

## INFORMATIONAL STATEMENT

### A. Need and Purpose of the Proposed Regulation

#### **R 139-20**

***The adopted regulations in R 139-20 add clarity and focus to regulations related to the professional code of conduct for Nevada licensees.***

Section 1 adds clarity and uses more definitive terms or phrases.

Section 2 adds degree of clarity to sections and removes areas that are difficult to define and possible infringements on free speech.

Section 3 adds “gratuities” to section 2 to align with typical language for industry/professional code of conduct.

Section 4 removes parts of the regulation that are best left between the individual and firm; areas that are addressed elsewhere in regulation; and a section related to outreach that is almost universally done by companies and professional organizations for goodwill, public relations and recruitment (without the need for inclusion in a regulation).

Section 5 adds language to focus intent of regulation on lack of competency and acknowledges that some projects may require more than three review cycles.

### 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 139-20 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 139-20. 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>.

Public Hearing held virtually December 14, 2020.

Sixty-four people participated. No written or oral comments were made relating to regulations in R 139-20. 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>.

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 professional code of conduct.

b. *Beneficial Effects*

There are no apparent beneficial effects, immediate or long term, on businesses or the public from the adopted regulations related to professional code of conduct.

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.