testified at each hearing:** 0
  - (c) **Submitted to the agency written statements:** 0
3. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation how other interested parties may obtain a copy of the summary.** No effected business were solicited as this regulation was effect since December 2002 as a temporary regulation.
4. **If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.** Public comment revealed no concerns with existing language.
5. **The estimated economic effect of the regulations on the businesses they are to regulate and on the public.**
  - (a) **Estimated economic effect on the businesses which they are to regulate.**
    - (1) **Adverse - N/A**
    - (2) **Beneficial - N/A**
    - (3) **Immediate - N/A**
    - (4) **Long term - N/A**
  - (b) **Estimated economic effect on the public which they are to regulate.**
    - (1) **Adverse - N/A**
    - (2) **Beneficial - N/A**
    - (3) **Immediate - N/A**
    - (4) **Long term - N/A**

6. **The estimated cost to the agency for enforcement of the proposed regulation:** These costs were incorporated into a fiscal note when the legislative passed mandatory boater education.
  
7. **A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.** None  
  
**If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**
  
8. **If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:** None
  
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:** None