

PROPOSED REGULATION OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

LCB File No. R044-11

CERTIFICATES OF ELIGIBILITY

NAC 625. Definitions.

NAC 625. “Affidavit for a certificate of eligibility” defined. “Affidavit for a certificate of eligibility” means an affidavit from a certified public accountant required pursuant to subsection 3 or 4 of NRS 338.1389 or subsection 3 or 4 of NRS 338.147.

NAC 625. “Affidavit of renewal of a certificate of eligibility” defined. “Affidavit for renewal of a certificate of eligibility” means an affidavit from a certified public accountant required pursuant to subsection 6 of NRS 338.1389 or subsection 6 of NRS 338.147.

NAC 625. “Certificate of eligibility” defined. (NRS 338.1389, 338.147) “Certificate of eligibility” means a certificate of eligibility to receive a preference in bidding on public works issued by the Board pursuant to NRS 338.1389 or 338.147.

NAC 625.012 “Board” defined. (NRS 625.140) “Board” means the State Board of Professional Engineers and Land Surveyors.

NAC 625.014 “Licensee” defined. (NRS 625.140) “Licensee” means a professional engineer or professional land surveyor licensed pursuant to the provisions of chapter 625 of NRS.

NAC 625. “Statement of compliance” defined. (NRS 338.1389, 338.147) “Statement of compliance” means a statement from a professional engineer or professional land surveyor who applies for a certificate of eligibility which states that the professional engineer or professional land surveyor is properly licensed pursuant to the provisions of chapter 625 of NRS for the certificate of eligibility for which he or she is applying.

NAC 625. Prerequisites; separate application for each discipline. (NRS 338.1389, 338.147)

- 1. A professional engineer or professional land surveyor who wishes to obtain a certificate of eligibility must submit to the Board:
 - (a) An application on a form provided by the Board;*
 - (b) A notarized affidavit for a certificate of eligibility on a form provided by the Board;*
 - (c) A notarized statement of compliance on a form provided by the Board.*
 - (d) The fee as set forth in NAC 625.*
 - (e) Any other documentation required by the Board.**
- 2. For each certificate of eligibility as professional engineer or professional land surveyor which is requested, the applicant must be a professional engineer or professional land*

surveyor who has been licensed pursuant to the provisions of chapter 625 of NRS for the 5 years immediately preceding the date on which he or she submits the application.

3. *If an applicant is licensed in more than one discipline, the applicant must submit a separate application for each discipline for which a certificate of eligibility is requested and must satisfy all applicable requirements pursuant to NRS 388.1389 or 338.147.*

NAC 625. Application; review of banking records. (NRS 338.1389, 338.147)

1. *An application for a certificate of eligibility must include, without limitation:*
 - (a) The name of the applicant;*
 - (b) The license number of the applicant;*
 - (c) The date of issuance of the license of the applicant;*
 - (d) The mailing and physical address of the applicant;*
 - (e) The telephone number of the applicant;*
 - (f) The signature of the applicant; and*
 - (g) Any other information that the Board may require.*
2. *For each discipline for which a certificate of eligibility is requested, a certified public accountant shall review and examine any necessary banking records in accordance with generally accepted auditing standards, including, without limitation, bank statements, cancelled checks, electronic transfers, cash disbursement records and any other records that the Board deems appropriate to substantiate an affidavit for a certificate of eligibility.*

NAC 625. Issuance or denial. (NRS 338.1389, 338.147) The Board or its designee will issue or deny a certificate of eligibility within a reasonable time after the date on which the Board receives the application, all required documentation that supports the application and the fee as set forth in NAC.

NAC 625. Contents of certificate. The certificate of eligibility must include, without limitation:

1. *The date of issuance;*
2. *The date of expiration;*
3. *The discipline of the license; and*
4. *Such other information that the Board deems appropriate.*

NAC 625. Issuance of duplicate certificate. (338.1389, 338.147) The Board will issue a duplicate certificate of eligibility to any professional engineer or professional land surveyor who has received a certificate of eligibility and who certifies that his or her certificate of eligibility has been lost or destroyed.

NAC 625. Affidavit for renewal. (338.1389, 338.147) An affidavit for renewal of a certificate of eligibility must be on a form provided by the Board and must be notarized. If granted, the certificate will expire annually on the calendar day of the licensee's biannual renewal.

NAC 625. Issuance of certificate prohibited if license not active; revocation; reapplication. (NRS 338.1389, 338.147) The Board will not issue a certificate of eligibility to a professional engineer or professional land surveyor whose license is not on active status. If the professional engineer or professional land surveyor whose license is not on active status has

received a certificate of eligibility, the Board will revoke the certificate of liability. Such a licensee must reapply for a certificate of eligibility pursuant to subsection 3 and/or 4 of NRS 338.1389 to subsection 3 and/or 4 of NRS 338.147.

NAC 625. Disciplinary action. (NRS 388.1389, 338.147)

- 1. If a professional engineer or a professional land surveyor who applies to the Board for a certificate of eligibility submits false or misleading information, submits an application which is incomplete or does not comply with this chapter or chapter 338 of NRS, the Board may:
 - (a) Deny the application;*
 - (b) If the professional engineer or professional land surveyor has received a certificate of eligibility, revoke the certificate of eligibility; or*
 - (c) Take such actions that the Board deems appropriate under the circumstances.**
- 2. In carrying out the provisions of this section, the Board may rely on information contained in the records maintained by the Board and need not conduct any investigation, inquiry or hearing regarding the information contained in those records.*

NAC 625. Written objection filed with public body. (NRS 338.1389, 338.147) *If a written objection is filed with a public body pursuant to subsection 13 of NRS 338.1389 or subsection 13 of NRS 388.147, the Board will, upon request by the public body, provide to the public body a copy of the application of the professional engineer or professional land surveyor against whom the complaint was made and any documentation submitted with the application.*

NAC 625. Notification to Board of determination by public body; revocation of certificate. (NRS 338.1389, 338.147)

- 1. If a public body determines that a written objection is accompanied by the required proof or substantiating evidence pursuant to subsection 14 of NRS 338.1389 to subsection 14 of NRS 338.147, the public body shall notify the Board in writing of the determination of the public body within 30 days after the date of its determination.*
- 2. Upon receipt of the written documentation from the public body, the Board or its designee will immediately revoke the certificate of eligibility for the professional engineer or professional land surveyor. No formal disciplinary hearing is required before revocation of the certificate of eligibility based upon the receipt of the documentation from the public body which received the bid or proposal on a contract for the completion of a public work.*

NAC 625. FEES.

- 1. The Board will charge and collect the following fees:
 - (a) To issue a Certificate of Eligibility.....\$500*
 - (b) To issue a renewal of a Certificate of Eligibility.....300**