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## **R105-23 and R126-23**

# Proposed Repeals or Amendments of Regulations Relating to Professional Land Surveying

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Small Business Impact Statement

## **Small Business Impact Statement for proposed repeals and amendments to regulations relating to:**

Professional Land Surveying – NAC 625.651; NAC 625.655; NAC 625.664; NAC 625.660; 625.668; NAC 625.690; 625.765; 625.795;

### **Summary**

The State Board of Professional Engineers and Land Surveyors has determined that the proposed repeals and amendments will have no negative financial impact on a small business and in some circumstances will likely have a beneficial impact. The proposed regulations have no impact on the formation, operation, or expansion of a small business in Nevada.

A small business is defined in Nevada Revised Statute (NRS) 233B as a “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement was created pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulations on a small business and provides the reasons for the conclusions of the agency followed by certification by the agency’s responsible person.

### **Background**

The proposed repeals remove outdated or redundant regulations. The rationale for each of the proposed repeals is described in the following:

#### Professional Land Surveying

##### [NAC 625.651](#)

→ Is amended to remove reference to NAC 625.795 as it is proposed for repeal.

##### [NAC 625.655](#)

→ Is amended to remove reference to NAC 625.795 as it is proposed for repeal.

##### [NAC 625.660](#)

→ Recommending repeal of this regulation because a professional should not need to be reminded in the regulation that being in responsible charge of work means adhering to the statutes and regulations relating to their profession and the work performed.

[NAC 625.664](#)

→ Is amended to remove reference to NAC 625.795 as it is proposed for repeal.

[NAC 625.668](#)

→ Recommending repeal of this regulation as it restates what is written in NAC 625.666. It is redundant and not necessary.

[NAC 625.690](#)

→ Recommending repeal of this regulation as it states the obvious—that is the duty of a professional land surveyor.

[NAC 625.765](#)

→ Recommending repeal of this regulation because positional certainty related to construction surveys is addressed in other regulations.

[NAC 625.795](#)

→ Recommending repeal of this regulation because it is outdated and no longer applicable or necessary.

**Manner in which comments were solicited, response summary, and explanation of how interested parties may obtain a copy of summary**

Referencing the requirements of NRS 233B.0608, the Nevada Board of Professional Engineers and Land Surveyors requested input via a survey link sent to all Nevada licensed engineers and land surveyors, and those signed up to receive news and information from the board. The emailed survey link was sent to 18,500 individuals.

The survey asked for input on adverse/beneficial economic effects on small businesses, and indirect adverse/beneficial effects – with space to elaborate on responses.

A summary of the survey results is available for viewing on the Nevada Board of Professional Engineers and Land Surveyors website (see link below) and are included as an attachment.

<https://nvbpels.org/business-impact-survey-results-2023/>

**Manner in which the analysis was conducted**

Survey results were initially reviewed for general comments to gauge if the intent of the proposed regulation changes was adequately conveyed.

Survey analysis then focused on “YES” responses relating the direct and indirect adverse economic effects, and the associated comments and explanations to determine the individual concerns. The same was done with survey results for the direct and indirect beneficial impacts.

**1. Estimated economic effects of the proposed regulation on small businesses**

Based on the survey results, there are no adverse economic impacts related to the proposed repeal of regulations relating to professional land surveying.

**2. Considerations were made to reduce impact of proposed regulation**

The proposed repeal and amendment of regulations relating to professional land surveying was put forward to lessen regulatory burden. No adverse impacts were identified that warranted additional consideration.

**3. Cost estimate for agency enforcement**

At this time there would be no additional cost to the regulatory board to enforce the proposed repeals. Any issues relating to compliance would be absorbed into the existing workload of the current staffing levels.

**4. New fees or increases in existing fees**

The proposed repeals do not involve an increase to existing fees or create any new fees.

**5. Are any duplicative or more stringent provisions involved**

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.

**6. Summary of conclusions**

The proposed repeal of regulations relating to professional land surveying will have no adverse impacts on small businesses.

**Certification by Person Responsible for the Agency**

I, Patty Mamola, Executive Director of the Nevada Board of Professional Engineers and Land Surveyors certify to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed repeal of regulations on small business, and the information contained in this statement was prepared properly and is accurate.



April 19, 2024

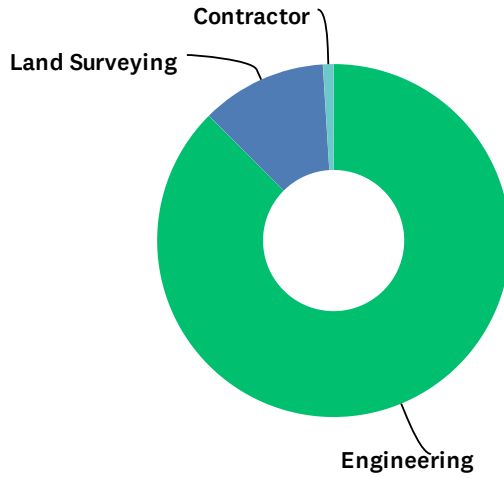


# Business impacts related to proposed repeal of regulations related to standards of practice for professional land surveyors.

Small Business Impact Survey Results

## Q1 Type of Business (primary service offered)

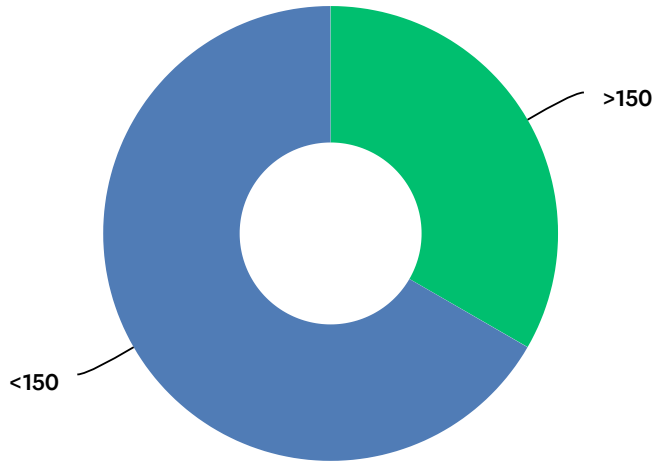
Answered: 104 Skipped: 0



ANSWER CHOICES	RESPONSES	
Engineering	87.50%	91
Land Surveying	11.54%	12
Architectural	0.00%	0
Contractor	0.96%	1
TOTAL		104

## Q2 Number of Full-Time Employees

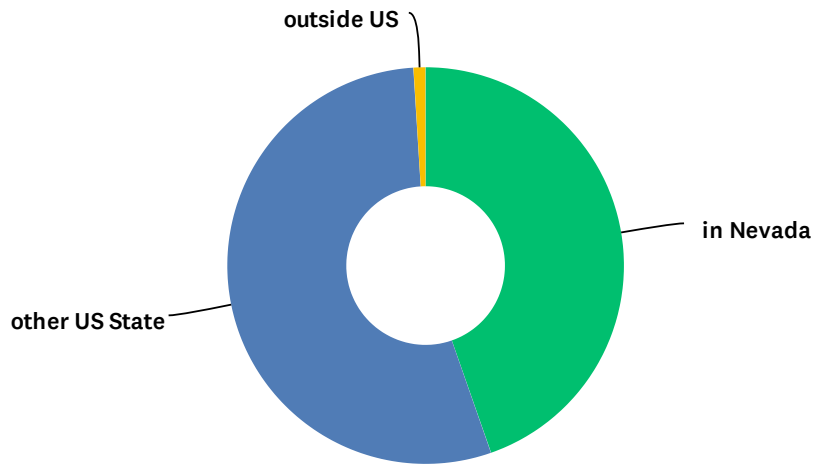
Answered: 102 Skipped: 2



ANSWER CHOICES	RESPONSES	
>150	33.33%	34
<150	66.67%	68
TOTAL		102

## Q3 Business Managing Office Location

Answered: 103 Skipped: 1

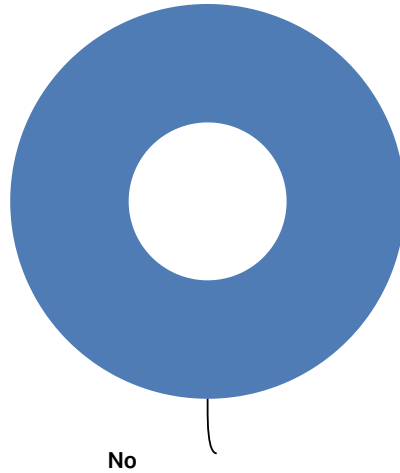


ANSWER CHOICES	RESPONSES	
in Nevada	44.66%	46
other US State	54.37%	56
outside US	0.97%	1
TOTAL		103



## Q4 Will a specific proposed repeal of a miscellaneous regulation(s) have a direct adverse economic effect on your business?

Answered: 68 Skipped: 0



No

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	68
TOTAL		68

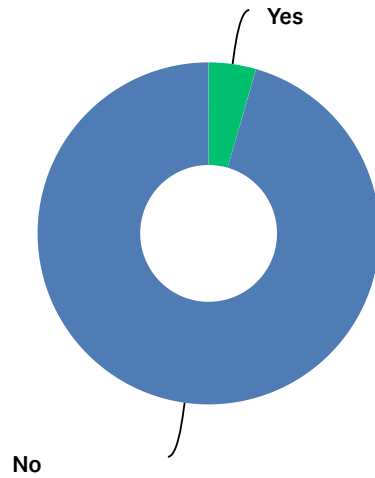
## Q5 Any comments or explanation relating to your answer to Question 4.

Answered: 22 Skipped: 46

#	RESPONSES	DATE
1	No	2/22/2023 2:09 PM
2	None	2/16/2023 4:26 PM
3	No effect.	2/15/2023 1:02 PM
4	Proposed changes seem reasonable.	2/15/2023 7:21 AM
5	None	2/14/2023 9:10 PM
6	no	2/14/2023 5:40 PM
7	I support this change.	2/14/2023 7:42 AM
8	No	2/13/2023 7:43 AM
9	no	2/10/2023 1:47 PM
10	No	2/10/2023 1:01 PM
11	none	2/10/2023 11:08 AM
12	NA	2/10/2023 10:17 AM
13	none	2/10/2023 10:09 AM
14	Eliminating needless regulation is a good thing.	2/10/2023 9:52 AM
15	No	2/10/2023 9:29 AM
16	No.	2/10/2023 8:20 AM
17	I support the repeal of these miscellaneous regulations	2/10/2023 7:59 AM
18	Although there is no economic effect that I can see, why are we removing the testing requirement to know Nevada law and regulations? This should be a part of obtaining a license in this state.	2/10/2023 6:54 AM
19	no comment	2/10/2023 6:32 AM
20	None	2/9/2023 6:43 PM
21	None	2/9/2023 5:48 PM
22	None	2/9/2023 5:43 PM

## Q6 Will a specific proposed repeal of a miscellaneous regulation(s) have a direct beneficial effect on your business?

Answered: 67 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	4.48%	3
No	95.52%	64
TOTAL		67

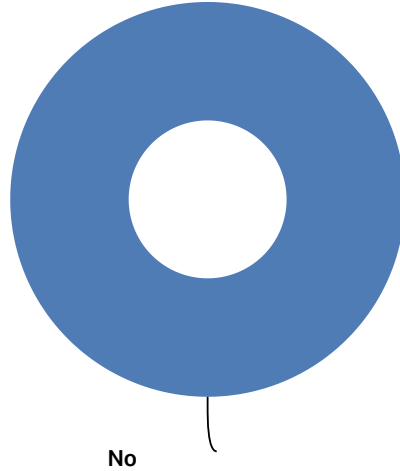
## Q7 Any comments or explanation relating to your answer to Question 6.

Answered: 21 Skipped: 47

#	RESPONSES	DATE
1	No	2/22/2023 2:09 PM
2	None	2/16/2023 4:26 PM
3	.	2/15/2023 5:09 PM
4	No effect.	2/15/2023 1:02 PM
5	No additional comments.	2/15/2023 7:21 AM
6	None	2/14/2023 9:10 PM
7	no	2/14/2023 5:40 PM
8	No	2/13/2023 7:43 AM
9	no	2/10/2023 1:47 PM
10	No	2/10/2023 1:01 PM
11	none	2/10/2023 11:08 AM
12	NA	2/10/2023 10:17 AM
13	none	2/10/2023 10:09 AM
14	Less to read and worry about.	2/10/2023 9:52 AM
15	No	2/10/2023 9:29 AM
16	No.	2/10/2023 8:20 AM
17	No	2/10/2023 6:54 AM
18	no comment	2/10/2023 6:32 AM
19	None	2/9/2023 6:43 PM
20	None	2/9/2023 5:48 PM
21	None	2/9/2023 5:43 PM

## Q8 Do you anticipate any indirect adverse effects from the proposed repeals on your business?

Answered: 67 Skipped: 1



No

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	67
TOTAL		67

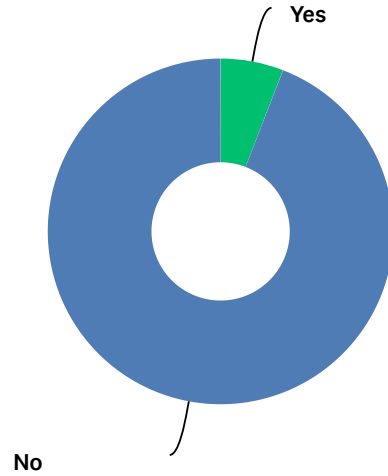
## Q9 Any comments or explanation relating to your answer to Question 8.

Answered: 19 Skipped: 49

#	RESPONSES	DATE
1	No	2/22/2023 2:09 PM
2	None	2/16/2023 4:26 PM
3	No effect.	2/15/2023 1:02 PM
4	No additional comments.	2/15/2023 7:21 AM
5	None	2/14/2023 9:10 PM
6	no	2/14/2023 5:40 PM
7	No	2/13/2023 7:43 AM
8	no	2/10/2023 1:47 PM
9	No	2/10/2023 1:01 PM
10	none	2/10/2023 11:08 AM
11	NA	2/10/2023 10:17 AM
12	none	2/10/2023 10:09 AM
13	No	2/10/2023 9:29 AM
14	NO.	2/10/2023 8:20 AM
15	No	2/10/2023 6:54 AM
16	no comment	2/10/2023 6:32 AM
17	None	2/9/2023 6:43 PM
18	None	2/9/2023 5:48 PM
19	None	2/9/2023 5:43 PM

## Q10 Do you anticipate any indirect beneficial effects from the proposed repeals on your business?

Answered: 68 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	5.88%	4
No	94.12%	64
TOTAL		68

## Q11 Any comments or explanation relating to your answer to Question 10.

Answered: 19 Skipped: 49

#	RESPONSES	DATE
1	No	2/22/2023 2:09 PM
2	Appears to streamline some paperwork	2/20/2023 11:09 PM
3	None	2/16/2023 4:26 PM
4	No effect.	2/15/2023 1:02 PM
5	Clarity to the requirements and responsibilities for individuals applying for licensure.	2/15/2023 7:21 AM
6	None	2/14/2023 9:10 PM
7	No	2/13/2023 7:43 AM
8	no	2/10/2023 1:47 PM
9	No	2/10/2023 1:01 PM
10	none	2/10/2023 11:08 AM
11	NA	2/10/2023 10:17 AM
12	none	2/10/2023 10:09 AM
13	Reduction of laws we have to comply with is good.	2/10/2023 9:52 AM
14	No	2/10/2023 9:29 AM
15	No	2/10/2023 6:54 AM
16	no comment	2/10/2023 6:32 AM
17	None	2/9/2023 6:43 PM
18	None	2/9/2023 5:48 PM
19	None	2/9/2023 5:43 PM