

**PROPOSED REGULATION OF THE
PRIVATE INVESTIGATORS LICENSING BOARD**

LCB File No. R067-12

CARRYING, HANDLING AND USING FIREARMS SAFELY

NAC 648.345 Prerequisites; certification of firearms instructors. (NRS 648.030, 648.120)

1. A licensee or an employee of a licensee ~~[for whom a registration fee is paid pursuant to NAC 648.340]~~ may not carry any firearm while performing the duties for the type of business for which he or she is licensed or employed unless the licensee or employee:

- (a) Is certified by the Board as a firearms instructor pursuant to subsection 2;
- (b) Has successfully completed and received certification from a course of training approved by the Board in carrying, handling and using firearms safely; ~~for~~
~~[(c) Has been actively employed as a peace officer and is certified by the Board pursuant to subsection 5.]~~

2. The Board may certify a person who meets the requirements of subsection 1 of NRS 648.110 as a firearms instructor in carrying, handling and using firearms safely if the applicant:

- (a) Is at least 21 years of age;
- (b) Has not been convicted of a felony or any crime involving the illegal use or possession of a firearm; and
- (c) Submits a completed application with proof satisfactory to the Board of the applicant's qualifications and experience and pays a fee of \$100. The application must include:
 - (1) A detailed statement of the applicant's qualifications and experience in carrying, handling and using firearms;
 - (2) A detailed statement of the applicant's qualifications and experience in providing instruction to other persons in carrying, handling and using firearms safely; and *proof of prior experience with training security, military, or law enforcement in these areas.*
 - (3) Evidence of the applicant's successful completion of at least 40 hours of training on the instruction of peace officers or security officers in carrying, handling and using firearms safely.

a. Applicant must provide a security/law enforcement level instructor certification for each weapon type they desire to instruct i.e. shotgun, rifle, handgun

(4) Successfully pass a Firearm instructor written examination and live fire skill test as required by the Board.

a. The examination shall include questions on State and Federal statutes applicable to use-of-force by non-sworn security personnel.

b. Case law for use-of force by non-sworn security personnel

c. Requirements of NRS 648 and NAC 648

d. Contents of the Board mandatory firearm curriculum

e. Knowledge of Nevada Criminal and Civil law

f The process for conducting Board required training classes and administrative requirements

(5)The skill test shall consist of:

- a. *Demonstration by each instructor candidate of each of the skills contained in the PILB curriculum*
 - b. *Qualification on the curriculum course of fire with a minimum score of 275/300 on a B-27 target.*
 - c. *Demonstration of curriculum knowledge and skills by teaching any assigned section of the curriculum with less than a 15 minute notice by PILB designated Staff Instructor.*
 - d. *The Staff Instructor has complete discretion in not allowing instructor candidates to proceed with the skill test for any safety violation or skill deficiency.*
3. To renew the applicant's certification as a firearms instructor, the applicant must:
- (a) Submit an application for renewal to the Board on or before July 1 next following the date the certificate was issued or last renewed;
 - (b) Submit proof satisfactory to the Board of the completion of at least ~~[12]~~ 8 hours of education or training on subjects described in NAC 648.346 within the previous ~~[24]~~ 12 months; and
 - (c) Pay a fee to the Board of \$100.
4. As evidence of a person's certification as a firearms instructor or renewal thereof, the Board will issue to the person *an identification card* ~~[which is sequentially numbered and of a size to be carried in a wallet.~~
- ~~—5.—The Board may certify a licensee or employee who has been employed as a peace officer if he or she submits a completed application to the Board that is accompanied by:~~
- ~~—(a) Proof satisfactory to the Board that the applicant was employed as a peace officer, as defined in NRS 169.125, for at least 10 years, and was employed as a peace officer during the 5 years immediately preceding the date of the application;~~
 - ~~—(b) A statement of the training and experience the applicant obtained in the use of firearms while employed as a peace officer;~~
 - ~~—(c) Proof satisfactory to the Board of the applicant's qualification through a course of fire within the 3 months immediately preceding the date of the application; and~~
 - ~~—(d) An application fee of \$10.~~
- ~~☐ In addition to the application fee, the applicant must pay a fee of \$10 for a card issued pursuant to NAC 648.350.]~~

NAC 648.346 Course of training: Required curriculum; written examination; instruction, training and remedial training on firing range. (NRS 648.030)

1. The minimum curriculum for a course of training in carrying, handling and using firearms safely that is taught for the purposes of NRS 648.030 must include instruction designed to teach:
- (a) The legal and civil responsibilities of carrying, handling and using a firearm, including:
 - (1) The applicable federal and state laws and regulations and local governmental ordinances related to carrying, handling and using firearms and the use of deadly force.
 - (2) The civil and criminal liability related to carrying, handling and using firearms and the use of deadly force.
 - (3) The consequences and risks related to carrying, handling and using firearms and the use of deadly force.
 - (4) The elements of self-defense, using a weapon in self-defense and the use of force.

(5) Recent court decisions related to carrying, handling and using firearms and the use of deadly force.

(b) The terminology related to and the maintenance of different types of firearms and their related systems, including:

(1) The operational and mechanical systems and parts of a firearm and the related terminology.

(2) The types of ammunition and their ballistic properties and effective uses.

(3) The inspection, storage and general care of ammunition.

(4) The inspection, care, cleaning and maintenance of a firearm.

(c) Carrying, handling and using a firearm safely, including:

(1) The safe handling, use and storage of firearms when off duty.

(2) The safe transportation of a firearm.

(3) The appropriate methods of safely carrying a firearm while on duty.

(4) Safety and accessory equipment available to carry, handle and use a firearm safely.

(d) The fundamentals of safe handling and shooting of firearms, including:

(1) The fundamentals of operating a handgun.

(2) The general differences among handguns.

(3) The proper procedures and devices for loading, unloading and reloading a firearm.

(4) The fundamentals of shooting, such as the use of sights, sight picture and alignment, control of the trigger, breathing and firing in a single or double action.

(5) Proper techniques for gripping a handgun and shooting positions.

(6) Procedures for drawing and reholstering a firearm and techniques for retaining a firearm.

(7) The ~~correct~~ *various* positions for shooting when standing *or* kneeling, ~~sitting or prone~~.

(8) The use of barricades or other forms of cover and alternate shooting positions.

(e) The preparation for shooting at a firing range, including:

(1) The location of the range.

(2) The equipment to be used at the range.

(3) The course of fire.

(4) Targets to be used.

(5) Commands at the range.

(6) Safety and etiquette at the range.

(f) Exercises to be used at a firing range and the practical use of a firearm at the firing range, including:

(1) The review of safety procedures and etiquette at the firing range and a safety inspection of all firearms, holsters and accessories.

(2) Practicing drawing and holstering.

(3) Dry firing, the manipulation of the trigger and follow through.

(4) The procedures for loading, unloading and reloading.

(5) Exercises for firing with live ammunition to practice proper shooting techniques while firing at targets with a firearm of the same type and caliber as the firearm the person will use while on duty.

(6) Qualifying with a course of fire established by the ~~instructor~~ *Board*, using a firearm of the same type and caliber as the firearm the person will use while on duty. The course of fire must require firing at least 30 rounds of live ammunition with a passing score of 75 percent. ~~and~~

~~must include shooting 10 rounds of ammunition from a distance of 3 yards in 30 seconds, 10 rounds of ammunition from a distance of 7 yards in 30 seconds and 10 rounds of ammunition from a distance of 15 yards in 30 seconds on a full size B27 type target.]~~

(a) 3 yards: Draw fire five rounds dominant hand only: Time 15 Seconds

(b) 3 yards: Draw-transfer the firearm to the support hand, fire five rounds support hand only:

Time 15 seconds

(c) 7 yards: Draw fire five rounds standing, reload, fire five rounds kneeling:

Time 30 Seconds

(d) 15 yards: Draw fire five rounds standing, reload, fire five rounds kneeling:

Time 30 seconds

Qualifications are to be conducted on a full size B27 (44 x 24) target.

Scoring rings are 10 (X and 10 ring all score 10), 9, 8 and 7. Hits outside of the scoring rings do not receive a score.

(7) If a licensee is providing security on federal property that will not allow them to adhere to this qualification or the established curriculum and they have no other reasonable means to provide the established training and qualification, the licensee may request an exemption from the Executive Director providing proof of the inability to meet the established training and qualification, the inability to reasonably make accommodations to meet the established training and qualification, provide a copy of the proposed substitution and an affirmation that each person qualifying under a substituted training and qualification signs a form acknowledging that the training provided is only sufficient for carrying a firearm on that specific installation and the firearms card will be confiscated upon termination of employment. The Executive Director will issue exemptions on a case by case basis considering the totality of the circumstances.

2. The course must consist of:

(a) Eight hours of training and instruction on carrying, handling and using a firearm safely, including the completion of a written examination, *as designated by the Board*, with a *minimum* passing score of 75 percent. ~~[The examination must consist of questions with answers that are true or false, multiple choice or fill in the blank.]~~

(b) *A minimum of* five hours of instruction and training on a firing range during which each person must qualify using a firearm of the same type and caliber as the firearm the person will use while on duty.

3. The course must be completed within a period of 14 days. Each day of the course must consist of a number of contact hours of training. Not more than 9 contact hours of training may occur on any day.

4. If a person fails to complete the written examination with a passing score of 75 percent as specified in paragraph (a) of subsection 2 or to qualify using a firearm of the same type and caliber as the firearm the person will use while on duty as specified in subparagraph (6) of paragraph (f) of subsection 1:

(a) Except as otherwise provided in paragraph (b), the person must repeat the course in full before retaking the written examination and firearm qualification.

(b) At the discretion of the instructor, for good cause shown, the person may retake the written examination and the firearm qualification without repeating the course in full if the person completes such remedial training as the instructor determines is appropriate, taking into

account the person's performance on the previous written examination and firearm qualification. The instructor may charge an additional fee for the remedial training.

5. As used in this section, "contact hour" means 50 minutes of instruction in a period of 60 minutes.

NAC 648.348 Course of training: Compliance with established curriculum. (NRS 648.030)

1. A person who is certified as a firearms instructor by the Board shall not conduct a course of training in carrying, handling and using firearms safely for the purposes of NRS 648.030 unless the course follows the curriculum established in NAC 648.346.

2. A person who fails to comply with subsection 1 is subject to disciplinary action *may include but is not limited to a cease and desist letter being issued, probation, suspension or revocation of certification and/or fines levied for the cost of the investigation.*

3. *All training must take place within the State of Nevada.*

a. The Executive Director upon written request may make an exception for training to occur outside the State of Nevada.

b. As a condition of granting this exemption the Certified Firearms Instructor agrees to reimburse the Board for any fees and costs related to auditing the course to ensure compliance with Nevada Law. This includes travel and lodging costs for investigators and investigative fees.

c. Courses conducted outside of Nevada cannot be comingled or taught simultaneously with any other course. The Nevada Security Firearms course must be taught separately and in its entirety.

NAC 648.350 Course of training: Issuance of certification card upon successful completion; successful qualification with firearm; failure to qualify; recertification; fee; requirements for possession and production of certification card. (NRS 648.030)

1. To certify a person's successful completion of the course of training in carrying, handling and using firearms safely, and his or her successful qualification with a firearm, a firearms instructor shall ~~issue to the person a card furnished by the Board for that purpose. The card will be sequentially numbered and of a size to be carried in a wallet. The firearms instructor shall state on:~~ *submit to the Board the name, registration number, time, date and location of the course, and certifications and qualifications obtained on forms designated by the Board within five days of completion of the course.*

~~[(a) The front of the card its date of issuance and expiration.~~

~~—(b) The back of the card the date of the person's qualification and the instructor's verification of that qualification.]~~

(a) The Board will issue a plastic card containing the name, registration number, photograph of the individual certified, qualification months and the expiration date of the certification.

(b) The Board shall maintain electronically accessible records to indicate that the card is valid and the calibers and action types that the certified person is authorized.

(c) Individuals completing the firearm training will be required to qualify in designated months in order to maintain the firearm certification.

a. No individual may carry or possess a firearm when working as a licensee or registered employee unless their firearm authorization is valid.

- b. *If a qualification is missed the person may NOT carry or possess a firearm when working as a licensee or registered employee.*
- c. *Qualification after the designated qualification month will not alter the sequence of designated months. Persons qualifying or adding calibers and/or actions outside of their designated month are required to qualify in their designated month regardless of time between qualifications.*
- d. *Qualification Cycle*

<i>Initial Course month</i>	<i>Qualification Months (at any time during month)</i>
<i>January</i>	<i>January and July</i>
<i>February</i>	<i>February and August</i>
<i>March</i>	<i>March and September</i>
<i>April</i>	<i>April and October</i>
<i>May</i>	<i>May and November</i>
<i>June</i>	<i>June and December</i>
<i>July</i>	<i>July and January</i>
<i>August</i>	<i>August and February</i>
<i>September</i>	<i>September and March</i>
<i>October</i>	<i>October and April</i>
<i>November</i>	<i>November and May</i>
<i>December</i>	<i>December and June</i>

2. The certification card is valid for 5 years if the licensee or employee successfully qualifies ~~every 6 months~~ *during each of their semi-annual qualification months*, on a course of fire that is given by a certified firearms instructor and is approved by the Board. ~~[The licensee or employee must fire at least 30 rounds of ammunition with a score of at least 75 percent.]~~ If the licensee or employee fails to qualify ~~every 6 months~~ *during their semi-annual qualification month*, the card becomes invalid and the licensee or employee shall not use a firearm in the course of employment until he or she successfully qualifies.

3. If a licensee or employee fails to qualify for at least 2 successive ~~6-month~~ *semi-annual qualification cycles*, ~~periods~~ or his or her certification card expires, *he or she will be required to re-take the initial course. If two successive semi-annual qualifications were missed due to an active duty military deployment, the candidate may request an exemption from retaking the initial course by submitting a request for exemption with official documentation to the Executive Director. The request will be considered on a case by case basis taking into consideration the totality of the circumstances.* ~~[he or she may be recertified by presenting proof satisfactory to the Board of completion of at least 4 hours of additional training in the legal and civil responsibilities of carrying, handling and using a firearm as set forth in paragraph (a) of subsection 1 of NAC 648.346.~~

~~—4.— If a licensee or employee is also a firearms instructor who has been certified by the Board, the licensee or employee must qualify annually and present proof of qualification to the Board at the time of recertification.]~~

5. To cover the Board's administrative costs related to the certification and qualification of a person by a certified firearms instructor, the instructor shall remit to the Board ~~[\$1]~~ *\$25* for

each initial or renewal student and \$5 for each student qualification ~~[card]~~ issued by the *Board* ~~[instructor]~~ pursuant to this section.

6. The person to whom the certification card is issued shall:

(a) Have it in his or her possession while carrying a firearm in the performance of his or her duties; and

(b) Produce it upon the request of any peace officer or a representative of the Board.

NAC 648.355 Duties of certified firearms instructors. (NRS 648.030)

1. Each certified firearms instructor shall:

(a) Keep written records of the training and qualifications of every person who takes the firearms instructor's course; *on forms provided by the Board*

(b) Make the records available for inspection by the Board or its authorized agent;

(c) Upon request, provide a copy of the records to the Board; and

(d) Instructors must maintain copies of all records for 7 years from the date of the course

(d) Upon request, provide information concerning the location of the firearms instructor's classroom and firing range, the dates and times of the instruction and the maximum number of persons enrolled per class.

2. To ensure compliance with applicable statutes and regulations, a firearms instructor shall provide to an employee, agent or representative of the Board, upon request, during normal business hours:

(a) Access to the firearms instructor's classroom and the firing range during his or her instruction;

(b) Access to the materials he or she uses to teach the course;

(c) A list of the names of all persons enrolled in the course;

(d) A list of all instructors, safety officers and support personnel assisting with the course; and

(e) A copy of ~~[the]~~ each students written examination, indicating the results of the examination and the *completed student skill sheet* ~~[qualification scores of the]~~ for all persons enrolled in the class.

3. *Certified firearm instructors:*

(a) Will abide by all rules, regulations and disciplinary conditions as applicable to licensees and licensed employees as designated by NRS 648 and NAC 648.

(b) Carry liability insurance in accordance with NRS 648.135 and provide proof to the Board

(c) Carry Workers Compensation Insurance in accordance with NRS 616D200.

(d) Maintain all applicable state, county, and local business licenses and permits as required by any statute or ordinance of this state.