

**ADOPTED REGULATION OF THE STATE BOARD OF
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

LCB File No. R116-12

Effective December 20, 2012

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

AUTHORITY: §1, NRS 625.140, 625.177 and 625.179.

A REGULATION relating to professional engineers and land surveyors; revising provisions governing the filing of applications for registration with the State Board of Professional Engineers and Land Surveyors for branch offices of professional engineering or land surveying firms; and providing other matters properly relating thereto.

Section 1. NAC 625.425 is hereby amended to read as follows:

625.425 1. A firm must:

- (a) File an application for registration with the Board on a form provided by the Board; and
- (b) Pay a fee of \$50,

↪ before engaging in or offering to engage in the practice of professional engineering or the practice of land surveying in this State.

2. A firm shall not engage in the practice of professional engineering or the practice of land surveying unless a professional engineer or professional land surveyor, as applicable, is in responsible charge of the work provided by the firm in each branch office of the firm. The licensee designated pursuant to this subsection to be in responsible charge of the work provided by the firm is not required to be a principal of the firm.

3. A firm must file an application described in subsection 1 with the Board for each branch office of the firm. ~~[located]~~ *Such an application must be filed with the Board before the*

branch office to which the application pertains engages in or offers to engage in the practice of professional engineering or the practice of land surveying in this State. Each application

must include:

- (a) The name of the firm;
- (b) A list of the principals of the firm;
- (c) The address of the firm;
- (d) The address of the branch office of the firm to which the application pertains;
- (e) The license number of the licensee who is in responsible charge of the work provided by

the firm at the branch office to which the application pertains; and

- (f) A description of the services that are offered by the firm.

4. A firm shall notify the Board, in writing, within 30 days after any change in:

- (a) The name of the firm;
- (b) A principal of the firm;
- (c) The address of the firm, including ~~H~~ a change in the address of a branch office of the

firm;

- (d) The licensee who is in responsible charge of the work provided by the firm at a specific

branch office of the firm; or

- (e) The services that are offered by the firm.

5. Each year within 30 days after the anniversary date of a firm's registration with the Board, the firm must file an application for renewal of its registration, accompanied by a fee of \$50.

INFORMATIONAL STATEMENT TO LEGISLATIVE COUNSEL BUREAU

NRS 233B.066
Amendments to Chapter 625 of NAC
LCB File No. R116-12

The Nevada State Board of Professional Engineers and Land Surveyors (the AState Board@) presents this informational statement to the Legislative Counsel Bureau in accordance with NRS 233B.066 and presents the required information with respect to the State Board's adoption of a new temporary regulation to be included in Chapter 625 of NAC pursuant to NRS 625.140.

1. A description of how public comment was solicited, a summary of the public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed Regulation, Notice of Workshop and Notice of Intent to Act Upon Temporary Amendment to Regulations were sent via U.S. Mail and e-mail to persons who are known to have an interest in amendments to Regulations of the State Board as well as to those persons who had specifically requested such notice. Those documents were also made available at the website of the State Board at <http://nvboe.org> and at the office of the State Board located at 1755 E. Plumb Lane, Suite 135, Reno, NV 89502. Copies of the proposed Regulation were e-mailed to the main public libraries in all Nevada counties and were posted at the following locations:

Nevada State Board of Professional
Engineers and Land Surveyors
1755 East Plumb Lane
Suite 135
Reno, Nevada 89502

Clark County Building Department of
Development Services
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-3530

Nevada State Board of Professional
Engineers and Land Surveyors
7251 West Lake Mead Blvd.
Suite 520
Las Vegas, Nevada 89128

City of Las Vegas, City Clerk
495 S. Main Street, 2nd Floor
Las Vegas, Nevada 89101

City of Reno, Engineering Division
1 E. First Street, 2nd Floor
Reno, Nevada 89501

Elko County Recorder
571 Idaho Street
Elko, Nevada 89801

City of Sparks, Community Development
1675 E. Prater Way, #107
Sparks, Nevada 89431

Public comment was solicited by holding a workshop on the proposed Regulation. The workshop was held by teleconference on September 12, 2012 at the State Board's office at 1755 E. Plumb Lane, Suite 135, Reno, Nevada and at the State Board's office at 7251 W. Lake Mead Blvd., Suite 520, Las Vegas, Nevada. No written comments were received prior to the workshop and no one appeared to testify at the workshop. The workshop was discussed at the October 15, 2012 public meeting of the State Board held by teleconference at the State Board's office at 7251 W. Lake Mead Blvd., Suite 520, Las Vegas, Nevada and at the State Board's office at 1755 E. Plumb Lane, Suite 135, Reno, Nevada.

On or about August 31, 2012, the Executive Director of the State Board issued a Notice of Intent to Act upon Temporary Amendment to Regulations. On October 15, 2012, a public hearing was held by teleconference at the State Board's office at 1755 E. Plumb Lane, Suite 135, Reno, Nevada and at the State Board's office at 7251 W. Lake Mead Blvd., Suite 520, Las Vegas, Nevada, at which time the State Board adopted the temporary Regulation.

No public comment was received on the proposed amendment to Chapter 625 of the NAC which is discussed in this Informational Statement.

As noted above, the State Board moved to adopt the proposed temporary Regulation. No comments were received at the workshop held on September 12, 2012. Additionally, no comments were received at the hearing held on October 15, 2012. A summary of the State Board's discussion of the proposed new regulation at the October 15, 2012 hearing may be obtained by calling the State Board at (775) 688-1231, by writing to the State Board at 1755 E. Plumb Lane, Suite 135, Reno, Nevada 89502, or by e-mailing the State Board at board@boe.state.nv.us.

2. The number of persons who:

- (a) attended the September 12, 2012 workshop:** Reno 0; Las Vegas 0;
- (b) testified at the September 12, 2012 workshop:** Reno 0; Las Vegas 0;
- (c) submitted written comments to the State Board concerning the new proposed Regulation referenced in this Informational Statement:** 0
- (d) attended the State Board's hearing on October 15, 2012:** Reno 0; Las Vegas 0;
- (e) submitted to the State Board written comments at the State Board's October 15, 2012 hearing concerning the proposed Regulation referenced in this Informational Statement:** 0

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses and members of the engineering and land surveying professions as outlined in number 1 above. The State Board did not receive any comments from the engineering or land surveying professions. A copy of the State Board's minutes concerning the new temporary Regulation and the subsequent adoption of the new temporary Regulation can be obtained by calling the Nevada State Board of Professional Engineers and Land Surveyors at (775) 688-1231 or by writing to the State Board at 1755 E. Plumb Lane, Suite 135, Reno, Nevada 89502.

4. If the new temporary Regulation was adopted without changing any part of the proposed temporary Regulation, a summary of the reasons for adopting the temporary Regulation without change.

No changes were made to the proposed temporary Regulation because all were in agreement that the temporary regulation was appropriate as drafted. No adverse comments were received concerning the proposed temporary regulation.

5. The estimated economic effect of the new temporary Regulation on the businesses that it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long term effects.**

(a) The temporary regulation is not expected to have any economic effect upon the regulated professions or on the public.

(b) There are no expected immediate or long term economic effects on the public or on the engineering or land surveying professions. See item 5(a) above.

6. The estimated cost to the Agency for enforcement of the Regulation.

There will be no cost to the agency for enforcement of the new temporary regulation.

7. A description of any Regulations of other state or government agencies that the new Regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the Regulation duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations that the Regulation overlaps.

8. If the Regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provision.

There is no federal regulation that regulates the same activity.

9. If the Regulation provides for 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.

The proposed temporary amendment does not establish new or increased fees.

10. Is the Regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the Regulation on a small business?

The State Board determined that the temporary Regulation discussed in this Informational Statement does not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination, the State Board considered that the effected professions were notified as indicated in item 1 above and received no adverse comments.