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Proposed Regulation of the Nevada Department of Public Safety

Small Business Impact Statement

Pursuant to NRS 233B.0608(1), the Nevada Department of Public Safety is required determine whether its proposed regulations will: (a) Impose a direct and significant economic burden upon a small business; or (b) Directly restrict the formation, operation or expansion of a small business.

NRS 233B.0382 defines small business: "Small business" means a business conducted for profit which employs fewer than 150 full-time or part-time employees.

The Department of Public Safety has considered the two factors in NRS 233B.0608(1) and has determined that a Small Business Impact Statement is not required pursuant to NRS 233B.0609, based upon the following:

1. Except as otherwise provided in subsections NRS 495.112 and NRS 493.115, this regulation will only impact law enforcement agencies and public agencies. These agencies will not be able to operate, purchase or acquire any unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle in violation of the regulations adopted by the Department pursuant to subsection 6 of NRS 493.118. A law enforcement agency or public agency may operate or use an unmanned aerial vehicle or other equipment or service relating to the operation of an unmanned aerial vehicle that was purchased or acquired before the effective date of the regulations adopted by the Department pursuant to subsection 6 of NRS 493.118.

This will not impose a direct and significant economic burden upon small businesses. Law enforcement agencies or public agencies have the ability operate, purchase and acquire vehicles and equipment that are on the list of prohibited items until January 1, 2025. That time frame allows for businesses to continue to sell their current inventory to law enforcement agencies and public agencies in Nevada. There are no restrictions on the sale of these items to private persons or private businesses. Furthermore, to date, this and similar regulations have only been adopted in approximately nine states.

The provided date of adoption, being January 1, 2025, allows businesses to plan for these changes and build their business plan around them.

After January 1, 2025, it is still expected that law enforcement and public agencies will purchase, operate and acquire unmanned vehicles, other equipment or services relating to the operation of unmanned aerial vehicles. The businesses that currently sell these same items, can continue selling all items to private persons or private businesses. With adoption of these regulations, these businesses will still be able to sell unmanned vehicles, other equipment or services relating to the operation of unmanned aerial vehicles, however these items must not be on the unapproved list.

2. The regulations give the opportunity for new businesses to succeed. This could be in the manufacturing and sales of new and improved products.
3. Any proposed regulation amendments, including those above in subsection 1., will not impose a direct and significant economic burden upon small business and will not directly restrict the formation, operation or expansion of small business.

I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement is accurate.

Respectfully,



Major James T. Simpson
Nevada Department of Public Safety
Highway Patrol Division