

**PROPOSED REGULATION OF THE
STATE CONTRACTORS' BOARD**

LCB File No. R021-21

October 27, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 624.100 and section 1 of Assembly Bill No. 330, chapter 360, Statutes of Nevada 2021, at page 2156; §§ 2 and 3, NRS 624.100.

A REGULATION relating to contractors; authorizing the State Contractors' Board to grant credit toward certain qualifications for licensure as a contractor to applicants who have successfully completed certain training programs for occupational, vocational, career, trade or technical education; revising provisions governing the provision of proof of licensure as a contractor; eliminating the requirement for the Board to issue a duplicate license under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) provides that a person who, in secondary or postsecondary education, completes a training program for occupational, vocational, career, trade or technical education and receives a certificate for the completion of that program is eligible to receive equivalent credit toward the satisfaction of the requirements for the issuance of certain occupational or professional licenses; and (2) requires certain regulatory bodies that license and regulate an occupation or profession in this State to adopt regulations to effectuate the receipt of this credit. (Section 1 of Assembly Bill No. 330, chapter 360, Statutes of Nevada 2021, at page 2156) Under existing law, in addition to certain other requirements, an applicant for licensure as a contractor must have had, within the 15 years immediately preceding the filing of the application for licensure, at least 4 years of experience as a journeyman, foreman, supervising employee or contractor in the specific classification in which the applicant is applying for licensure. (NRS 624.260) **Section 1** of this regulation: (1) authorizes the State Contractors' Board to grant credit of not more than 3 years toward this experience requirement to an applicant who has successfully completed a training program for occupational, vocational, career, trade or technical education if the training program is provided in secondary or postsecondary education, is approved by the State Contractors' Board and the State Board of Education and provided training in a discipline substantially similar to the classification in which the applicant is applying for licensure; and (2) requires an applicant seeking to obtain this credit to submit a certified copy of the certificate or degree provided to the applicant upon completion of the training program.

Existing regulations require a person licensed as a contractor to prominently display his or her contractor's license at his or her chief place of business and to exhibit his or her pocket

card to an interested person. (NAC 624.640) **Section 2** of this regulation replaces this requirement with a requirement to provide proof of licensure to any interested person.

Section 3 of this regulation eliminates the requirement for the Board to issue a duplicate license to any person licensed as a contractor who certifies that his or her license has been lost or destroyed. (NAC 624.678)

Section 1. NAC 624.590 is hereby amended to read as follows:

624.590 1. A person must make a separate application for each classification of license in which the applicant desires to conduct business.

2. The Board will not consider an incomplete application. Each application must include, without limitation:

(a) All applicable fees;

(b) Except as otherwise provided in subsection 3, one *or more* of the following types of documentation supporting the experience of the applicant or his or her qualified employee:

(1) Four or more certificates of work experience completed on a form provided by the Board;

(2) A current certification as a master issued by a governmental agency in a discipline substantially similar to the requested classification; ~~for~~

(3) Proof of transferable military experience and training; *or*

(4) If the applicant is seeking credit pursuant to subsection 4 toward the experience requirement set forth in subsection 6 of NRS 624.260, a certified copy of the certificate of completion or degree provided to the applicant upon the successful completion of a training program described in subsection 4;

(c) All information which is required to be confirmed by a bank;

(d) The financial statement required by NAC 624.593;

(e) Pursuant to subsection 2 of NRS 624.265, a completed set of fingerprint cards and a form authorizing an investigation of the applicant's background and the submission of the fingerprints to the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation; and

(f) Any other information required by the Board.

3. The Board will waive the requirements set forth in paragraph (b) of subsection 2 if the applicant or his or her qualified employee:

(a) Has a minimum of 4 years of experience that is approved by the Board pursuant to NAC 624.615 as a contractor licensed in good standing in the endorsing state;

(b) Has not been investigated for misconduct as a contractor or had a license revoked, modified, limited, suspended or otherwise disciplined by the endorsing state or any other jurisdiction in which he or she has been licensed;

(c) Does not have any disciplinary actions or proceedings pending against the applicant or his or her qualified employee by a licensing body in the endorsing state or any other jurisdiction; and

(d) Provides a completed application pursuant to subsection 2 on the form provided by the Board that includes, without limitation, the endorsing state verifying on a form provided by the Board that the applicant or his or her qualified employee has a valid license.

4. *Pursuant to section 1 of Assembly Bill No. 330, chapter 360, Statutes of Nevada 2021, at page 2156, the Board may grant not more than 3 years of credit toward the satisfaction of the experience requirement set forth in subsection 6 of NRS 624.260 to an applicant who has successfully completed a training program for occupational, vocational, career, trade or technical education if the training program:*

(a) Is provided in secondary or postsecondary education;

(b) Is approved by the Board and the State Board of Education; and

(b) Provided training in a discipline substantially similar to the classification in which the applicant is applying for licensure.

5. The Board shall deem an application to be withdrawn if the Board has not received all the information and fees required to complete the application within 6 months after the date the application is submitted to the Board. If an application is deemed to be withdrawn pursuant to this subsection or if an applicant or his or her qualified employee otherwise withdraws an application, the Board may not issue a license to the applicant or his or her qualified employee unless the applicant or his or her qualified employee submits a new application and pays the required fees.

~~5.1~~ 6. As used in this section:

(a) “Endorsing state” means any state or territory in the United States, or the District of Columbia, that the Board determines to have requirements for licensing contractors which are substantially equivalent to the requirements for licensing contractors in this State pursuant to NAC 624.615.

(b) “Person” means:

(1) A natural person;

(2) A corporation, partnership, limited partnership or limited-liability company that is organized pursuant to the laws of this State; or

(3) A foreign corporation, foreign partnership, foreign limited partnership or foreign limited-liability company that is authorized to do business in this State.

Sec. 2. NAC 624.640 is hereby amended to read as follows:

624.640 1. If a licensee bids or contracts outside the scope of his or her license or exceeds the monetary limit placed on the license, the bid or contract is void.

2. Each licensee shall ~~prominently display his or her unexpired license or licenses in the licensee's chief place of business and shall exhibit his or her pocket card~~ *provide proof of licensure* to any interested person.

3. If any change occurs in a licensee's address or personnel which affects the accuracy of the statements in the application upon which his or her license is based, the licensee shall report the change in writing to the Board within 30 days after the change occurs.

4. If a license issued by the Board was based in part on the employment of a particularly qualified person, the licensee must continue to employ such a person in order to retain the license.

5. Each licensee shall include in all bids the licensee submits or contracts he or she enters into for construction work within this State, the number of his or her license and any monetary limit placed upon the license.

6. Each licensee shall ascertain that each person whose bid on a construction project the licensee considers is appropriately licensed.

Sec. 3. NAC 624.678 is hereby repealed.

TEXT OF REPEALED SECTION

624.678 Issuance of duplicate license. (NRS 624.100) The Board will issue a duplicate license to any licensee who certifies that his or her license has been lost or destroyed.