

**PROPOSED REGULATION OF THE PEACE OFFICERS’
STANDARDS AND TRAINING COMMITTEE OF THE
DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY**

LCB File No. R169-97

November 24, 1997

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

AUTHORITY: §§1-4, NRS 481.053.

Section 1. Chapter 481 of NAC is hereby amended by adding thereto a new section to read as follows:

“State physical fitness examination” means the test of the physical fitness of a person conducted pursuant to paragraph (f) of subsection 1 of NAC 481.080.

Sec. 2. NAC 481.010 is hereby amended to read as follows:

481.010 As used in NAC 481.010 to 481.110, inclusive, unless the context otherwise requires, the words and terms defined in NAC 481.011 to 481.033, inclusive, *and section 1 of this regulation*, have the meanings ascribed to them in those sections.

Sec. 3. NAC 481.060 is hereby amended to read as follows:

481.060 1. The committee will award a basic certificate to any peace officer who **has met the minimum requirements established for the position** and has:

(a) Satisfactorily completed the basic training course for basic certification or a course of training which the committee determines to be at least equivalent to the basic training course for basic certification;

(b) Passed the state certification examination with a score at or above the 70th percentile;

(c) Passed the *state* physical fitness [test established pursuant to paragraph (f) of subsection 1 of NAC 481.080] *examination* with a score at or above the 60th percentile of the fitness norm for the single standard of the general population ; [established by the Cooper Institute for Aerobics Research and set forth in the “Physical Fitness Specialist Course” manual (1996 edition);] and

(d) Satisfactorily completed a period of qualification of 1 year as a peace officer employed by an agency.

2. Except as otherwise provided in subsection 3, an officer must pass the *state* physical fitness [test established pursuant to paragraph (f) of subsection 1 of NAC 481.080] *examination* to successfully complete a course:

(a) Within 16 weeks from the date on which he enters a course of basic training certified pursuant to NAC 481.080 if he is in training category II or III; or

(b) Within 16 weeks from the date on which he was hired if he has completed a course of training which the committee determines to be at least equivalent to the basic training course for basic certification.

3. If a student enrolled in a basic training course certified pursuant to NAC 481.080 sustains a bona fide physical injury rendering him incapable of performing the physical requirements to successfully complete the course, an agency may submit a request for an extension of time for the student to complete the requirement. The agency shall submit such a request to the committee or its designee. The request must include, without limitation, written verification by a physician that the student is incapable of performing the physical requirements of the course. If the committee or its designee determines that an extension of time is

warranted, it shall authorize an extension of time for a period not to exceed 12 months from the date on which it received the request.

4. The period of qualification must:

(a) Begin on the date on which the officer is notified of his passage of the state certification examination; and

(b) Be continuous unless the officer becomes unemployed because of a reduction of employees in the agency, in which case the period may be aggregate but must be completed within 2 years.

5. Upon satisfactory completion of the requirements listed in subsection 1, the employing agency shall submit a request for certification to the committee. The request must include:

(a) The name, social security number, and date of hire of the officer;

(b) Documentary evidence that the officer has successfully completed an approved basic training course; and

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by NAC 481.010 to 481.120, inclusive.

Sec. 4. NAC 481.080 is hereby amended to read as follows:

481.080 1. The committee will certify courses of basic training presented by agencies which meet the following requirements:

(a) The length of the course must meet the minimum standards for training established by the committee.

(b) Each course submitted to the committee for certification must have a curriculum that contains the following elements:

(1) Each topic of instruction must have specifically defined objectives for the performance of the students which are based upon known work requirements;

(2) Each topic of instruction must have a detailed lesson plan that specifically describes what the student is taught; and

(3) Each topic of instruction must be assigned a specific amount of time.

(c) Each course must employ performance-oriented instructional methods that provide opportunities for each student to demonstrate achievement of the objectives.

(d) For each course there must be a system of written or practical examinations, or both, that will measure on a pass or fail basis the success of each student in achieving the objectives, including an examination at the beginning and end of each course.

(e) Each agency submitting a course for certification must provide an instructional facility that meets the following requirements:

(1) A classroom with adequate heating, cooling, ventilation, lighting, space, and an environment conducive to learning;

(2) Comfortable chairs with tables or arms for writing;

(3) Audiovisual equipment necessary to support the course;

(4) Instructional films and videotapes necessary to support the course; and

(5) A firing range adequate to safely train officers in the use of firearms.

(f) [For each course there must be a test of a student's] *Each course must include the state physical fitness [that] examination. This examination is based upon the standards established by the Cooper Institute for Aerobics Research which are set forth in the "Physical Fitness Specialist Course" manual (1996 edition), which is hereby adopted by reference. That publication may be purchased from the Cooper Institute for Aerobics Research, 12330 Preston Road, Dallas, Texas*

75230, for the price of \$35. The minimum standard required of a student to enter a basic training course must be that which is referred to as the 40th percentile of the fitness norm for the single standard of the general population. The minimum standard required of a student to successfully complete a course must be that which is referred to as the 60th percentile of the fitness norm for the single standard of the general population. **The test must include as a minimum the following events performed in the manner set forth in the manual:**

- (1) **Aerobic power test: one and one-half mile run.**
- (2) **Sit and reach: flexibility test.**
- (3) **Muscular endurance: maximum number of situps in one minute.**
- (4) **Absolute strength: maximum weight for one repetition of the bench press or maximum number of pushups in one minute.**

(g) If an agency authorizes the use of the carotid restraint or the lateral vascular neck restraint, the course must include at least 8 hours of instruction in such restraint and include presentations on the use of force, the rules of the agency related to safety, medical implications, approved techniques, and instruction on care and control measures. The course provided by such an agency must also include a written test of at least 10 questions requiring a minimum score of 70 percent and a proficiency test requiring a minimum score of 85 percent. The agency shall maintain records of each student's performance in the course.

2. Certification of courses will be made and maintained on the basis of on-site inspections conducted by the committee or its staff. Inspections will be conducted at least annually and at other times at the discretion of the committee. The agency shall notify the committee of any proposed changes regarding courses, instructors, and facilities.

3. The committee will deny, suspend, or revoke the certification of any course for failure of the agency to maintain the minimum curriculum, qualified instructors, or requirements for the facility established by the committee. The committee will automatically suspend the certification of a course that ceases operation for 24 consecutive months.

4. An agency requesting certification of a course must make the request in writing to the committee at least 60 days before the course is scheduled to begin. The training course must be reviewed and the request signed by the administrator of the agency and the legal adviser. The committee will acknowledge receipt of the request within 5 working days. The committee will respond with a detailed review of the course within 30 days and will rule on the request within 45 days after its receipt of the request.