

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY

NRS 233B.066

LCB FILE R132-18

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 477.

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

This regulation is necessary to update the regulations to comply with existing statutory requirements. Nevada Revised Statute (NRS sections 477.032 and 477.033 requires the State Fire Marshal to adopt regulations to license firms and for the certifications of individuals in certain fire protection related activities. The State Fire Marshal shall prescribe the form to be used for those to apply for a license or a certificate of registration per NRS 477.033(2).

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 licensing and certification of the fire protection industry as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada State Fire Marshal Division (NSFM), <http://fire.nv.gov> , mailed to all county libraries in Nevada and posted at the following locations:

Nevada State Board of Architecture Interior Design and Residential Design, 2080 E. Flamingo Road, Suite 120, Las Vegas NV
Board of Professional Engineers and Land Surveyors, 1755 East Plumb Lane, Reno, NV
Carson City Fire Department, 777 South Stewart, Carson City, NV
Carson City Public Library, 901 North Roop Street, Carson City, NV
Central Lyon County Fire Department, 231 Corral Drive, Dayton, NV
Churchill Fire Department, 20 N. Carson Street, Fallon NV
Clark County Fire Department, 575 East Flamingo Road, Las Vegas NV
Clark County Fire Department Training Center, 4425 West Tropicana Avenue, Las Vegas, NV
Department of Public Safety, 555 wright way, Carson City NV
East Fork Fire Protection District, 1694 County Road, Minden, NV
City of Elko Fire Department, 911 West Idaho Street, Elko, NV
Elko County Fire Protection District, 155 South9th Street, Elko, NV
Ely Fire Department, 1780 Great Basin Blvd., Ely, NV
Henderson Fire Department, 240 Water Street, Henderson, NV
Las Vegas Fire and Rescue, 633 N. Mojave Road, Las Vegas, NV
Lyon County Public Library, 20 Nevin Way, Yerington, NV
Nevada Board of Architecture
Nevada State Board of Professional Engineers & Land Surveyors
Nevada State Library, 100 South Stewart Street, Carson City, NV
Pahrump Public Library, 701 E. Street, Pahrump, NV
Reno Fire Department, 1 East First Street, Reno, NV
Sparks Fire Department, 1605 Victorian Avenue, Sparks, NV
State Fire Marshal, Division, 107 Jacobsen Way, Carson City, NV
Washoe County Public Library, 301 South Center Street, Reno, NV
State Fire Marshal website: <http://fire.nv.gov/Boards/Boards/>

A public workshop was held on May 11, 2018 and the minutes of that workshop are attached hereto and contain a summary of the discussions held regarding the proposed amendments. There was one public comment received regarding the lack of workshop materials being disseminated until the start of the workshop.

A second workshop was held on August 22, 2018, and the minutes of that workshop are attached hereto and contain a summary of the discussions held regarding the proposed amendments. There was no public comment received.

A third workshop was held on December 21st, 2018 and the minutes of that workshop are attached hereto and contain a summary of the discussions held regarding the proposed amendments. There was one public comment received regarding labels on fire extinguishers, swapping of fire extinguishers and servicing and installing equipment and the approval of said equipment by the authorities having jurisdiction.

A fourth and final workshop was held on March 28, 2019 and the minutes of that workshop are attached hereto and contain a summary of the discussions held regarding the proposed amendments. There was one public comment received regarding a question about records retention.

3. **The number of persons who:**
 - (a) **Attended each hearing:** May 11, 2018 – 17; August 22, 2018 – 30; December 21, 2018 – 14; March 28, 2019 – 20.
 - (b) **Testified at each hearing:** May 11, 2018 – 5; August 22, 2018 – 6; December 21, 2018 – 5; March 28, 2019 – 5.
 - (c) **Submitted to the agency written comments:** No written comments were submitted.
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:**

Attached as exhibit A.

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

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The summary may be obtained as instructed in the response to question #2.

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.**

The permanent regulation was adopted on February 12, 2020. There several changes made during the intent to adopt hearing concerning the Wildland Urban Interface Code, the change was to revert back to the original verbiage of the previously adopted NAC 477. No opposition to the change or regulation was offered.

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

(a) Both adverse and beneficial effects:

Adverse effect: No adverse effects are anticipated as no undue requirements or restrictions are proposed by the regulation. NO adverse effects to the general public is anticipated.

Beneficial effect: Inclusion of the International Existing Building Code as a referenced document will provide specific guidance to the remodeling and re-use of existing buildings throughout communities. This will benefit the general public with safer buildings.

(b) Both immediate and long-term effects:

Immediate effect: Contractors and business owners will utilize the International Existing Building Code immediately upon approval of this regulation. This will benefit the general public with faster and safer rehabilitated buildings.

Long term effect: Vacant or unused buildings will be more readily available for rehabilitation and occupation. This will benefit the general public with less vacant buildings throughout communities.

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

There is no additional cost to the agency for enforcement of this 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.

There are no other state or government agency regulations that the proposed regulations are known to overlap or duplicate.

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

There are no federal regulations that apply.

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.

There was a fee increase of 20% for licensing and certificates of occupancy, the expected annual amount are \$720,000. The fees are used for salaries and cost of service expenses.

May 11, 2018 Workshop testified:

Lynn Nielson - (702) 267 3635; 240 Water Street PO Box 95050 Henderson NV 89009-5050; Lynn.nielson@cityofhenderson.com ; City of Henderson

Fulton Cochran – (702) 455-8187; 4701 W. Russel Rd, Las Vegas NV 89118; Fulton.Cochran@ClarkcountyNV.gov ; Department of Building and Fire Prevention

John Holmes – (775) 777-7347; 911 West Idaho St Elko NV 89801; jholmes@elkocity.nv.gov ; City of Elko Fire Department

Doug Sartain – Certified Fire Protection

Scott Baker – (775) 588-3591; 193 Elks Point Road; Zephyr Cove NV 89448; Tahoe Douglas Fire Protection District

August 22, 2018 Workshop testified;

Dave Ruben – (775) 887-2210; 777S. Stewart Street, Carson City, NV 89701; druben@carson.org ; Carson City Fire Department

Lynn Nielson - (702) 267 3635; 240 Water Street PO Box 95050 Henderson NV 89009-5050; Lynn.nielson@cityofhenderson.com ; City of Henderson

Duane Resop – (702) 808-8376; Building Department 1180 Military Tribute Place, Henderson NV 89074; LevasL@ccsd.net ; Clark County School District

Doug Sartain - - Certified Fire Protection

Lee Marx – AMFE

Stephen J. Digiovani - - (702) 455-8187; 4701 W. Russel Rd, Las Vegas NV 89118; ; Department of Building and Fire Prevention

Thomas Ingersoll – (775) 738-6816; 571 Idaho St, Elko County NV 89801; tingersoll@elkocountynv.net ; Elko County Building Department

December 21st, 2018 Workshop testified:

Doug Sartain – Certified Fire

Dave Ruben – (775) 887-2210; 777S. Stewart Street, Carson City, NV 89701; druben@carson.org ;
Carson City Fire Department

Rich Harvey –(775)- 246-6209; 246 Dayton Valley Rd. Suite 106, Dayton NV 89403;
rharvey@centralfirenv.org ; Central Lyon Fire Protection District

Eric Guevin - (775) 588-3591; 193 Elks Point Road; Zephyr Cove NV 89448; eguevin@taoefire.com
;Tahoe Douglas Fire Protection District

John Holmes – (775) 777-7347; 911 West Idaho St Elko NV 89801; jholmes@elkocity.nv.gov ; City of
Elko Fire Department

Lee Marx – American Fire

March 28th, 2019 Workshop testified:

Lynn Nielson - Nielson - (702) 267 3635; 240 Water Street PO Box 95050 Henderson NV 89009-
5050;Lynn.nielson@cityofhenderson.com ; City of Henderson

Doug Sartain – Certified Fire, President

Lisa M. Beaver – (775) 326-6000; 1001 East 9th Street, Reno NV 89520; firelmb@att.net ; Truckee
Meadows Fire Protection District

Jerry Stueve – (702) 455-8187; 4701 W. Russel Rd, Las Vegas NV, 89118;
jerry.stueve@ClarkCountyNV.gov