

INFORMATIONAL STATEMENT

A. Need and Purpose of the Proposed Regulation

R 138-20

The adopted regulations in R 138-20 add a method of fulfilling requirements, removes specificity for dual licensees, and adds requirements related to ethics and knowledge of Nevada statutes and regulations.

Section 1 retains the requirement of 30 total hours of professional development hours (PDH) for biennial renewal but adds 3 specific PDH hours—2 in ethics, and 1 in Nevada laws and rules, chapter 625 of Nevada Revised Statutes and Nevada Administrative Code. Also removes specificity in PDH requirement for dual licensees.

Section 2 broadens what licensees can do to fulfill continuing education requirements and eases the limitations on continuing education activities.

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>.

Comment was made as to whether self-study was allowable to accrue the required Nevada law and general ethics component. The board responded that accrual by self-study would be acceptable.

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>.

During the public hearing comments were received about the overall value of continuing education, how content on Nevada law and general ethics would be accessible to licensees out of state, and if specific providers would be identified for fulfillment.

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. Oral comments were given. Comments made during the hearing by those participating are in the 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>.

Contact information of person who offered oral comment.

Brandy Lang, PE
blang.pe@gmail.com
(832) 590-5400
6560 Langfield Road, building 3
Houston, TX 77092

Public Hearing held virtually December 14, 2020.

Sixty-four people participated. Oral and written comments were given. The oral and written public comments received at the hearing, and comments made during the hearing by those participating, are in the December 14, 2020 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>.

Contact information of people who offered written and oral comment.

Gene Frodsham, PE/SE
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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 continuing education.

b. *Beneficial Effects*

The adopted regulations will likely have beneficial effects to businesses, immediate and long-term, by allowing low or no-cost options to fulfill the continuing education requirements. The quantity of continuing education is not changing, only content of the required hours changes. This coupled with broadening to allow self-study, which has little to no cost, can reduce costs for meeting requirements of continuing education. The regulations could have beneficial immediate and long-term impacts for the public with Nevada licensees being more cognizant of general professional ethics and current laws and rules, resulting in less expense associated with illegal or unethical practices.

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.