

**ADOPTED REGULATION OF THE PRIVATE
INVESTIGATOR'S LICENSING BOARD**

LCB File No. R086-07

Effective January 30, 2008

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

AUTHORITY: §1, NRS 648.030 and 648.162.

A REGULATION relating to private security-related professions; revising the fines imposed upon licensed private investigators, private patrolmen, process servers, repossessioners, dog handlers, security consultants, and polygraph examiners or interns for violations of certain statutes and regulations; and providing other matters properly relating thereto.

Section 1. NAC 648.431 is hereby amended to read as follows:

648.431 1. If a notice of violation is issued, the Board will impose a fine of not more than the following amounts for violations of the provisions listed:

	First Offense	Second Offense	Third and Subsequent Offense
NRS 648.135	\$50	\$100	\$200
Subsection 4 of NRS 648.140	100	200	300
Subsection 2 of NRS 648.142	[10] 25	[30] 50	[60] 75
Subsection 3, 4 or 5 of NRS 648.142	[25] 50	[50] 100	[100] 200
<i>Subsection 1 of NAC 648.530</i>	<i>50</i>	<i>100</i>	<i>200</i>

2. If a notice of violation is issued, the Board will impose a fine of not more than the following amounts for violations of the provisions listed:

Subsection 1 of NRS 648.148	[\$25] \$50
Subsection 2 of NRS 648.148	75
Subsection 1 of NRS 648.149	50
NAC 648.380	25
Subsection 1 of NAC 648.530	50
NAC 648.525.....	100

3. If a notice of violation is issued, the Board will impose a fine upon a licensee calculated per employee of not more than the following amounts for violations of the provisions listed:

	<i>First Offense</i>	<i>Second Offense</i>	<i>Third and Subsequent Offense</i>
Subsection 2 of NRS 648.060	[\$25] \$50	\$75	\$100
Subsection 2 or 3 of NRS 648.140.....	[\$0] 25		
NAC 648.341.....	25	50	75
NAC 648.343.....	25		

4. If a notice of violation is issued, the Board will impose a fine of not more than:

(a) For the first violation of a provision of NAC 648.350, \$500; and

(b) For the first violation of subsection 2 of NAC 648.530, \$300.

↳ In the case of a second or subsequent violation, the Board will take any disciplinary action authorized pursuant to NRS 648.175 which the Board deems appropriate.

5. If a notice of violation is issued, the Board will impose a fine of not more than \$150 on a licensee's employee who violates subsection 4 of NAC 648.345.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R086-07**

The Private Investigator's Licensing Board adopted regulations assigned LCB File No. R086-07 which pertain to chapter 648 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

The following is an informational statement for an adoption to the Nevada Administrative Code (NAC) 648, to give the Board the authority to issue violations in areas where there has been no authority to issue notices of violations, due to amendments to the regulations over the years, and to increase some of the nominal violation amounts.

LCB File No. R086-07 was noticed for public workshop on August 29, 2007, at the Office of the Attorney General, Mock Courtroom, 100 North Carson Street, Carson City Nevada and video-conferenced to the Attorney General's Office, 555 E. Washington Avenue Suite 4500, Las Vegas Nevada. R086-07 was submitted to the Legislative Counsel Bureau on July 30, 2007.

The notice of hearing was posted at the following locations:

Private Investigators Licensing Board
Office of the Attorney General, Carson City
Legislature Building, Carson City Office of the Attorney General, Las Vegas
Nevada State Library, Carson City
Washoe County Library, Reno Nevada
Clark County Library, Las Vegas, Nevada
Grant Sawyer State Office Building, Las Vegas Nevada

Copies of the proposed regulations were also made available at the Private Investigators Licensing Board for inspection by the public during business hours. A public hearing was held December 5, 2007 at Grant Sawyer State Office Building, 555 E. Washington Avenue Suite 4500, Las Vegas Nevada and video conferenced to The Office of the Attorney General, 100 N. Carson Street, Mock Courtroom, Carson City, Nevada, in accordance with Nevada Revised Statute (NRS) 233B.

Copies of the proposed amendment were sent to those persons who are licensed and would be affected. They are licensed pursuant to NRS 648. Copies were also sent to all Nevada County Public Libraries for compliance with NRS 233B.066. Thirty-three individuals signed in for the Board meeting on December 5, 2007. Two individuals signed in for the work shop in Las Vegas, and there was no comment on this item in Carson City.

At the public hearing, R086-07 was read and discussed in detail. Each violation with the corresponding amount was read into the record with the statutory and regulatory authority. One amendment was made on page 2, subsection 1 of NAC 648.530, to include subsection 2, which is

made part of the record and is attached to this informational statement. There were no written comments received. The Board voted unanimously to adopt the regulation as amended.

Interested persons may obtain a copy of the public response and industry response by contacting the Private Investigators Licensing Board to request a copy of the minutes or visiting our website at <http://nevadapilb.glsute.us>.

It is estimated that the amendments to the regulation will have no economic impact.

It is estimated that the agency will be able to enforce the proposed regulations with minimal funds.

The amendment does not overlap or duplicate any other regulation of a state or government agency.