

**PROPOSED REGULATION OF THE
DEPARTMENT OF PUBLIC SAFETY**

LCB FILE NO. R111-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 11/06/2023**

NAC 493.*** Definitions. As used in this chapter, unless the context otherwise requires:

1. "Department" means the Department of Public Safety
2. "Law enforcement agency" means an agency, office, bureau, board, commission, department or division of this State or a political subdivision of this State, the primary duty of which is to enforce the law.
3. "Public agency" means an agency, office, bureau, board, commission, department or division of this State or a political subdivision of this State other than a law enforcement agency.
4. "Unmanned aerial vehicle" means a powered aircraft of any size without a human operator aboard the vehicle and that is operated remotely or autonomously.

NAC 493.*** The Department of Public Safety has adopted the following regulations for unmanned aerial vehicles. (effective October 1, 2023)

1. The Department shall authorize, as a public purpose, a public agency to operate an unmanned aerial vehicle that is registered with the Department in order to conduct a scheduled inspection to ensure compliance with building or fire codes or laws, ordinances, regulations or rules adopting or establishing building or fire codes that are enforced by the public agency.
2. A public agency is prohibited from collecting any photograph, image or recording through the operation of an unmanned aerial vehicle during a scheduled inspection described in paragraph (1). If any photograph, image or recording is collected in violation of such a regulation or if any other information is collected through the operation of an unmanned aerial vehicle during such a scheduled inspection, the photograph, image, recording or other information:
 - a. It is not admissible and must not be disclosed in any judicial, administrative or other adjudicatory proceeding other than a proceeding relating to the purpose of the scheduled inspection; and
 - b. May not be used to establish reasonable suspicion or probable cause as the basis for the investigation or prosecution of a crime or other offense.

NAC 493.*** Regulations relating to operation, purchase or acquisition of unmanned aerial vehicles or other equipment or services. (effective January 1, 2025)

1. Public agencies and law enforcement in Nevada shall not purchase or acquire any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle; and
2. Public agencies and law enforcement in Nevada shall not operate, purchase or acquire the following unmanned aerial vehicles and other related equipment or service, without limitation:

- a. From any county, business or entity identified by the Secretary of Defense of the United States Department of Defense pursuant to Section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116-283, any amendments thereto or any subsequent federal law establishing such a list;
- b. Any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle, sold, manufactured or distributed by an entity identified by the Secretary of Defense of the United States Department of Defense pursuant to Section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116-283, any amendments thereto or any subsequent federal law establishing such a list;
- c. Any hardware, software, vendor or service prohibited from being used by a state agency in Nevada by a regulation, guideline or policy adopted by the Division of Enterprise Information Technology Services of the Department of Administration pursuant to NRS 242.111 and 242.115; and
- d. Any other unmanned aerial vehicle or other equipment or services relating to the operation of an unmanned aerial vehicle, as determined by the Department.