

**PROPOSED REGULATION OF THE DIVISION OF INSURANCE
OF THE DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R138-99

October 11, 1999

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted.

AUTHORITY: §§1-3, NRS 616B.737.

Section 1. Chapter 616B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *Each contract for the provision of industrial insurance coverage for a consolidated insurance program that must be filed with the commissioner pursuant to NRS 616B.712 must, in addition to the elements required by NRS 616B.720, include or be accompanied by:*

1. A statement of the estimated total cost of the construction project that itemizes how much of that cost is attributable to:

- (a) Constructing the project;*
- (b) Designing the project;*
- (c) Acquiring the real property on which the project will be constructed;*
- (d) Connecting the project to utilities;*
- (e) Excavating and carrying out underground improvements for the project; and*

- (f) Acquiring equipment and furnishings for the project.*

2. *Evidence satisfactory to prove that the two persons hired or contracted pursuant to NRS 616B.725 to serve as the primary and alternate coordinators for safety:*

(a) *Possess credentials in the field of safety; and*

(b) *Have at least 3 years of the type of experience in overseeing matters of occupational safety and health in the field of construction,*

FLUSH *that the administrator has determined are adequate to prepare a person to act as a coordinator for safety for a construction project.*

3. *A statement issued and signed by the:*

(a) *Owner of the construction project, if the contract covers an owner-controlled insurance program; or*

(b) *Principal contractor of the construction project, if the contract covers a contractor-controlled insurance program,*

FLUSH *which declares that the primary and alternate coordinators for safety for the construction project will not serve as coordinators for safety for another construction project that is covered by a different consolidated insurance program.*

4. *A statement issued and signed by the:*

(a) *Owner of the construction project, if the contract covers an owner-controlled insurance program; or*

(b) *Principal contractor of the construction project, if the contract covers a contractor-controlled insurance program,*

FLUSH *which declares that the person hired or contracted pursuant to NRS 616B.727 to serve as the administrator of claims for industrial insurance for the construction project will not serve as*

an administrator of claims for industrial insurance for another construction project that is covered by a different consolidated insurance program.

5. A copy of a plan or other materials developed by the:

(a) Owner of the construction project, if the contract covers an owner-controlled insurance program; or

(b) Principal contractor of the construction project, if the contract covers a contractor-controlled insurance program,

that he will use to provide the information required to be provided by subsection 2 of NRS 616B.735 to potential contractors and subcontractors at the pre-bid conference. The plan or materials must contain all the information specified in paragraphs (a) to (d), inclusive, of subsection 2 of NRS 616B.735.

6. A list of all other lines of insurance that will be included in the consolidated insurance program for the construction project.

Sec. 3. *If a change occurs to any of the information specified in section 2 of this regulation, the private company, public entity or utility that filed the contract with the commissioner shall submit the new information to the commissioner within 14 calendar days after the change occurs.*

FLUSH