

**REVISED PROPOSED REGULATION OF THE
PRIVATE INVESTIGATOR'S LICENSING BOARD**

LCB File No. R096-20

September 3, 2020

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

AUTHORITY: §§1-3, 5, 7, 9-11, 15-20 and 22-28, NRS 648.030; §4, NRS 622.530 and 648.030; §§6, 12, 14 and 21, NRS 648.030 and 648.120; §8, NRS 648.025 and 648.030; §13, NRS 648.030 and 648.100.

A REGULATION relating to private investigators; establishing provisions for the issuance of a license by endorsement; authorizing the Private Investigator's Licensing Board to audit the records of a licensee under certain circumstances; requiring the Board to collect certain fees before a license is issued or renewed; requiring a registered employee to take certain actions relating to his or her work card; requiring the Board to annually review the salary of the Executive Director of the Board; requiring the Executive Director to serve as the custodian of records for the Board; requiring a license to be placed in abeyance under certain circumstances; requiring the Board to prepare and administer examinations under certain circumstances; revising provisions concerning a license placed in abeyance; revising certain provisions concerning an unlicensed employee who is a member of a public employees' retirement system; revising fingerprinting requirements for an applicant for registration; requiring a licensee to keep a copy of the work card for each employee; requiring an unlicensed person to pass an examination under certain circumstances; requiring a licensee to report certain information to the Board; making various changes to the information required to be posted on an Internet website maintained by the Board; revising provisions concerning the certification of a firearms instructor; making various changes concerning the curriculum in a course of training in carrying, handling and using firearms safely; authorizing certain fines to be paid by a credit card or debit card; revising requirements concerning the use of a uniform, patch, badge, logo or marked vehicle by an applicant or licensee; repealing certain provisions concerning the maintenance of records of examinations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Private Investigator's Licensing Board to adopt regulations governing private investigation in this State. (NRS 648.030)

Existing law requires a regulatory agency to provide by regulation for the issuance of a license by endorsement to engage in an occupation or profession in this State. (NRS 622.530)

Existing law provides for the licensing of private investigators, private patrol officers, process servers, repossessors, dog handlers, security consultants and polygraphic examiners and interns. (Chapter 648 of NRS) **Section 4** of this regulation authorizes the Board to issue a license by endorsement to practice as a private investigator, private patrol officer, process server, repossessor, dog handler, security consultant or polygraphic examiner or intern. **Section 4** requires an applicant for such a license by endorsement to meet certain minimum qualifications. **Section 4** further sets forth the requirements for submitting the application for a license by endorsement to the Board.

Section 5 of this regulation authorizes the Board to audit the records of a licensee to ensure compliance with existing law and regulations. **Section 5** also sets forth the manner in which the Board will conduct the audit, including the types of records that the Board may request from the licensee.

Existing law authorizes the Board to collect fees for the issuance or renewal of a license under certain circumstances. (NRS 648.120) **Section 6** of this regulation requires that before a license is issued or renewed, certain fees be collected by the Board for the: (1) issuance of the license; (2) annual renewal of the license; and (3) renewal of a license held in abeyance.

Section 7 of this regulation requires a registered employee to carry his or her work card or provisional work card while performing his or her duties of employment.

Existing law authorizes the Board to employ an Executive Director of the Board. (NRS 648.025) Existing regulations require the Chair of the Board to hire an Executive Director. (NAC 648.120) **Section 8** of this regulation requires the Board to annually review the salary of the Executive Director.

Existing law authorizes the Board to prescribe the duties of the Executive Director. (NRS 648.025) Existing regulations require the Executive Director to perform certain duties. (NAC 648.140) **Section 9** of this regulation, in addition to the existing duties, requires the Executive Director to serve as the custodian of records for the Board.

Existing regulations require a licensee to surrender his or her license when the licensee becomes a qualifying agent of a corporate licensee. (NAC 648.260, 648.265) **Sections 11 and 12** of this regulation require the license to be placed in abeyance, not surrendered. **Section 3** of this regulation defines the term “qualifying agent.”

Existing regulations also authorize a licensee who becomes a qualifying agent of a corporate licensee to place his or her license in abeyance as long as he or she refrains from engaging in licensed activities independent of his or her position as a qualifying agent. (NAC 648.330) **Section 14** of this regulation requires such a licensee who becomes a qualifying agent to place his or her license in abeyance.

Existing law requires an applicant for a license to pass: (1) a written examination; and (2) an oral examination under certain circumstances. (NRS 648.100) Existing regulations require the Board to prepare examinations to be administered by local law enforcement or a police officer. Existing regulations also provide that the examinations will be administered in January, April, July and October of each year. (NAC 648.310) **Section 13** of this regulation requires the Board

to both prepare and administer the examinations. **Section 13** also provides that the Board may administer the examinations at additional times prescribed by the Board.

Existing regulations require an unlicensed person, a private patrol officer or a security guard to pass an examination before being employed by a licensee. (NAC 648.341) **Section 17** of this regulation no longer distinguishes between an unlicensed person, a private patrol officer or a security guard, meaning that all unlicensed persons must take and pass an examination.

Existing regulations prohibit a licensee from employing an unlicensed person who is or becomes employed in a position that makes the unlicensed person eligible to contribute to any public employees' retirement system under certain circumstances. Existing regulations authorize the Board to exempt the licensee from such a prohibition if the Board determines that the activities conducted by the unlicensed person on behalf of the licensee would not: (1) pose as a conflict of interest with the public employer of the unlicensed person; or (2) create the possibility that the unlicensed person would use his or her position with the public employer to his or her advantage in his or her private activities. (NAC 648.338) **Section 15** of this regulation authorizes the Executive Director, or his or her designee, instead of the Board, to make such a determination regarding the exemption from the prohibition on hiring the unlicensed person.

Existing regulations require a licensee to instruct an unlicensed person who meets certain qualifications to apply for registration and to, among other duties, obtain two complete sets of fingerprints for submittal to the Board. (NAC 648.3385) **Section 16** of this regulation instead requires the submission of only one set of fingerprints to the Board.

Existing regulations require a licensee to keep a passport-sized photograph of each employee. (NAC 648.3385) **Section 16** of this regulation requires the licensee to keep a copy of the work card issued by the Board for each employee, instead of the passport-size photograph.

Existing regulations require the Board to establish and maintain an Internet website that contains records concerning each person: (1) who is registered with the Board; (2) who has applied to register with the Board; and (3) whose registration has expired with the Board. (NAC 648.3435) **Section 19** of this regulation, in addition to those records already required to be maintained on the Internet website, requires the Board to maintain records concerning: (1) each person who completes a course of training in carrying, handling and using firearms safely; and (2) information concerning any other training that is required by the Board.

If a person who is registered with the Board becomes employed by another or additional licensee, existing regulations require the licensee who is the new employer to file a change of employment notice on the Internet website maintained by the Board within 5 days of the change. (NAC 648.344) **Section 20** of this regulation provides that if a person registered by the Board is terminated by his or her employer, then the former employer must notify the Board of the termination of employment on the Internet website maintained by the Board. **Section 20** also requires that both the notification for a change of employment or termination of employment to be made within 3 days of the change or termination. Further, **section 20** requires a licensee that employs a registered person to terminate the employment of the registered person if he or she has not worked for the licensee within the last 12 months.

Existing regulations prohibit a licensee or employee who is registered with the Board from carrying a firearm unless the licensee or employee: (1) is certified by the Board as a firearms instructor; or (2) has completed and received certification from a course of training approved by the Board in carrying, handling and using firearms safely. (NAC 648.345) **Section 21** of this regulation, in addition to the training or certification requirements, requires the licensee or employee to be at least 21 years of age in order to carry a firearm while in the course of his or her employment.

Section 21 also prohibits a person who is provisionally registered from: (1) attending and being certified in a course of training in carrying, handling and using firearms safely; and (2) carrying a firearm while on duty in the course of his or her employment.

Existing regulations require an applicant who wishes to become a firearms instructor to pay an application fee of \$100 to the Board. Existing regulations also require a firearms instructor to pay a renewal fee of \$100 to the Board for his or her certification to be a firearms instructor. (NAC 648.345) **Section 21** of this regulation increases these fees to \$250.

Existing regulations require an applicant who wishes to become a firearms instructor to meet certain requirements, including, a requirement that the applicant successfully complete a course of fire established by the Board which requires, among other qualifications, that the applicant receive a minimum score of 275 out of 300 on a full-size B27-type target for each type of firearm for which the applicant wishes to provide instruction. (NAC 648.345) **Section 21** of this regulation removes the minimum score and instead requires the applicant to obtain at least a 90 percent in the course of fire.

Existing law authorizes the Board to adopt regulations requiring licensees and employees of licensees to attend courses in firearm safety. (NRS 648.030) Existing regulations establish the minimum curriculum for a course of training concerning carrying, handling and using firearms safely. Existing regulations require the curriculum to include the fundamentals in handling a handgun. (NAC 648.346) **Section 22** of this regulation additionally requires the curriculum to include instruction on the fundamentals of handling a rifle and shotgun.

Existing regulations require the course of training in carrying, handling and using firearms safely to include at least 5 hours of instruction and training at a firing range during which the person must qualify to use the same caliber of firearm as he or she will use while on duty. (NAC 648.346). **Section 22** of this regulation increases the hours of instruction and training from 5 hours to 8 hours.

Existing regulations also require a participant in a course of training in carrying, handling and using firearms safely to complete a course of fire with a passing score of 75 percent. Existing regulations specifically outline the qualifications for the course of fire. (NAC 648.346) **Section 22** of this regulation removes the detailed qualifications for the course of fire, and instead requires the participant to obtain a passing score of at least 75 percent in a course of fire established and maintained by the Board.

Existing regulations require a firearms instructor to, within 5 days of the successful completion by a participant in a course of training in handling, carrying and using firearms

safely, to register the successful participant by submitting a form to the Board. (NAC 648.350) **Section 23** of this regulation instead requires the firearm instructor to record certain information relating to the person and the training within 2 days of the successful completion of the course on the Internet website maintained by the Board.

Existing regulations require certain fines to be paid to the Board by cashier's check or money order. (NAC 648.433, 648.439) **Sections 25 and 26** of this regulation authorize payment of the fine by credit card or debit card, in addition to payment by cashier's check or money order.

Existing regulations require an applicant or licensee to submit a color photograph of a uniform, badge or patch the applicant or licensee intends to use. Existing regulations prohibit the uniform, badge or patch from being deceptively similar to that of another licensee or a law enforcement agency. (NAC 648.530) **Section 27** of this regulation additionally requires an applicant or licensee to submit a color photograph of any logo or marked vehicle the applicant or licensee intends to use. **Section 27** also sets forth a list of prohibited uses of uniforms, badges, patches, logos and marked vehicles. Finally, **section 27** provides certain requirements for marked vehicles used by an applicant or licensee.

Existing regulations set forth certain requirements concerning records of examinations and further places certain duties on persons to maintain those records. (NAC 648.343) **Section 28** of this regulation repeals those requirements.

Sections 10, 18 and 24 of this regulation make conforming changes.

Section 1. Chapter 648 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 NAC 648.215 to 648.330, inclusive, and sections 2 to 7, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in NAC 648.215 and section 3 of this regulation, have the meanings ascribed to them in those sections.*

Sec. 3. *“Qualifying agent” means a person who:*

- 1. Has been approved by the Board to represent and work for a corporate licensee; and*
- 2. Is responsible for:*

(a) Managing the corporate licensee in this State, including, without limitation, management of the:

- (1) Daily operations of the corporate licensee; and*

- (2) Conduct and professionalism of the staff of the corporate licensee;*
- (b) Executing and completing all necessary documents to maintain the good standing of the corporate licensee in this State;*
- (c) Carrying out all provisions of this chapter and chapter 648 of NRS;*
- (d) Complying with all lawful and responsible orders of the Board; and*
- (e) Acting as an advisor for the management of the corporate licensee.*

Sec. 4. 1. The Board may issue a license by endorsement to any natural person who:

- (a) Holds a corresponding valid and unrestricted license as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, in the District of Columbia or any state or territory of the United States;*
- (b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, in this State;*
- (c) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable;*
- (d) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to private investigators, private patrol officers, process servers, repossessors, dog handlers, security consultants or polygraphic examiners or interns, as applicable;*

(e) Has not had a license as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, suspended or revoked in the District of Columbia or any state or territory of the United States;

(f) Has not been refused a license, for any reason, as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, in the District of Columbia or any state or territory of the United States;

(g) Does not have a pending disciplinary action concerning his or her license as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, in the District of Columbia or any state or territory of the United States;

(h) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;

(i) Submits to the Board a complete set of his or her fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

(j) Submits to the Board the statement required by NRS 425.520.

2. An applicant for issuance of a license by endorsement as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, in this State must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the Board;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable;

(3) Has engaged as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, for the period determined by the Board preceding the date of the application; and

(4) Possesses a sufficient degree of competency as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(c) Any other information required by the Board.

3. Not later than 21 business days after receiving an application for a license by endorsement as a private investigator, private patrol officer, process server, reposessor, dog handler, security consultant or polygraphic examiner or intern, as applicable, pursuant to this section, the Board will provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board will approve the application and issue a license by endorsement as a private investigator, private patrol officer, process server, reposessor, dog handler, security

consultant or polygraphic examiner or intern, as applicable, to the applicant not later than 15 days after the Board receives the report described in paragraph (i) of subsection 1.

4. A license by endorsement as a private investigator, private patrol officer, process server, reposessor, security consultant or polygraphic examiner or intern, as applicable, issued pursuant to this section may be issued at a meeting of the Board, or between its meetings, by the Chair of the Board and the Executive Director of the Board. Such action shall be deemed to be an action of the Board.

5. The Board may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph (i) of subsection 1; or

(b) The report described in paragraph (i) of subsection 1 indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and a regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

Sec. 5. 1. The Board may audit the records of a licensee to ensure compliance with this chapter and chapter 648 of NRS.

2. The records described in subsection 1 may include, without limitation, copies of:

(a) Industrial insurance;

(b) Filings regarding workers' compensation;

(c) Business records or filings conducted in the normal course of business;

(d) The state business license of the licensee;

(e) Any advertisement or written communication as described in NAC 648.525;

(f) Records concerning payroll;

- (g) Unemployment reports;*
- (h) The work card for each employee of the licensee; and*
- (i) Color photographs that accurately depict the uniform, badge, patch, logo or marked vehicle of a licensee as described in NAC 648.530;*

3. The audit may be conducted by the Board at the location of the licensee or at the office of the Board.

4. A licensee shall make any records requested by the Board available within 30 calendar days of the request.

5. Failure of a licensee to furnish the information necessary to conduct an audit constitutes grounds for:

- (a) A fine up to \$5,000.*
- (b) Disciplinary action before the Board.*

Sec. 6. *A license may not be issued or renewed until the following fee is paid by the applicant or licensee to the Board for each category of license:*

<i>Issuance of license</i>	<i>\$500</i>
<i>Annual renewal of license</i>	<i>500</i>
<i>Renewal of license held in abeyance</i>	<i>100</i>

Sec. 7. *An unlicensed employee must:*

- 1. Keep the work card issued by the Board on his or her person while performing his or her duties of employment.*
- 2. During his or her provisional registration, keep the provisional work card issued by the Board on his or her person while performing his or her duties of employment.*

3. Produce the work card or provisional work card issued by the Board, as applicable, upon the request of any peace officer or representative of the Board.

Sec. 8. NAC 648.120 is hereby amended to read as follows:

648.120 *1.* The Chair shall employ an Executive Director for the Board.

2. The salary of the Executive Director must be reviewed annually by the Board, not later than the 15th day of each May.

Sec. 9. NAC 648.140 is hereby amended to read as follows:

648.140 The Executive Director shall:

1. Prepare the agenda for the meeting under the supervision of the Chair and considering the suggestions of the members;

2. Forward a copy of the agenda to each member of the Board not later than 15 days before the scheduled date of the meeting;

3. Give an account of all money received by the Board at each meeting;

4. Keep a record of each meeting and make copies of the minutes available to each member of the Board; ~~and~~

5. Preserve the record of each meeting as a state record ~~H~~; *and*

6. Serve as the custodian of records for the Board.

Sec. 10. NAC 648.215 is hereby amended to read as follows:

648.215 ~~For the purposes of NAC 648.215 to 648.330, inclusive, the term “corporation”~~
“Corporation” includes a limited-liability company and a foreign limited-liability company.

Sec. 11. NAC 648.260 is hereby amended to read as follows:

648.260 *1.* A person who holds a license may change his or her status to that of a qualifying agent for a corporate licensee without taking the written examination, if the transfer is

within the same category of license. The Board may require a background investigation of any person whose status has changed pursuant to this section if:

(a) The most recent background investigation was completed more than 18 months before the change in status; or

(b) There has been any complaint filed against the person with the Board.

2. If a person who is applying for a license for himself or herself previously held a license in the same category and ~~surrendered~~ placed it *in abeyance* to become a qualifying agent for a corporation, the Board may require a background investigation if:

(a) The most recent background investigation was completed more than 18 months before the person applied for the license for himself or herself; or

(b) There has been any complaint filed against the person with the Board.

Sec. 12. NAC 648.265 is hereby amended to read as follows:

648.265 1. After August 15, 1981, the Board will not approve any application by a person to become a qualifying agent in the same category of license for more than one corporation. Any person whom the Board has approved before that date as a qualifying agent for two or more corporations may continue to serve each such corporation so long as the person does not terminate affiliation with it.

2. Any person who holds a license issued by the Board must ~~surrender~~ place that license ~~for cancellation or to be held~~ in abeyance before the Board will approve the person's application to become a qualifying agent for a corporate license in the same category of license.

3. Any person who has been issued an identification card as the qualifying agent for a corporate licensee must surrender that card to the Board for destruction before the Board will

approve the person's application for a license for himself or herself or return the person's license ~~held~~ *placed* in abeyance.

Sec. 13. NAC 648.310 is hereby amended to read as follows:

648.310 1. ~~{The Board}~~ *Examinations* will ~~{prepare examinations and may designate one or more police officers or other law enforcement officials to administer them.~~

~~—2.—Examinations will be given} *be:*~~

(a) Prepared and administered by the Board; and

(b) Administered in January, April, July and October of each year ~~{}~~, *and at any other time prescribed by the Board.*

~~{}~~ 2. The Executive Director shall fix the time, date and place for each examination.

~~{}~~ 3. Except as otherwise provided in subsection ~~{}~~ 4, examinations will be administered simultaneously to all applicants whether or not the examinations are being given at one location or more than one location.

~~{}~~ 4. Field examinations for licensing as canine security handlers and trainers will not be administered at the same time as written examinations are being given.

Sec. 14. NAC 648.330 is hereby amended to read as follows:

648.330 1. If a licensee or an applicant is or becomes employed as a peace officer, as defined in NRS 169.125, or by a federal, state or local law enforcement agency, or in a position which makes him or her eligible to contribute to any public employees' retirement system and the Board finds that his or her private activities as a licensee create or would tend to create:

(a) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or

(b) The possibility of a use of his or her position with the public employer for personal advantage in the private activities,

↳ the Board will hold his or her license in abeyance for as long as he or she continues to have those responsibilities or serve in that position. Except as otherwise provided in subsection 2, a licensee may not engage in licensed activities while his or her license is being held in abeyance.

2. Except as otherwise provided in this subsection, a licensee who is the qualifying agent for a corporate licensee pursuant to chapter 648 of NRS ~~may~~ **must** have his or her license placed in abeyance as long as he or she refrains from engaging in licensed activities independent of his or her status as a qualifying agent. A licensee who became a qualifying agent before January 1, 1985, may have the license that is in the same category as his or her status as a qualifying agent placed in abeyance for as long as he or she retains such status. If the Board finds that a licensee's status as a qualifying agent creates or would tend to create:

(a) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or

(b) The possibility of a use of his or her position with the public employer for personal advantage in the private activities,

↳ the licensee may no longer act as a qualifying agent for the corporation.

3. A licensee whose license is held in abeyance pursuant to subsection 1 or 2, must surrender the license to the Executive Director of the Board. If the provisions of subsection 1 or 2 no longer require that a license be held in abeyance, the Executive Director shall return the license to the former holder. The Executive Director may consult with the Board before making this determination.

4. If a licensee who is not in the situation described in subsection 1 or 2 wishes to have his or her license held in abeyance, he or she may voluntarily ~~surrender the license to the Executive Director, who will hold~~ *place* it in abeyance for any period specified by the requester, not exceeding 3 years. The Board may, upon request, grant an extension of the 3-year period if it finds that good cause warrants the extension. The Board will conduct an investigation of each licensee who, at the time he or she requests the return of the license held in abeyance pursuant to this subsection:

- (a) Is not a qualifying agent of a corporation licensed by the Board;
- (b) Is not working pursuant to any other license issued to him or her by the Board; or
- (c) Is not employed as a peace officer, as defined in NRS 169.125, or by a federal, state or local law enforcement agency, or in a position which makes him or her eligible to contribute to any public employees' retirement system and the Board believes that his or her private activities as a licensee create or would tend to create:

(1) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or

(2) The possibility of a use of his or her position with the public employer for personal advantage in the private activities.

↪ The Board will, upon completion of its investigation, notify the licensee whether the license will be returned.

5. The Board will not hold the license of an intern in abeyance.

6. A license which is ~~being held~~ in abeyance pursuant to this section must be renewed in accordance with the provisions for such licenses set forth in chapter 648 of NRS.

Sec. 15. NAC 648.338 is hereby amended to read as follows:

648.338 1. Except as otherwise provided in subsection 2, a licensee may not employ an unlicensed person who is or becomes employed:

- (a) As a peace officer, as defined in NRS 169.125;
- (b) By a federal, state or local law enforcement agency; or
- (c) In a position which makes the unlicensed person eligible to contribute to any public employees' retirement system.

2. Upon receipt of a written request for exemption, the Board may grant an exemption from the prohibitions set forth in *paragraph (a) or (b) of subsection 1, or the Executive Director of the Board, or his or her designee, may grant an exemption from the prohibition set forth in paragraph (c) of subsection 1*, if the Board *or Executive Director, or his or her designee, as applicable*, finds that the private activities of the unlicensed person on behalf of the licensee would not create or tend to create:

- (a) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or
- (b) The possibility of a use of his or her position with the public employer for personal advantage in his or her private activities.

Sec. 16. NAC 648.3385 is hereby amended to read as follows:

648.3385 1. A licensee shall not employ a person unless the person employed by the licensee is provisionally registered or registered. A licensee shall immediately terminate the employment of a person employed by a licensee if the Board notifies the licensee that the Board has denied, suspended or revoked the provisional registration or registration of the person.

2. If a person applies for employment with a licensee, the licensee or a designated employee of the licensee shall review the system of records maintained by the Board pursuant to NAC

648.3435 to determine whether the person is registered, is provisionally registered or has had his or her registration or provisional registration denied, suspended or revoked.

3. If a licensee determines that the person is not registered or provisionally registered, and is not subject to denial, suspension or revocation, the licensee must instruct the person to:

- (a) Complete the application for registration;
- (b) Obtain ~~two~~ *a* complete ~~sets~~ *set* of fingerprints or provide a receipt for electronic submission of fingerprints to the Board;
- (c) Pay all applicable fees; and
- (d) Unless otherwise instructed by the Board, submit the application for registration to the Board.

4. If a licensee determines that the provisional registration or registration of a person who applies for employment with the licensee has been denied, suspended or revoked by the Board, the licensee shall notify the applicant that he or she must contact the Board to obtain information concerning the denial, suspension or revocation.

5. Each licensee shall maintain a ~~passport-size photograph of~~ *copy of the work card issued by the Board for* each person employed by the licensee. The licensee shall retain the ~~photograph~~ *copy* for not less than 5 years after the last date on which the person is employed by the licensee. The ~~photograph~~ *copy* may be in the form of a photograph or may be digitally stored, but the ~~photograph~~ *copy* must be capable of being reproduced and available at the request of the Board.

6. Any person who violates the provisions of this section is subject to disciplinary action by the Board.

7. A licensee shall maintain written documentation establishing that the licensee received an application from each applicant for employment before accessing the Internet website established pursuant to NAC 648.3435 for at least 4 years after the date of receipt of the application.

8. The Board will interpret “employed by” as used in this section and NRS 648.060 to include a person who performs the same duties as an employee.

Sec. 17. NAC 648.341 is hereby amended to read as follows:

648.341 Before a licensee employs an unlicensed person, ~~{a private patrol officer or security guard who is licensed by the Board}~~ *the licensee* must ~~;~~

~~—1. Administer an examination provided by the Board and}~~ ensure that the unlicensed person

~~{passes}~~ *has passed* the examination *described in NAC 648.342* with a score of 100 percent . ~~;~~

~~—2. Verify that the unlicensed person has passed an examination administered by the Board with a score of 100 percent; or~~

~~—3. Verify that the unlicensed person has passed an examination administered by another licensee within the immediately preceding 60 months with a score of 100 percent.}~~

Sec. 18. NAC 648.342 is hereby amended to read as follows:

648.342 The examination ~~{provided}~~ *must be :*

1. Provided by the Board ~~{and administered by the licensee must be designed}~~ ;

2. Administered by the Board or its designee; and

3. Designed to ensure that each registered employee has a familiarity with and a thorough

understanding of core topics, and must include, without limitation:

~~11~~ (a) Recognizing noncompliance with specific laws, including, without limitation, NRS 171.126, 199.310, 199.430, 207.200, 648.013, 648.016, subsection 5 of NRS 648.030, NRS 648.060, 648.063, 648.140, 648.160, 648.200 and 648.203;

~~12~~ (b) Recognizing noncompliance with specific regulations, including, without limitation, subsection 3 of NAC 648.334, NAC 648.338 and subsection 5 of NAC 648.431;

~~13~~ (c) General rights of citizens;

~~14~~ (d) Powers of arrest; and

~~15~~ (e) Limits of authority.

Sec. 19. NAC 648.3435 is hereby amended to read as follows:

648.3435 1. The Board will establish and maintain an Internet website that contains a system of records which:

(a) Contains information regarding ~~11~~ *each person who:*

(1) ~~Each person who is~~ *Is* registered with the Board, including, without limitation, the contact information of the licensee who employs the person; ~~and~~

(2) ~~Each person who has~~ *Has* applied for registration with the Board, including, without limitation, the contact information of the person; and

(3) Has completed a course of training in carrying, handling and using of firearms safely, including, without limitation, information concerning the certificate of completion for the course and a description of any other qualifications that the person has concerning firearms;

(b) Identifies each person whose registration is expired, is denied by the Board, or is otherwise suspended or revoked ~~11~~; *and*

(c) Identifies training required by the Board.

2. The portion of the Internet website that contains the system of records may only be accessed in the manner authorized by this section and NAC 648.3385.

3. Before a licensee grants any employee access to the portion of the Internet website that contains the system of records maintained by the Board, the licensee shall provide the Board with the name, social security number and date of birth of the employee.

4. Upon the termination of employment of the employee or the reassignment of the employee to a position that no longer requires the employee to access the portion of the Internet website that contains the system of records, the licensee shall immediately notify the Board of the termination or reassignment.

5. Except as otherwise provided in this section and NAC 648.3385, the information contained in the system of records is confidential and must not be disclosed by any licensee or employee of a licensee.

Sec. 20. NAC 648.344 is hereby amended to read as follows:

648.344 1. If a person who is registered ~~{becomes}~~ :

(a) Becomes employed by another or additional licensee ~~{, the}~~ ; or

(b) Is terminated by the licensee

↳ *the* new employer *who is the other or additional licensee* shall file a change of employment notice *or the licensee who formerly employed the terminated person shall file a termination of employment notice, as applicable*, with the Board by entering the information required by the Board into the system of records contained on the Internet website established pursuant to NAC 648.3435 not later than ~~{5}~~ **3** business days after the employee becomes employed with the new employer *or the employee is terminated, as applicable*.

2. A person *who becomes employed by another or additional licensee* is deemed provisionally registered as an employee upon the filing of a change of employment notice in accordance with subsection 1. The provisional registration is valid for 90 days after the provisional registration is issued by the Board, unless the Board denies, suspends or revokes the provisional registration.

3. The filing of the change of employment notice does not affect the date on which the registration of the employee expires.

4. If a person who is registered has not worked for a licensee within the last 12 months, the licensee must terminate the employment of the person.

Sec. 21. NAC 648.345 is hereby amended to read as follows:

648.345 1. A licensee or an employee who is registered pursuant to NRS 648.1493 may not carry any firearm while performing the duties for the type of business for which he or she is licensed or employed unless the licensee or employee:

(a) Is certified by the Board as a firearms instructor pursuant to subsection ~~12;~~ 3 or ~~1~~ —(b) ~~Has~~ *has* successfully completed and received certification from a course of training approved by the Board in carrying, handling and using firearms safely ~~1;~~ *and*

(b) Is at least 21 years of age.

2. *A person who is provisionally registered is prohibited from:*

(a) Attending and being certified in a course of training approved by the Board in carrying, handling and using firearms safely; and

(b) Carrying a firearm while performing the duties for the type of business for which he or she is employed.

3. The Board may certify a person ~~who meets the requirements of subsection 1 of NRS 648.110~~ as a firearms instructor in carrying, handling and using firearms safely if the applicant:

(a) ~~Is at least 21 years of age.~~ *Meets the requirements of subsection 1 of NRS 648.110.*

(b) Has not been convicted of a felony or any crime involving the illegal use or possession of a firearm.

(c) Submits a completed application with proof satisfactory to the Board of the applicant's qualifications and experience and pays a fee of ~~100.~~ *250.* The application must include:

(1) A detailed statement of the applicant's qualifications and experience in carrying, handling and using firearms.

(2) A detailed statement of the applicant's qualifications and experience in providing instruction to other persons in carrying, handling and using firearms safely, including, without limitation, the applicant's experience in providing instruction to peace officers, security officers or military personnel in carrying, handling and using firearms safely.

(3) Evidence of the applicant's successful completion of at least 40 hours of training on the instruction of peace officers, security officers or military personnel in carrying, handling and using firearms safely, and evidence of the applicant's certification as an instructor for peace officers, security officers or military personnel for each type of firearm for which the applicant wishes to provide such instruction.

(d) Successfully passes a written examination for firearms instructors, which must include, without limitation, questions relating to:

(1) The applicable federal and state laws and regulations, local government ordinances and court decisions related to carrying, handling and using firearms and the use of deadly force.

(2) The requirements of this chapter and chapter 648 of NRS and any administrative requirements.

(3) The civil and criminal liability related to carrying, handling and using firearms and the use of deadly force.

(4) The process for conducting and the contents of the minimum curriculum for a course of training in carrying, handling and using firearms safely pursuant to NAC 648.346.

(e) Successfully passes a live fire skills test for firearms instructors by:

(1) Demonstrating each of the skills required by the minimum curriculum for a course of training in carrying, handling and using firearms safely pursuant to NAC 648.346.

(2) Qualifying with the course of fire established by the Board pursuant to NAC 648.346 with a minimum score of ~~{275 out of 300 on a full-size B27-type target}~~ **90 percent** for each type of firearm for which the applicant wishes to provide such instruction.

(3) Demonstrating knowledge of the minimum curriculum for a course of training in carrying, handling and using firearms safely pursuant to NAC 648.346 by successfully teaching any section of the course with not more than 15 minutes of notice from an instructor designated by the Board.

↪ At any time during the live fire skills test, an instructor designated by the Board may prohibit an applicant from proceeding because the applicant has demonstrated a skill deficiency or has committed a safety violation.

~~3.4~~ **4.** To renew the applicant's certification as a firearms instructor, the applicant must:

(a) Submit an application for renewal to the Board on or before July 1 next following the date the certificate was issued or last renewed;

(b) Submit proof satisfactory to the Board of the completion of at least 8 hours of education or training on the subjects described in NAC 648.346 within the previous 12 months; and

(c) Pay a fee to the Board of ~~[\$100.]~~ \$250.

~~4.]~~ 5. As evidence of a person's certification as a firearms instructor or renewal thereof, the Board will issue to the person a certification card which he or she shall carry on his or her person.

Sec. 22. NAC 648.346 is hereby amended to read as follows:

648.346 1. Except as otherwise provided in subsection 5, the minimum curriculum for a course of training in carrying, handling and using firearms safely that is taught for the purposes of NRS 648.030 must include instruction designed to teach:

(a) The legal and civil responsibilities of carrying, handling and using a firearm, including:

(1) The applicable federal and state laws and regulations and local governmental ordinances related to carrying, handling and using firearms and the use of deadly force.

(2) The civil and criminal liability related to carrying, handling and using firearms and the use of deadly force.

(3) The consequences and risks related to carrying, handling and using firearms and the use of deadly force.

(4) The elements of self-defense, using a weapon in self-defense and the use of force.

(5) Recent court decisions related to carrying, handling and using firearms and the use of deadly force.

(b) The terminology related to and the maintenance of different types of firearms and their related systems, including:

- (1) The operational and mechanical systems and parts of a firearm and the related terminology.
 - (2) The types of ammunition and their ballistic properties and effective uses.
 - (3) The inspection, storage and general care of ammunition.
 - (4) The inspection, care, cleaning and maintenance of a firearm.
- (c) Carrying, handling and using a firearm safely, including:
- (1) The safe handling, use and storage of firearms when off duty.
 - (2) The safe transportation of a firearm.
 - (3) The appropriate methods of safely carrying a firearm while on duty.
 - (4) Safety and accessory equipment available to carry, handle and use a firearm safely.
- (d) The fundamentals of safe handling and shooting of firearms, including:
- (1) The fundamentals of operating a handgun **†**, *rifle and shotgun*.
 - (2) The general differences among handguns **†**, *rifles and shotguns*.
 - (3) The proper procedures and devices for loading, unloading and reloading a firearm.
 - (4) The fundamentals of shooting, such as the use of sights, sight picture and alignment, control of the trigger, breathing and firing in a single or double action.
 - (5) Proper techniques for gripping a handgun, *rifle and shotgun* and shooting positions.
 - (6) Procedures for drawing and reholstering a firearm and techniques for retaining a firearm.
 - (7) The various positions for shooting when standing or kneeling.
 - (8) The use of barricades or other forms of cover and alternate shooting positions.
- (e) The preparation for shooting at a firing range, including:
- (1) The location of the range.

(2) The equipment to be used at the range.

(3) The course of fire.

(4) Targets to be used.

(5) Commands at the range.

(6) Safety and etiquette at the range.

(f) Exercises to be used at a firing range and the practical use of a firearm at the firing range, including:

(1) The review of safety procedures and etiquette at the firing range and a safety inspection of all firearms, holsters and accessories.

(2) Practicing drawing and holstering.

(3) Dry firing, the manipulation of the trigger and follow through.

(4) The procedures for loading, unloading and reloading.

(5) Exercises for firing with live ammunition to practice proper shooting techniques while firing at targets with a firearm of the same type and caliber as the firearm the person will use while on duty.

(6) Qualifying with a *passing score of at least 75 percent in an approved* course of fire established *and maintained* by the Board . ~~using a firearm of the same type and caliber as the~~

~~firearm the person will use while on duty. The course of fire must require firing at least 30 rounds of live ammunition with a passing score of 75 percent, and must include drawing and:~~

~~————(I) Shooting 5 rounds of ammunition from a distance of 3 yards in 15 seconds using only the dominant hand;~~

~~————(II) Transferring the firearm to the support hand and shooting 5 rounds of ammunition from a distance of 3 yards in 15 seconds using only the support hand;~~

~~———— (III) Shooting 5 rounds of ammunition while standing, reloading the firearm and shooting 5 rounds of ammunition while kneeling, from a distance of 7 yards in 30 seconds; and~~
~~———— (IV) Shooting 5 rounds of ammunition while standing, reloading the firearm and shooting 5 rounds of ammunition while kneeling, from a distance of 15 yards in 30 seconds,~~
~~→ on a full-size B27-type target. The scoring areas on the target are the “X” in the center of the target, which receives a score of 10, and the 10, 9, 8 and 7 rings. Any hits outside of such areas do not receive a score.]~~

2. Except as otherwise provided in subsection 5, the course must consist of:

(a) Eight hours of training and instruction on carrying, handling and using a firearm safely, including the completion of a written examination designated by the Board, with a passing score of *at least* 75 percent.

(b) A minimum of ~~15~~ 8 hours of instruction and training on a firing range during which each person must qualify using a firearm of the same type and caliber as the firearm the person will use while on duty.

3. The course must be completed within a period of 14 days. Each day of the course must consist of a number of contact hours of training. Not more than 9 contact hours of training may occur on any day.

4. If a person fails to complete the written examination with a passing score of *at least* 75 percent as specified in paragraph (a) of subsection 2 or to qualify ~~using a firearm of the same type and caliber as the firearm the person will use while on duty]~~ *with a passing score of at least 75 percent in an approved course* as specified in subparagraph (6) of paragraph (f) of subsection 1:

(a) Except as otherwise provided in paragraph (b), the person must repeat the course in full before retaking the written examination and firearm qualification.

(b) At the discretion of the instructor, for good cause shown, the person may retake the written examination and the firearm qualification without repeating the course in full if the person completes such remedial training as the instructor determines is appropriate, taking into account the person's performance on the previous written examination and firearm qualification. The instructor may charge an additional fee for the remedial training.

5. If a firearms instructor is unable to provide a course which meets the requirements of this section because he or she provides security on a military installation and has no other reasonable means to provide the training and qualification required for such a course, he or she may submit a written request to the Executive Director asking for an exemption from those requirements and permission to offer a course with substitute training and qualification for persons employed on that military installation. When requesting an exemption pursuant to this subsection, the firearms instructor must provide:

(a) Proof of his or her inability to provide a course which meets the requirements of this section and to make reasonable accommodations to provide the training and qualification required for such a course; and

(b) A copy of the proposed substitute training and qualification and a signed affirmation, on a form provided by the Board, acknowledging that any person who successfully completes the course is required to sign a form pursuant to subsection 6.

↪ The Executive Director may, in his or her discretion and on a case-by-case basis, grant an exemption pursuant to this subsection after taking into consideration the totality of the circumstances.

6. Before a person who successfully completes a course pursuant to subsection 5 may carry a firearm on the military installation on which he or she is employed, the person must sign an affirmation, on a form provided by the Board, acknowledging that:

(a) He or she is only authorized to carry a firearm of the same type and caliber that he or she is qualified to carry and only on the military installation where he or she is employed; and

(b) The certification card issued to the person pursuant to NAC 648.350 will be confiscated upon termination of his or her employment on the military installation.

7. As used in this section, “contact hour” means 50 minutes of instruction in a period of 60 minutes.

Sec. 23. NAC 648.350 is hereby amended to read as follows:

648.350 1. To certify a person’s successful completion of the course of training in carrying, handling and using firearms safely, and his or her successful qualification with a firearm, a firearms instructor shall, within ~~{5}~~ 2 days of the person’s successful completion of the course of training ~~{and on a form provided by the Board, submit to the Board}~~, *record* the person’s name and registration number, the time, date and location of the course of training, and the certifications and qualifications that the person obtained ~~{}~~ *on the Internet website established pursuant to NAC 648.3435.*

2. After ~~{receipt of}~~ the information ~~{submitted pursuant to}~~ *described in* subsection 1 ~~{}~~ *has been recorded on the Internet website*, the Board will:

(a) Issue to a person who has successfully completed the course of training a plastic certification card which contains the name, photograph and registration number of the person, the expiration date of the person’s certification and the designated qualification months established for that person pursuant to subsection 3; and

(b) Maintain an electronic record for each person who has been issued a certification card pursuant to paragraph (a) that indicates whether the person's card is valid and lists each type and caliber of firearm that the person is certified to carry, handle and use.

3. A person who has been certified pursuant to this section and who wishes to maintain his or her certification must successfully qualify for certification every 6 months, on any day during his or her designated qualification months. The designated qualification months are determined by the month of the person's initial qualification and will not change. If, after a person's initial qualification, the person successfully qualifies for certification or for a different type or caliber of firearm during a month that is not one of his or her designated qualification months, the person must successfully qualify again during his or her next designated qualification month, even if the period between such qualifications is less than 6 months. The qualification cycle will be as follows:

<u>Initial course month</u>	<u>Designated qualification months</u>
January or July	January and July
February or August	February and August
March or September	March and September
April or October	April and October
May or November	May and November
June or December	June and December

4. The certification card issued pursuant to subsection 2 is valid for 5 years if the person successfully qualifies every year during each of his or her designated qualification months on a

course of fire that is given by a certified firearms instructor and is approved by the Board. If the person fails to qualify during any of his or her designated qualification months, the card becomes invalid and the person shall not use a firearm in the course of employment until he or she successfully qualifies.

5. Except as otherwise provided in this subsection, if a person fails to qualify for at least 2 successive designated qualification months or his or her certification card expires, he or she must repeat the course of training. If a person fails to qualify during at least 2 successive designated qualification months or his or her certification card expires because he or she is deployed on full-time active duty in the Armed Forces of the United States, the person may request an exemption from repeating the course of training by submitting a written request along with official documentation of such deployment to the Executive Director. The Executive Director may, in his or her discretion and on a case-by-case basis, grant an exemption pursuant to this subsection after taking into consideration the totality of the circumstances.

6. To cover the Board's administrative costs related to the certification and qualification of a person by a certified firearms instructor, the instructor shall remit to the Board \$25 for each certification card issued by the Board pursuant to this section and \$5 for each qualification of a person pursuant to subsection 3. If a person's certification card is lost or stolen, the person must remit to the Board \$25 to obtain a replacement card.

7. The person to whom the certification card is issued shall:

(a) Have it in his or her possession while carrying a firearm in the performance of his or her duties;

(b) Produce it upon the request of any peace officer or a representative of the Board; and

(c) Not carry or possess a firearm in the performance of his or her duties unless the certification card is valid.

Sec. 24. NAC 648.431 is hereby amended to read as follows:

648.431 1. If a notice of violation is issued, the Board will impose a fine of not more than the following amounts for violations of the provisions listed:

	First Offense	Second Offense	Third and Subsequent Offense
NRS 648.135	\$50	\$100	\$200
Subsection 2 of NRS 648.142	25	50	75
Subsection 3, 4 or 5 of NRS 648.142	50	100	200
Subsection 1 of NAC 648.530.....	50	100	200

2. If a notice of violation is issued, the Board will impose a fine of not more than the following amounts for violations of the provisions listed:

Subsection 1 of NRS 648.148	\$50
Subsection 2 of NRS 648.148	75
Subsection 1 of NRS 648.149	50

NAC 648.380	25
NAC 648.525	100

3. If a notice of violation is issued, the Board will impose a fine upon a licensee calculated per employee of not more than the following amounts for violations of the provisions listed:

	First Offense	Second Offense	Third and Subsequent Offense
Subsection 2 of NRS 648.060	\$50	\$75	\$100
Subsection 2 or 3 of NRS 648.140	25		
NAC 648.343	25		
Subsection 1 of NAC 648.345.....	750		

4. If a notice of violation is issued, the Board will impose a fine of not more than:

- (a) For the first violation of a provision of NAC 648.350, \$500; and
- (b) For the first violation of subsection 2 of NAC 648.530, \$300.

➔ In the case of a second or subsequent violation, the Board will take any disciplinary action authorized pursuant to NRS 648.175 which the Board deems appropriate.

5. If a notice of violation is issued, the Board will impose a fine of not more than \$150 on a licensee's employee who violates subsection ~~44~~ 5 of NAC 648.345.

Sec. 25. NAC 648.433 is hereby amended to read as follows:

648.433 1. A copy of the notice of violation must be served personally or by certified or registered mail. The original notice must be filed in the office of the Board.

2. A fine imposed in a notice of violation must be paid by *credit card, debit card*, cashier's check or money order.

3. The Board may, upon request, arrange a schedule of payments for the payment of such a fine.

Sec. 26. NAC 648.439 is hereby amended to read as follows:

648.439 1. A copy of a citation issued pursuant to NRS 648.165 must be served personally or by certified or registered mail. The original citation must be filed in the office of the Board.

2. A fine assessed pursuant to subsection 4 of NRS 648.165 must be paid by *credit card, debit card*, cashier's check or money order.

3. The Board may, upon request, arrange a schedule of payments for the payment of such a fine.

Sec. 27. NAC 648.530 is hereby amended to read as follows:

648.530 1. If an applicant or licensee intends to use a uniform, badge, ~~patch~~ patch, *logo or marked vehicle* in connection with licensed activities, the applicant or licensee must submit with the application or before use of the uniform, badge, ~~patch~~ patch, *logo or marked vehicle*, a color photograph which accurately depicts the features of the uniform, badge, ~~patch~~ patch, *logo or marked vehicle*.

2. A licensee must not use a uniform, badge , ~~patch~~ patch , *logo or marked vehicle* in connection with the licensee’s business which is the same as or deceptively similar to a uniform, badge , ~~patch~~ patch , *logo or marked vehicle* used by any other licensee or law enforcement agency in this State.

3. *A uniform, badge, patch, logo or marked vehicle is deceptively similar as described in subsection 2, if:*

(a) The badge, patch or logo uses the State Seal;

(b) The badge, patch or logo is shaped as a star;

(c) The patch or logo is shaped as a shield

(d) The uniform bears a similar resemblance to that of local law enforcement; or

(e) The uniform, badge, patch, logo or marked vehicle uses any name, seal or acronym that may be interpreted as implying that the licensee is affiliated with any governmental agency or entity.

4. *A marked vehicle used by a private patrol officer must be clearly identified as a security or safety patrol vehicle with the letters “PILB” followed by the license number of the private patrol officer.*

5. *The lettering described in subsection 4 must:*

(a) Be permanently affixed to the driver’s side, passenger’s side and rear of the vehicle;

(b) Be of sufficient size and clarity;

(c) Measure at least 2 inches in height and at least 1 inch wide; and

(d) Be legible from the center of the nearest street or road.

Sec. 28. NAC 648.343 is hereby repealed.

TEXT OF REPEALED SECTION

648.343 Date of examination of employee to be recorded on Internet website for system of records; duties of licensee; proof that employee passed examination. (NRS 648.030, 648.140)

1. A private patrol officer or security guard licensed by the Board who administers an examination provided by the Board to an unlicensed person shall record the date of the examination on the unlicensed person's record on the Internet website established pursuant to NAC 648.3435 within 5 business days after the date of the examination.

2. The licensee shall keep a copy of the results of the examination on file for 60 months after the date of the examination. The Board may audit the records of the licensee. The licensee shall notify the Board through the Internet website established pursuant to NAC 648.3435 within 10 days after the licensee terminates the employment of an unlicensed employee.

3. As proof that an unlicensed employee has passed the examination with a score of 100 percent, a licensee may accept a card issued for that purpose by the Board to the unlicensed employee which contains the results of the examination or verify the examination through the Internet website established pursuant to NAC 648.3435.