

**PROPOSED REGULATION OF THE  
ADMINISTRATOR OF THE DIVISION OF AGRICULTURE OF  
THE DEPARTMENT OF BUSINESS AND INDUSTRY**

**LCB File No. R127-97**

September 17, 1997

EXPLANATION - Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AUTHORITY: NRS 555.400.

**Section 1.** NAC 555.340 is hereby amended to read as follows:

555.340 1. Each applicant must pass a written examination to demonstrate his knowledge of:

- (a) Operations for pest control;
- (b) Pertinent laws and regulations;
- (c) Safety in handling and dispensing pesticides;
- (d) Pests;
- (e) Operation and maintenance of equipment; and
- (f) Recommended practices for controlling pests.

2. The examination consists of a general examination required ~~[of]~~ *for* all applicants and a specific examination for each category of pest control in which the applicant has requested to be examined.

3. An applicant for a license as an agent or operator who receives a score on the written examination of 64 to 68 percent, inclusive, may be given an oral examination by the examining

officer. If the applicant receives a score of 70 percent or more on the oral examination, the examining officer shall increase the score on the *written* examination to the minimum passing score.

4. Any applicant may be required to perform a practical demonstration at a time and in a manner to be specified to show his ability properly to use and apply pesticides.

5. The passing score is 70 percent for each examination.

6. Applicants who fail to pass a section of the examination may be retested upon the expiration of the following minimum waiting periods:

(a) For an operator's license, [5 working] 7 days.

(b) For a principal's license, 30 [working] days.

7. Any applicant who uses an unauthorized aid during an examination may be excluded from the remainder of the examination and may not be allowed to take another examination for at least 6 months.

8. If an applicant passes the examination, a certified letter of eligibility to be licensed will be issued to him at his request. The letter remains valid for 2 calendar years, unless technological changes warrant issuance for a shorter period.