

## INFORMATIONAL STATEMENT

### LCB File Number R077-23, relating to licensure and examinations

The following information is provided pursuant to the requirements of NRS 233B.066.

#### **A. Need and Purpose of the Proposed Regulations.**

The Nevada Board of Professional Engineers and Land Surveyors proposes amendments and repeals to Nevada Administrative Code in response to Governor Lombardo's Executive Order 2023-003 and 2023-004 which required streamlining, clarification, reduction, or improvement of existing regulations.

#### **LCB file number R077-23, related to licensure and examinations.**

NAC 625.210 is amended to exempt applicants who are active members or veterans, or spouse of an active member or veteran, of the US Armed Forces from initial licensure application fees.

NAC 625.240 is amended to exempt applicants who are active members or veterans, or spouse of an active member or veteran, of the US Armed Forces from comity/endorsement licensure application fees. In addition, the requirement for professional engineering applicants to pass a short examination on NRS and NAC Chapters 625 is removed. Also, clarification is made to the Executive Director's role with professional land surveying applicants related to the Nevada state specific examination.

NAC 625.310 clarifies the examinations required for structural engineering licensure and removes the requirement for professional engineering applicants to pass a short examination on NRS and NAC Chapters 625. After receiving the LCB draft language, the Board noted at its March 14, 2024, Intent to Act Upon Regulations Public Hearing to add the text, "...and other structures." to the end of 1 (b). This addition was made for clarity and continuity with NAC 625.260.

NAC 625.230 is proposed for repeal. Repeal removes the requirement for a separate application to be filed for an applicant applying for more than one discipline. Several engineering disciplines overlap such as Electrical Engineering and Control System Engineering or Mechanical Engineering and Fire Protection Engineering. It is not uncommon for an applicant to seek licensure in two similar disciplines. It is an unnecessary barrier to require a separate application for a secondary discipline.

NAC 625.330 is proposed for repeal. If an applicant chooses not to appear for an examination scheduled by the Board, the only harm is to the applicant. This regulation is not necessary. It is common sense and does not need to be stated in a regulation.

#### **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 public workshops were held on March 27, 2023. Notice was given in excess of 15 days for the workshops, and e-mails were sent to 18,588 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>.

An Interim Board Meeting relating to the regulation changes was held virtually on April 13, 2023, and was noticed according to NRS 241.020. Public comment was received at the board meeting. The minutes of the interim board meeting 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 April 20, 2023. The hearing was noticed in excess of the 30-day public posting requirement, and e-mails were sent to 18,588 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 April 20, 2023, Public Hearing are available to view at the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/board/meetings>.

An Intent to Act Upon Regulations Public Hearing was held in-person and virtually on March 14, 2024. The hearing was noticed in excess of the 30-day public posting requirement, and e-mails were sent to 16,054 addresses of interested parties notifying them of the hearing and with direct links to relevant documentation. Public comment was received during the hearing. The minutes of the March 14, 2024, Intent to Act Upon Regulations Public Hearing are available to view at the Nevada Board of Professional Engineers and Land Surveyors website at <https://nvbpels.org/board/meetings>.

**C. The number of persons who:**

Attended each hearing—

March 27, 2023, Public Workshops were attended by 31 members of the public.

April 13, 2023, Interim Board Meeting was attended by 65 members of the public.

April 20, 2023, Public Hearing was attended by 34 members of the public.

March 14, 2024, Intent to Act Upon Regulations Public Hearing was attended by 26 members of the public.

Testified at each hearing—

March 27, 2023, Public Workshops. 26 members of the public testified at the workshops.

April 13, 2023, Interim Board Meeting. 7 members of the public offered public comment.

April 20, 2023, Public Hearing. 1 member of the public testified.

March 14, 2024, Intent to Act Upon Regulations Public Hearing. 2 members of the public testified.

Submitted written statements—

March 27, 2023, Public Workshops. 35 written statements were received.

April 13, 2023, Interim Board Meeting. No written statements were received.

April 20, 2023, Public Hearing. No written statements were received.

March 14, 2024, Intent to Act Upon Regulations Public Hearing. No written statements were received.

**D. For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing - Name; Telephone number; Business address; Business telephone number; Electronic mail address; and Name of entity or organization represented.**

<b>Name</b>	<b>Email or Business Address</b>	<b>Entity or Organization</b>
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D Ian Wilson	<a href="mailto:ianw@acpwa.org">ianw@acpwa.org</a>	Self
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**E. 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.**

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 18,572 interested parties.

The surveys 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 responses is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website <https://nvbpels.org/proposed-regulatory-repeals-and-amendments-february-2023/>.

**F. If the Regulation was Adopted Without Changing Any Part of the Proposed Regulation, a Summary of Reasons for Adopting it Without Change.**

**LCB file number R077-23, related to licensure and examinations.**

NAC 625.210 was adopted on March 14, 2024, as drafted by the LCB. During the public process there were no comments requesting changes to the proposed language.

NAC 625.240 was adopted on March 14, 2024, as drafted by the LCB. The proposed regulation changes incorporated suggestions made at a workshop held March 27, 2023, comments received during an Interim Board Meeting held on April 13, 2023, and further comments during a public hearing on April 20, 2023.

NAC 625.310 was adopted on March 14, 2024, with three added words to the LCB proposed language. The three added words were suggested by staff and considered and recommended by the Board for inclusion at a Board Meeting held on January 24, 2024. The text added after drafting by the LCB was, “...and other structures.” to the end of section 1 (b). This addition was made for clarity and continuity with NAC 625.260.

NAC 625.230 was repealed on March 14, 2024. During the public process there were no comments in opposition to the repeal.

NAC 625.330 was repealed on March 14, 2024. During the public process there were no comments in opposition to the repeal.

**G. 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 must include:**

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**NAC 625.210**

Adverse effects and beneficial effects

There is no adverse economic impact on the public or small businesses. Removing application fees for military members and their spouses is an economic benefit for that group which also benefits Nevada and its military community.

Both immediate and long-term effect.

The benefits stated in the above section have an immediate and long-term effect.

#### **NAC 625.240**

##### Adverse Effects and Beneficial Effects

There is no adverse economic impact on the public or small businesses. Removing application fees for military members and their spouses is an economic benefit for that group which also benefits Nevada and its military community. In addition, eliminating the short-written examination for professional engineer license applicants quickens the licensing process.

Both immediate and long-term effect.

The benefits stated in the above sections have an immediate and long-term effect.

#### **NAC 625.310**

No adverse or beneficial economic effects were identified in the immediate or long-term.

#### **NAC 625.230**

No adverse or beneficial economic effects were identified in the immediate or long-term.

#### **NAC 625.330**

No adverse or beneficial economic effects were identified in the immediate or long-term.

#### **H. The estimated cost to the agency for enforcement of the proposed regulations.**

There is no additional cost to the agency.

#### **I. 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.**

The Nevada Board of Professional Engineers and Land Surveyors is not aware of any similar regulations of other state or government agencies that the proposed changes overlap or duplicate.

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

There are no federal regulations associated with professional engineers and land surveyors. However, every state and US territory regulates the professions of engineering and land surveying.

#### **K. 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.**

The proposed regulation amendments and repeals do not establish new fees or increase existing fees.