

**ADOPTED REGULATION OF THE CHIEF OF  
THE DIVISION OF EMERGENCY MANAGEMENT OF  
THE DEPARTMENT OF PUBLIC SAFETY**

**LCB File No. R138-16**

Effective December 21, 2016

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

AUTHORITY: §§1-7, NRS 414A.100.

A REGULATION relating to emergency management; imposing certain duties on the Division of Emergency Management of the Department of Public Safety; imposing certain duties on the Intrastate Mutual Aid Committee; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

During the 78th Regular Session, the Nevada Legislature passed Assembly Bill No. 90 which created the Nevada Intrastate Mutual Aid System within the Division of Emergency Management of the Department of Public Safety to coordinate requests for mutual aid among various public agencies of this State and certain Indian tribes and nations in this State. (Chapter 414A of NRS) Assembly Bill No. 90 also created the Intrastate Mutual Aid Committee to: (1) advise and assist the Chief of the Division with the implementation and evaluation of the System; and (2) develop comprehensive guidelines and procedures regarding, among other things, requests and recordkeeping for intrastate mutual aid. (NRS 414A.110)

**Section 5** of this regulation requires the Division to adopt policies and procedures regarding the coordination of responses to requests from other states for mutual aid pursuant to the Emergency Management Assistance Compact. (NRS 415.010)

**Section 6** of this regulation imposes on the Division certain annual duties and reporting requirements relating to the Nevada Intrastate Mutual Aid System.

**Section 7** of this regulation requires the Intrastate Mutual Aid Committee to annually review policies and procedures for the administration of the Nevada Intrastate Mutual Aid System and to make recommendations to the Chief of the Division for improvements in that administration.

**Section 1.** Chapter 414A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Committee” means the Intrastate Mutual Aid Committee created by NRS 414A.110.*

**Sec. 4.** *“Emergency Management Assistance Compact” has the meaning ascribed to it in NRS 415A.070.*

**Sec. 5.** *The Division, with input from the Committee, shall adopt policies and procedures regarding the coordination of responses to requests from other states for mutual aid pursuant to the Emergency Management Assistance Compact. The policies and procedures must include, without limitation:*

- 1. Receipt of requests for mutual aid;*
- 2. Requirements for training and exercises for participants;*
- 3. Deployment of resources in support of a request for mutual aid; and*
- 4. Redeployment of resources to this State following the support of a request for mutual aid.*

**Sec. 6.** *1. Not later than January 1 of each year, the Division shall:*

- (a) Coordinate with county and tribal emergency managers to evaluate the status of participation in the System; and*
- (b) Conduct outreach regarding updates to policies and procedures as recommended by the Committee pursuant to section 7 of this regulation.*

*2. Not later than June 30 of each year, the Division shall submit to the Committee a report which includes, without limitation:*

*(a) Information relating to declared emergencies and disasters in this State during that fiscal year;*

*(b) Information relating to undeclared emergencies and disasters in this State that were monitored by the Division during that fiscal year;*

*(c) Resources that were requested through the System and fulfilled within this State during that fiscal year and the status of those requests;*

*(d) An update, in the form of a financial report, on the status of reimbursements of the costs of requests described in paragraph (c);*

*(e) Resources that were requested through the System by other states and fulfilled through the Emergency Management Assistance Compact during that fiscal year and the status of those requests; and*

*(f) Information relating to the status of this State's inventory of resources for responses to emergencies.*

**Sec. 7.** *Not later than September 30 of each year, the Committee shall:*

*1. Review policies and procedures for the administration of the System; and*

*2. Make recommendations to the Chief of the Division for improvements in the administration of the System.*

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
NRS 233B.066  
LCB FILE R138-16**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 414A.

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

Chapter 414A of the Nevada Revised Statutes was created by Assembly Bill 90 during the 78<sup>th</sup> Legislative Session (2015). The legislation establishes the Nevada Intrastate Mutual Aid System (System) and requires the Department of Public Safety's Division of Emergency Management (Division) to adopt regulations relating to the System's administration.

**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 Division website, at [http://dem.nv.gov/DEM/DEM\\_Public\\_Meeting\\_Information/](http://dem.nv.gov/DEM/DEM_Public_Meeting_Information/), mailed to all county libraries in Nevada, and posted at the following locations:

- Las Vegas Governor's Office, 555 E. Washington Avenue, Las Vegas, NV;
- Carson City Governor's Office, 101 N. Carson Street, Carson City, NV;
- NV State Emergency Operations Center, 2478 Fairview Drive, Carson City, NV;
- Clark County Fire Department, 575 E. Flamingo Road, Las Vegas, NV;
- NV Department of Public Safety, Division of Emergency Management and
- Homeland Security website located at:  
[http://dem.nv.gov/homeland\\_security/2015\\_Meetings/](http://dem.nv.gov/homeland_security/2015_Meetings/)
- Nevada Public Notice Website located at: <https://notice.nv.gov/>

**3. The number persons who:**

- (a) Attended each hearing: 14
- (b) Testified at each hearing: 0
- (c) Submitted to the agency written comments: 0

**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, tribal governments, 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. The Division also hosted a public workshop in Carson City and Las Vegas in July of 2015, which was intended to receive input from members of the public and private sectors. The notice for this workshop noted that, “the Department of Public Safety, Division of Emergency Management has determined that the proposed regulations will not have a direct or significant economic burden on small businesses in the State of Nevada.”

Further, the Division also hosted multiple meetings of the Intrastate Mutual Aid Committee (IMAC), which is made up of public sector practitioners from throughout the State of Nevada. Upon discussion and conferring with professional and legal experts, the IMAC agreed that these regulations did not impact small businesses in the State.

**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, tribal governments, 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 Division 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.