

**PROPOSED REGULATION OF
THE STATE CONTRACTORS' BOARD**

LCB File No. R019-14

March 6, 2014

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

AUTHORITY: §1, NRS 624.100, 624.300, 624.341, 624.361 and 624.710.

A REGULATION relating to contractors; revising provisions relating to the imposition of fines; and providing other matters properly relating thereto.

Section 1. NAC 624.7251 is hereby amended to read as follows:

624.7251 1. If the Board or its designee issues an ~~administrative citation pursuant to NRS 624.341 which includes~~ *order imposing* an administrative fine ~~;~~ *pursuant to the provisions of this chapter and chapter 624 of NRS*, each such fine assessed by the Board or its designee must:

(a) Specify the violation for which the person is being cited; and

(b) Subject to the provisions of ~~subsection 2;~~ *subsections 2, 3 and 4*, be in an amount which is not less than the minimum amount or more than the maximum amount as follows for the violation:

Violation	Minimum Fine	Maximum Fine
NRS 624.301	\$1,000	(\$3,000) <i>\$10,000</i>

Violation	Minimum Fine	Maximum Fine
Paragraph (a) of subsection 1 or subparagraph (4) of paragraph (b) of subsection 1 of NRS 624.3011.....	500	{2,000} 10,000
Subparagraph (1), (2) or (3) of paragraph (b) of subsection 1 of NRS 624.3011.....	1,000	{3,000} 10,000
Subsection 1 , {or} 2 <i>or</i> 3 of NRS 624.3012	1,000	{3,000} 10,000
Subsection 4 of NRS 624.3012	500	{2,000} 10,000
Subsection 1 or 4 of NRS 624.3013.....	250	{1,000} 10,000
Subsection 2 of NRS 624.3013	1,000	{3,000} 10,000
Subsection 3 of NRS 624.3013	500	{2,000} 10,000
Subsection 5 of NRS 624.3013	50	{1,000} 10,000
NRS 624.3014.....	100	50,000
Subsection 1 <i>or</i> 6 of NRS 624.3015	250	{2,000} 10,000
Subsection 2 , {or} 3 <i>or</i> 4 of NRS 624.3015	1,000	50,000
{Subsection 4 of NRS 624.3015.....}	1,000	50,000}
Subsection 5 of NRS 624.3015	500	{2,000} 10,000
{Subsection 6 of NRS 624.3015.....}	250	1,000}
Subsection 1 , {or} 2 , 4 , 6 , 7 <i>or</i> 8 of NRS 624.3016.....	250	{3,000} 10,000
Subsection 3 , 5 , {or} 10 <i>or</i> 11 of NRS 624.3016	500	{2,000} 10,000
{Subsection 4 or 6 of NRS 624.3016.....}	250	1,000}

Violation	Minimum Fine	Maximum Fine
Subsection 7 of NRS 624.3016	250	2,000
Subsection 8 of NRS 624.3016	250	750
Subsection 9 of NRS 624.3016	100	{500} 10,000
Subsection 1 of NRS 624.3017	500	{2,000} 10,000
Subsection 2 of NRS 624.3017	50	{250} 10,000
Subsection 3 of NRS 624.3017	100	{500} 10,000
Subsection 1 of NRS 624.302	1,000	50,000
Subsection 5 or 6 of NRS 624.302	250	{1,000} 10,000
Subsection 7 of NRS 624.302	1,000	10,000
Subsection 1 of NRS 624.305	1,000	50,000
NRS 624.520	100	250
Subsection 1 of NRS 624.700	1,000	50,000
Subsection 1, 2 or 3 of NRS 624.720	{500} 1,000	{1,000} 50,000
NRS 624.740	1,000	50,000

2. *In determining the amount of an administrative fine to be imposed pursuant to subsection 1, the Board or its designee will consider the factors set forth in paragraphs (a), (b) and (c) of subsection 4 of NRS 624.300 and paragraphs (a), (b) and (c) of subsection 2 of NRS 624.710, as applicable.*

3. Unless otherwise prohibited by law, the Board or its designee may reduce or stay a fine assessed pursuant to subsection 1 pending completion of a training program or examination required by the Board.

4. The Board or its designee will assess the maximum fine listed in subsection 1 only if one or more of the following circumstances apply:

- (a) The cited person has a history of violating the same or similar sections of NRS;
- (b) The administrative citation specifies more than one violation;
- (c) The cited person has exhibited bad faith by ignoring written warnings;
- (d) The violation or violations have caused harm to other persons;
- (e) The violation or violations were perpetrated against a senior citizen or a person with a disability; or
- (f) The violation or violations involved a construction project costing more than \$500,000.