

**PROPOSED REGULATION OF THE
PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION**

LCB FILE NO. R005-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 05/09/2023**

NAC 289.300 Basic training courses. (NRS 289.510, 289.590)

1. The Executive Director shall certify basic training courses presented by agencies or approved by the Commission which meet the following requirements:

(a) The length of the course must meet the minimum standards for training established by the Commission.

*(b) A person enrolling in the course ~~must~~ **MAY** be required to pass a physical fitness examination not sooner than 30 days before the commencement of the course and not later than 14 days after the commencement of the course.* To pass such a physical fitness examination, the person must:

(1) For category I and reserve training:

- (I) Complete a vertical jump of not less than 11.5 inches.
- (II) Complete not less than 24 sit-ups in 1 minute.
- (III) Complete not less than 18 push-ups.
- (IV) Run 300 meters in not more than 1 minute and 22 seconds.
- (V) Walk or run 1.5 miles in not more than 20 minutes and 20 seconds.
- (VI) Complete an agility run in not more than 23.4 seconds.

(2) For category II training:

- (I) Complete a vertical jump of not less than 12 inches.
- (II) Complete not less than 23 sit-ups in 1 minute.
- (III) Complete not less than 12 push-ups.
- (IV) Run 300 meters in not more than 1 minute and 36 seconds.
- (V) Walk or run 1.5 miles in not more than 24 minutes and 10 seconds.
- (VI) Complete an agility run in not more than 24.9 seconds.

(3) For category III training:

- (I) Complete a vertical jump of not less than 12 inches.
- (II) Complete not less than 16 push-ups.
- (III) Run 300 meters in not more than 1 minute and 29 seconds.
- (IV) Walk or run 1.5 miles in not more than 21 minutes and 10 seconds.
- (V) Complete an agility run in not more than 24.5 seconds.

NAC 289.200 Basic and reserve basic certificate: Requirements; extension of time to complete or waiver of certain requirements; request for certification; placement of basic certificate on inactive status. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 289.510, 289.550, 289.600)

1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

2. The Executive Director may award a basic certificate to any peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

- (a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;
- (b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;
- (c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

- (1) Abuse of older persons;
- (2) Child abuse and sexual abuse of a child;
- (3) Civil liability;
- (4) Classification and receiving of offenders;
- (5) Constitutional law;
- (6) Counter-terrorism and weapons of mass destruction;
- (7) Crimes against persons;
- (8) Crimes against property;
- (9) Cultural awareness;
- (10) Domestic violence, stalking and aggravated stalking;
- (11) Ethics in law enforcement;
- (12) Fire safety and use of emergency equipment;
- (13) Games offenders play;
- (14) Gangs and cults;
- (15) Juvenile law;
- (16) Laws relating to arrest;
- (17) Laws relating to correctional institutions;
- (18) Laws relating to drugs, including, without limitation, current trends in drugs;
- (19) Miscellaneous crimes;
- (20) Modern correctional philosophy;
- (21) Probable cause;
- (22) Public and media relations;

- (23) Records of offenders in institutions;
- (24) Rights of victims;
- (25) Search and seizure;
- (26) Searches of offender institutions;
- (27) Supervision of offenders;
- (28) Training concerning active assailants; and
- (29) Use of force;

(e) The peace officer passes the state certification examination with a score of at least 70 percent; and

(f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

3. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for a reserve certificate;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.

4. Except as otherwise provided in subsection 5 or 6, an officer must pass the state physical fitness examination:

(a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or

(b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.

5. If a student enrolled in a basic training course certified or approved pursuant to NAC 289.300 sustains a bona fide physical injury that renders him or her incapable of completing the requirements of the state physical fitness examination, an agency may submit a request for an extension of time for the student to complete the examination. The agency shall submit such a request to the Executive Director. The request must include, without limitation, written verification by a physician that the student is incapable of completing the requirements of the state physical fitness examination. If the Executive Director determines that an extension of time is warranted, the Executive Director shall authorize an extension of time for a period not to exceed 12 months after the date on which the student was hired or, if the student is a reserve officer, the date of activation of his or her reserve status.

6. If an officer passes the state physical fitness examination:

(a) While not enrolled in a basic training course certified or approved pursuant to NAC 289.300; and

(b) More than 16 weeks, but less than 12 months, after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status,

↳ the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection 4. The request must include, without limitation, the reason the officer was unable to pass the state physical fitness examination within the periods described in subsection 4. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.