

INFORMATIONAL STATEMENT

A. Need and Purpose of the Proposed Regulation

R 137-20 (Second Revision)

The adopted regulations in R 137-20 (Second Revision) reduce regulations and simplify the application process and reduce costs for professionals seeking a license as a professional engineer or land surveyor in Nevada.

Section 1 is a new regulation to Chapter 625 of NAC to add clarify to NRS 625.183. Applicants have incorrectly interpreted the law to mean they could be granted 4-years' experience credit during a 2-year calendar period, in instances where the applicant worked full-time while obtaining a master's degree during the same two-year period. The board's intent is for applicants to have 4-years' progressive experience. Up to two years working experience could be fulfilled by credit given for a master's degree, regardless of the time it took to obtain a master's degree. And, in no instance is the 4 years' progressive experience to be reduced due to concurrent work or education.

Section 2 removes the limitation of the number of references that can be from the applicant's organization. This requirement has proved to be burdensome to engineers and land surveyors who in their career to date have only worked for one company. In addition, the limitation could exclude input from those that have direct knowledge of the applicant's work. Also specifies that a completed NCEES record as the Nevada application and removes the requirement of transmitting education transcripts directly to the board. With the passage of AB 275 in 2019 removing the statutory requirement of citizenship for licensure, the requirement must also be removed from regulation. Because a NCEES record is used as the Nevada application, Nevada's effort to process an application is significantly reduced. NCEES collects all required documents—transcripts, references, experience—for a license application, and the record is transmitted to Nevada after all information is reviewed and verified, hence a reduction in the application fee from \$200 to \$25.

Section 3 aligns engineering discipline names with the NCEES principles and practice examinations. MFGE (Manufacturing), is no longer supported by an NCEES examination due to being absorbed by other disciplines, hence it is being removed from regulation.

Section 4 specifies an NCEES record as the Nevada application for licensure.

Section 5 codifies the board policy to allow endorsement licensure, enabled by passage of SB 69 in 2017. It also codifies endorsement licensure for those jurisdictions that are signatory to the International Engineering Alliance mobility agreements. The mobility agreements establish equivalency of credentials for non-US professionals. Text also revised to include a NCEES record as the Nevada application for licensure by endorsement. Also, several sections removed as they are no longer applicable. A new section is added in response to SB 69 enacted in the 2017 legislative session and to align with NCEES model law.

Section 6 reflects the board no longer hosts or proctors' national examinations. Also codifies board requirement of knowledge on Nevada laws and rules for licensure.

Section 7 removes the timeframe and the requirement of a reapplication fee to the board as it is no longer applicable, and exams are administered, hosted, and proctored by NCEES.

Section 8 is an edit to use the correct term related to this regulation.

Section 9 removes the requirement for listing of branch offices, clarifies identifying the licensee in responsible charge, and adds Nevada business license number to firm registration application.

Section 10 updates/modernizes means of contacting licensees—email address/cellphone—and lessening time burden of change notification.

Section 11 updates means of contacting licensees—email address/cellphone.

Section 12 repeals NAC 625.320, 625.340, 625.350 and 625.360.

NAC 625.320 is removed as the regulation is no longer applicable. An individual can take the examination without the education and experience requirements, but they must satisfy all requirements for licensure prior to consideration for certification or licensure.

NAC 625.340 and 625.350 are removed as the board is no longer involved in the national examination process.

NAC 625.360 is removed as a timeframe pre-set in regulation as it is no longer applicable. Oral examinations are on an applicant-by-applicant basis, and if an

applicant is deemed to have not passed an oral examination the board will prescribe a course of action for the individual to fulfil before re-appearing before the board.

B. Description of How Public Comment was Solicited, Response Summary, and Explanation of How Interested Parties May Obtain a Copy of Summary

In accordance with the requirements of NRS 233B.061 a public workshop was held virtually on June 30, 2020. Notice was given in excess of 30 days for the virtual workshop, and e-mails were sent to 15,732 addresses of interested parties notifying them of the workshops and with direct links to relevant documentation. Public comment was received at the workshops. The minutes of the workshops are available to view at the Nevada Board of Professional Engineers and Land Surveyors website, <https://nvbpels.org/board/meetings>.

A Public Hearing was held virtually on December 14, 2020. The hearing was noticed in excess of the 30-day public posting requirement, and e-mails were sent to 15,993 addresses of interested parties notifying them of the hearing and with direct links to relevant documentation. Public comment was received before and during the hearing. The minutes of the December 14, 2020 Public Hearing are available to view at the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/board/meetings>.

No public comment was made relating to regulations in R 137-20 (Second Revision) at the Public Workshop or the Public Hearing.

C. Number of Persons Who Attended Each Workshop or Hearing, the Persons Who Offered Oral or Written Comments, and, if Provided, Their Contact Information and the Name of the Entity the Person Represents

Workshop held virtually June 30, 2020.

Twenty-two people participated. No written or oral comments were made relating to regulations in R 137-20 (Second Revision). Minutes of the June 30, 2020 Public Workshop and are available to view at the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/board/meetings>.

Public Hearing held virtually December 14, 2020.

Sixty-four people participated. No written or oral comments were made relating to regulations in R 137-20 (Second Revision). The Public Hearing minutes and are available for view on the Nevada Board of Professional Engineers and Land Surveyors

website at <https://nvbpels.org/board/meetings>.

D. Description of How Comment was Solicited from Affected Businesses and Response Summary

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input from owners and officers of professional engineering and land surveying small businesses via e-mailed survey link that was sent to 15,732 interested parties.

The survey asked for input regarding both direct and indirect adverse and beneficial economic effects on small businesses, with space to elaborate on responses. A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website <https://nvbpels.org/business-impact-survey-results-2020>

E. If the Regulation was Adopted Without Changing Any Part of the Proposed Regulation, a Summary of Reasons for Adopting it Without Change

The regulations were adopted with the revisions made by the Legislative Counsel Bureau.

F. Estimated Economic Effect of the Regulation on the Business Regulated and on the Public

a. *Adverse Effects*

There are no adverse effects, immediate or long term, on businesses or the public from the adopted regulations related to applications and licensing.

b. *Beneficial Effects*

The adopted regulations benefit firms as it will eliminate registering multiple offices of the same firm, thus saving the firm money. It will benefit the state by ensuring all firms applying for registration have first fulfilled Nevada's business license requirements.

The regulation will have beneficial immediate and long-term effects on the public. Using a NCEES record simplifies the application process for applicants. NCEES collects

the same information that states collect for licensure and is the source organization of several license requirements—fundamentals and practice exams. The effort to create a NCEES record is less burdensome and less costly than completing a Nevada application. After an applicant creates a NCEES record it is readily accepted by all states. This change benefits applicants by eliminating duplicate efforts and costs in applying for licensure in multiple states. The application fee reductions in the regulation are also beneficial in the immediate and long-term.

G. Estimated Cost to the Agency of Enforcement

There are no estimated additional costs to the regulatory board to enforce the regulations.

H. Duplicative Regulations

There are no regulations of other state or local agencies which these regulations overlap or duplicate.

I. Provisions More Stringent than Federal Law

The regulations are not federal requirements and, thus, no federal law exists regulating the same activity.

J. New Fees or Increases in Existing Fees

The regulations do not involve an increase to existing fees or create any new fees.