

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

LCB File No. R073-14

Effective December 22, 2014

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

AUTHORITY: §§1-3, NRS 648.030.

A REGULATION relating to the Private Investigator's Licensing Board; interpreting the meaning of "principal place of business" for licensees of the Board; prohibiting the use of a home as a principal place of business in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Private Investigator's Licensing Board to adopt regulations to enable it to carry out the provisions of chapter 648 of NRS. (NRS 648.030)

Section 2 of this regulation interprets the term "principal place of business" as used in NRS 648.080, 648.142 and 648.148 to include, without limitation: (1) a home located in this State and used to conduct a business for which a license or certificate from the Board is required; and (2) an office space located in this State and shared with other persons, including, without limitation, other licensees. **Section 3** of this regulation prohibits the use of a home as a principal place of business if such a use is contrary to local ordinance.

Section 1. Chapter 648 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *As used in NRS 648.080, 648.142 and 648.148, the Board will interpret "principal place of business" to include, without limitation:*

1. The home of a licensee if the home is located in this State and used by the licensee to conduct a business for which a license or certificate issued pursuant to this chapter and chapter 648 of NRS is required; and

2. An office space which is located in this State and shared with one or more other persons, including, without limitation, other licensees.

Sec. 3. *A licensee shall not use a home as a principal place of business if any local ordinance prohibits such a use.*

PRIVATE INVESTIGATOR'S LICENSING BOARD
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R073-14

The following is an informational statement for adoption to the Nevada Administrative Code (NAC) 648, relating to the Private Investigator's Licensing Board. The following proposed language is required to carry out the functions of the statute.

1. A clear and concise explanation of the need for the adopted regulation.

LCB File No. R073-14 Regulation changes relating to interpreting the meaning of "principal place of business" for licensees of the Board; prohibiting the use of a home as a principal place of business in certain circumstances; and providing other matters properly relating thereto.

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

LCB File No. R073-14 was noticed for public workshop on May 20, 2014, at the Office of the Attorney General, Mock Courtroom, 100 North Carson Street, Carson City, Nevada and videoconferenced to the Attorney General's Office, 555 E. Washington Avenue Suite 4500, Las Vegas Nevada.

Copies of the proposed regulations were also made available at the Private Investigator's Licensing Board for inspection by the public during business hours.

A public hearing was held June 12, 2014 at the Grant Sawyer State Office Building, 555 E. Washington Avenue Suite 4500, Las Vegas, Nevada and video-conferenced to The Office of the Attorney General, 100 N. Carson Street, Mock Courtroom, Carson City, Nevada, in accordance with Nevada Revised Statute (NRS) 233B.

The notice of hearing was posted at the following locations:

Department of Motor Vehicles & Public Safety, 2701 E. Sahara Avenue, Las Vegas, NV
Private Investigators Board, 704 W. Nye Lane, Suite 203, Carson City, NV
Private Investigators Board, 3110 S. Durango Drive, Suite 202, Las Vegas, NV
Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV
Office of the Attorney General, 100 N. Carson Street, Carson City, NV
Nevada State Capitol, Capitol Complex, Carson City, NV
Regional Transportation Commission, 2050 Villanova Avenue, Reno, NV

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Churchill County Library
553 South Main Street
Fallon, Nevada 89406-3306

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District
Headquarters
833 Las Vegas Boulevard North
Las Vegas, Nevada 89101-2062

Mineral County Public Library
P.O. Box 1390
Hawthorne, Nevada 89415

Douglas County Public Library
1625 Library Lane
Minden, Nevada 89423-0337

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Storey County Public Library (CLOSED,
instead, send to the Storey County Clerk's
Office, see below)

Esmeralda County Library
Corner of Crook & 4th Street
P.O. Box 430
Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office
Drawer D
Virginia City, Nevada 89440

Eureka County Library
10190 Monroe Street
Eureka, Nevada 89316

Tonopah Public Library (Nye County)
P.O. Box 449
Tonopah, Nevada 89049

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445-3095

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102

Battle Mountain Branch Library (Lander County)
625 South Broad Street
Battle Mountain, Nevada 89820

White Pine County Library
950 Campton Street
Ely, Nevada 89301

Two individuals signed in for the work shop on June 12, 2014. Input was received by Board Counsel to add "located in this state" to Section 1 and Section 2. One attendee provided comment that the Nevada Society of Private Investigators agreed with the regulation change and expressed support of the proposed regulation. There was no opposition to the proposed regulation change nor the suggested amendments.

No individuals signed in for the Public hearing on June 20, 2014, therefore, there was neither public comment nor opposition from the public in Carson City or Las Vegas to the proposed regulation. The Board considered each section and sub-section, asking for public comment of each section of the regulation. The Board voted unanimously to adopt the proposal with the amendments from the June 12, 2014 workshop.

Interested persons may obtain a copy of the public response and industry response by contacting the Private Investigators Licensing Board to request a copy of the minutes or by visiting our website at www.nevadapiboard.org.

- 3. The number of persons who:**
 - (a) Attended each hearing:** June 12, 2014 (2), June 20, 2014 (0)
 - (b) Testified at each hearing:** June 12, 2014 (1), June 20, 2014 (0)
 - (c) Submitted written comments:** No written comments were submitted.

- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
 - (a) Name;** Michael Spriggs; David Spencer
 - (b) Telephone number;** 800-449-6110; 775-786-7766
 - (c) Business address;** 1000 N. Green Valley Parkway #440-375, Henderson, NV 89074; 1325 Airmotive Way, Suite 206, Reno, NV 89502
 - (d) Business telephone number;** 800-449-6110; 775-786-7766
 - (e) Electronic mail address;** spriggsinc@cox.net; dave-spencer@sbcglobal.net and
 - (f) Name of entity or organization represented.** Nevada Society of Private Investigators; Spencer Investigation

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

Comments were solicited from affected businesses in the same manner that they were solicited from the public.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

N/A

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.**

- (a) Estimated economic effect on the businesses which they are to regulate.**

It is estimated that the proposal will have no financial impact on the businesses regulated by the Board.

- (b) Estimated economic effect on the public which they are to regulate.**

It is estimated that the proposal will have no financial impact on the public.

- 8. The estimated cost to the agency for enforcement of the proposed regulation:**

It is estimated that the proposal will have no financial impact on the Board.

- 9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

This proposal does not overlap or duplicate any other regulation of a state or government agency.

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

N/A

- 11. If the regulation provides 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.**

N/A