

**ADOPTED REGULATION OF THE
DEPARTMENT OF PUBLIC SAFETY**

LCB File No. R016-16

Effective June 28, 2016

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

AUTHORITY: §1, Section 22 of Assembly Bill No. 239, chapter 327, Statutes of Nevada 2015, at page 1776 (NRS 493.118).

A REGULATION relating to unmanned aerial vehicles; prescribing the public purposes for which a public agency may operate an unmanned aerial vehicle that is registered with the Department of Public Safety; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides that a public agency in this State may operate an unmanned aerial vehicle only if the agency registers the unmanned aerial vehicle with the Department of Public Safety and operates the unmanned aerial vehicle in accordance with any regulations adopted by the Department. (Section 21 of Assembly Bill No. 239, chapter 327, Statutes of Nevada 2015, at page 1776 (NRS 493.115)) Existing law requires the Department to: (1) prescribe the public purposes for which a public agency may operate an unmanned aerial vehicle that is registered with the Department; (2) establish and maintain, to the extent money is available for this purpose, a registry of unmanned aerial vehicles that are operated by public agencies in this State; and (3) include on its Internet website the information contained in the registry. (Section 22 of Assembly Bill No. 239, chapter 327, Statutes of Nevada 2015, at page 1776 (NRS 493.118)) This regulation prescribes the public purposes for which a public agency may operate an unmanned aerial vehicle that is registered with the Department.

Section 1. Chapter 493 of NAC is hereby amended by adding thereto a new section to read as follows:

A public agency which has registered an unmanned aerial vehicle with the Department of Public Safety in accordance with section 22 of Assembly Bill No. 239, chapter 327, Statutes of Nevada 2015, at page 1776 (NRS 493.118), may operate the unmanned aerial vehicle for one or more of the following public purposes:

1. *Fire services;*
2. *Emergency medical services;*
3. *Protection of a critical facility that is public property;*
4. *Search and rescue operations;*
5. *Preparation for, response to and recovery from emergencies and disasters;*
6. *Communications relay and delivery;*
7. *Surveying and mapping;*
8. *Inspection of public land and infrastructure;*
9. *Inspection and testing of hazardous materials;*
10. *Inspection and evaluation of natural resources;*
11. *Inspection and evaluation of wildlife;*
12. *Inspection and evaluation of agricultural and environmental conditions;*
13. *Training of employees of a public agency;*
14. *Research and development of unmanned aerial vehicles;*
15. *Maintenance and testing of unmanned aerial vehicles;*
16. *Air quality testing; and*
17. *Evaluation of meteorological conditions.*

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R016-16**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 493.

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

Chapter 493 of the Nevada Revised Statutes was amended by Assembly Bill 239 in 2015. The amendment requires the Department of Public Safety to adopt regulations which prescribe the public purposes for which a public agency may operate an unmanned aerial vehicle that is registered with the Department of Public Safety. This proposed regulation provides a list of public purposes for which a registered UAV may be operated by a public agency.

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

Copies of the proposed regulations, notices of workshop, and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of emergency management as well as any persons who had specifically requested such notice. These documents were also made available at the website of the http://dem.nv.gov/DEM/DEM_Public_Meeting_Information/, mailed to all county libraries in Nevada, and posted at the following locations:

Nevada Division of Emergency Management
2478 Fairview Drive
Carson City, NV 89701

Las Vegas Governor's Office
555 E. Washington Avenue
Las Vegas, NV 89101

Carson City Governor's Office
101 N. Carson Street
Carson City, NV 89701

Clark County Fire Department
575 E. Flamingo Road
Las Vegas, NV 89119

<http://notice.nv.gov>

3. The number persons who:

- (a) Attended each hearing: 8
- (b) Testified at each hearing: 3
- (c) Submitted to the agency written comments: 1

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.

5. 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.

This proposed regulation only applies to state agencies and political subdivisions of this state. This proposed regulation does not involve any adverse or beneficial effects on any business or on the public. This proposed regulation will not involve any immediate or long-term effects on businesses or the public.

These facts were noted on the “Notice of Intent to Act upon Regulation,” which was posted as described in item number 2, above. Additionally, the Nevada Department of Public Safety’s Division of Emergency Management hosted two public workshops in Carson City and Las Vegas in October of 2015, which received input from members of the public and private sectors. The notice for those workshops noted that, “the Department of Public Safety has determined that the proposed regulations will not have a direct or significant economic burden on small businesses in the State of Nevada.”

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.

No suggested changes were made by the public through written or oral comment. Therefore, the proposed regulation was adopted without change.

7. The estimated economic effect of the adopted regulation on the businesses which 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.**

This proposed regulation only applies to state agencies and political subdivisions of this state. This proposed regulation does not involve any adverse or beneficial effects on any business or on the public. This proposed regulation will not involve any immediate or long-term effects on businesses or the public.

8. The estimated cost to the agency for enforcement of the adopted regulation.

The Department of Public Safety will not incur significant costs for implementation and enforcement of this proposed regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This proposed regulation does not overlap or duplicate regulations of other state or local government agencies. This proposed regulation does not overlap or duplicate federal regulations.

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

This proposed regulation does not include a provision which is more stringent than a federal regulation that regulates the same activity.

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.

This proposed regulation does not establish a fee or increase an existing fee.