

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

LCB File No. R087-07

September 5, 2007

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

AUTHORITY: §1, NRS 648.030 and 648.140.

A REGULATION relating to private security-related professions; removing the exemption that may be granted by the Private Investigator's Licensing Board which allows licensees to employ certain unlicensed persons who are also employed in law enforcement or by certain public employers; and providing other matters properly relating thereto.

Section 1. NAC 648.338 is hereby amended to read as follows:

648.338 ~~{1. Except as otherwise provided in subsection 2, a}~~ A licensee may not employ an unlicensed person who is or becomes employed:

- ~~{(a)}~~ 1. As a peace officer, as defined in NRS 169.125;
- ~~{(b)}~~ 2. By a federal, state or local law enforcement agency; or
- ~~{(e)}~~ 3. In a position which makes him eligible to contribute to any public employees' retirement system.

~~{2. Upon receipt of a written request for exemption, the Board may grant an exemption from the prohibitions set forth in subsection 1 if the Board finds that the private activities of the unlicensed person on behalf of the licensee would not create or tend to create:~~

~~—(a) A conflict of interest with his responsibilities to his public employer and his duty to discharge them; or~~

~~—(b) The possibility of a use of his position with the public employer for personal advantage in his private activities.]~~