

**PROPOSED REGULATION OF THE  
STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND  
SURVEYORS**

**LCB FILE NO. R139-20I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 07/13/2020**

### NAC 625.510 Fundamental principles. (NRS 625.140)

A licensee shall uphold and advance the honor and dignity of the profession by maintaining high standards of ethical conduct. In particular, a licensee shall:

1. Be honest and impartial, and serve his or her employer, clients and the public with ~~devotion~~ integrity;
2. Strive to increase the ~~competence and prestige of the profession~~ high standards of skill and practice in the engineering and surveying professions; and
3. Use his or her knowledge and skill for the advancement of human welfare.

Edits to add clarity and use more definitive terms or phrases.

### NAC 625.520 Relations with the public. (NRS 625.140)

In a licensee's relations with the public, the licensee shall:

1. ~~Have proper regard~~ Be cognizant that their first and foremost responsibility is ~~for~~ the safety, health and welfare of the public in the performance of his or her professional duties.

~~—2.— Endeavor to extend public knowledge and appreciation of engineering or land surveying and its achievements, and oppose any untrue, unsupported or exaggerated statements regarding his or her profession.~~

~~3.— Be dignified and modest in explaining his or her work and merit, uphold the honor and dignity of his or her profession and refrain from self-laudatory advertising.~~

~~4.— Not express an opinion on any subject concerning engineering or land surveying unless the opinion is founded on adequate knowledge and honest conviction.~~

2. To the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements, and testimony.

~~—5. 3. Preface any ex parte statements, criticism or arguments that he or she may issue by clearly indicating on whose behalf they are made.~~

3. Issue no statements, criticisms, or arguments on engineering and surveying matters that are inspired or paid for by interested parties, unless they explicitly identify the interested parties on whose behalf they are speaking and reveal any interest they have in the matters.

Edits to add degree of clarity to sections and remove areas that are difficult to define and possible infringements on free speech.

**NAC 625.530 Relations with employers and clients.** (NRS 625.140)

In a professional engineer's or land surveyor's relations with his or her employers and clients, he or she shall:

1. Act in professional matters as a faithful agent or trustee for each employer or client.
2. Act fairly and justly toward vendors and contractors, and not accept from vendors or contractors any commission, ~~or~~ allowances, or gratuities, directly or indirectly.
3. Inform the employer or client if he or she is financially interested in any vendor or contractor, or in any invention, machine or apparatus which is involved in a project or work of the employer or client, and not allow such an interest to affect his or her decisions regarding engineering or land surveying services which he or she may be called upon to perform.
4. Indicate to the employer or client the adverse consequences to be expected if his or her engineering or land surveying judgment is overruled.
5. Undertake only those engineering or land surveying assignments for which he or she is qualified and engage or advise the employer or client to engage specialists and cooperate with them whenever the employer's or client's interests are served best by such an arrangement.
6. Not disclose information concerning the ethical and confidential business affairs and proprietary technical processes of any former employer or client without express consent.
7. Not accept compensation, financial or otherwise, from more than one party for the same service, or for other services pertaining to the same work, without the consent of all interested parties.
8. While employed, not engage in supplementary employment or consulting practice except with the consent of the employer.

"Gratuities" is added to align with typical language for industry/professional code of conduct.

**NAC 625.540 Relations with other engineers or land surveyors.** (NRS 625.140)

In his or her relations with other engineers or land surveyors, the licensee shall:

1. Take care that credit for engineering or land surveying work is given to those to whom credit is properly due.
- ~~2.—Provide a prospective engineering or land surveying employee with complete information on working conditions and his or her proposed status of employment, and after employment keep him or her informed of any changes in them.~~
- ~~3.—Endeavor to provide opportunity for the professional development and advancement of licensees in his or her employ or under his or her supervision.~~

~~2. 4.~~ Not maliciously injure the professional reputation, business prospects or practice of another engineer or land surveyor.

~~3. 5.~~ If a licensee has evidence that another licensee has been unethical or unfair, or has committed an illegal act in his or her practice, notify the proper authorities.

~~6. — Not compete unfairly with another licensee.~~

~~7. — Cooperate in advancing the profession of engineering or land surveying by interchanging information and experience with other licensees and students, and by contributing information to public communication media and to the efforts of engineering, land surveying and scientific societies and schools.~~

Edits remove sections that are best left between the individual and firm, areas that are addressed elsewhere in regulation, and a section that is almost universally done by companies and professional organizations for goodwill, public relations and recruitment (without the need for inclusion in a regulation).

**NAC 625.550 Licensee employed by governmental agency: Notification to Board of certain conduct by another licensee.** (NRS 625.140)

Any person licensed pursuant to this chapter who is employed by any governmental entity ~~shall~~ **should** notify the Board ~~in writing when~~:

1. Another licensee has submitted ~~substantially incomplete~~ **more than one set of** plans to the governmental entity ~~that cause a concern with the lack of competency of the licensee submitting the plans;~~

~~—2. — The governmental entity has, on three or more occasions, rejected plans submitted by another licensee for the same project; or~~

3. Another licensee has failed timely to respond to correspondence from the governmental entity.

Edits to enhance focus intent of regulation on lack of competency and acknowledge that some projects may require more than three review cycles.