

## INFORMATIONAL STATEMENT

R168-20

### 1. A clear and concise explanation of the need for the adopted regulation:

NRS Chapter 289 authorizes the Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510)

Existing regulations authorize the Executive Director of the Commission to award a basic certificate to a peace officer who meets the minimum standards of appointment and has been certified by another state or completed certain federal training approved by the Commission if the peace officer meets certain requirements. Existing regulations require such a peace officer to pass the state physical fitness examination not later than 16 weeks after: (1) the date on which the peace officer was hired; or (2) if the peace officer is a reserve officer, the date of activation of his or her reserve status.

(NAC 289.200(4)(b)) This regulation additionally requires such a peace officer to pass the state physical fitness examination not sooner than 30 days before the date on which the peace officer was hired and not later than 16 weeks after (1) The date on which the officer was hired; or (2) If the officer is a reserve officer, the date of activation of his or her reserve status.

This regulation eliminates the need to administer the physical fitness test multiple times during the hiring process, therefore saving the law enforcement agencies time and money.

### 2. A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary:

Workshop was held 08/13/2020, public comment accepted during workshop and regularly scheduled meeting. A copy of this notice and regulations to be adopted, amended or repealed was posted pursuant to the Governor's Declaration of Emergency Directive 006, section 004: A notice of this workshop and meeting have been provided via electronic means to all law enforcement agencies on the POST Listserv email list and electronically posted on post.nv.us and notice.nv.gov, and physically posted at the Commission on Peace Officer Standards and Training Administrative Office, 5587 Wa Pai Shone Ave., Carson City, Nevada. Copies of the notice and regulations to be adopted, amended or repealed are available upon request by contacting the POST Standards Division at (775) 687-3335.

Public Comment Hearing was held 11/08/2021. Public Comment accepted during the Public Comment Hearing and regularly scheduled meeting. A copy of this notice and the regulations to be adopted, amended or repealed, pursuant to NRS233B.0607, is deposited with the State Library, archives and Public Records Administrator, posted electronically on <https://post.state.nv.gov>, <https://notice.nv.gov>, <https://leg.state.nv.us>, emailed to all law enforcement agencies on the POST listserv lists, physically posted at the Commission on Peace Officer Standards and Training Administrative Office, 5587 Wa Pai Shone Ave., Carson City, Nevada. Copies of the notice and regulations to be adopted, amended or repealed are available upon request by contacting the POST Standards Division at (775) 687-3335.

**The number of persons who:**

- a. **Attended each hearing**
  - a. **Workshop – 1**
  - b. **Public Comment Hearing 10**
- b. **Testified at each hearing - 0**
- c. **Submitted to the agency written statements 0**

- 3. **Contact information of each person that testified at each hearing or submitted statements to the agency. (If no contact information was provided state “not provided”):** N/A
- 4. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary:**

The Commission on POST has reviewed the text of the proposed regulations. Because the regulation amends Nevada Administrative Code Chapter 289, dealing with certification provisions of the annual continuing education of peace officers, the proposed amendments to NAC Chapter 289 will have no impact on small business.

Interested persons may obtain a copy of the proposed regulation text by going to the Register of Administrative Regulations for 2020 and clicking the link: [www.leg.state.nv.us/Register/2020Register/R167-20P.pdf](http://www.leg.state.nv.us/Register/2020Register/R167-20P.pdf), by contacting Chief Kathy Floyd at [kfloyd@post.state.nv.us](mailto:kfloyd@post.state.nv.us) or by telephone at 775-687-7678, ext. 3335 or going to the Nevada Commission on POST website at <https://post.nv.gov>.

- 5. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:**

This regulation meets the requirements and was adopted with no changes

- 6. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case much include:**
  - a. **Both the adverse and beneficial effects; and**
    - Adverse:** None
    - Beneficial:** This regulation eliminates the need to administer the physical fitness test multiple times during the hiring process, therefore saving the law enforcement agencies time and money.
  - b. **Both immediate and long-term effects**
    - Immediate: None
    - Long Term: None

**7. The estimated cost to the agency for enforcement of the proposed regulation:**

None

**8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

None

**9. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**

None

**10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:**

None