

LCB File No. R190-99

**PROPOSED REGULATION OF THE PRIVATE
INVESTIGATOR'S LICENSING BOARD**

**NOTICE OF HEARING FOR THE ADOPTION/AMENDMENTS OF
REGULATIONS OF THE NEVADA STATE PRIVATE
INVESTIGATOR'S LICENSING BOARD**

The Nevada State Private Investigator's Licensing board will hold a public hearing at 1:00 p.m. or as soon thereafter as possible on the 7th day of December 1999, at the, **Legislative Council Bureau, 555 E. Washington Avenue, Room 4412ABC, Las Vegas, Nevada.** The purpose of the hearing is to receive comments from all interested persons regarding the adoption and amendment of regulations. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Private Investigator's Licensing Board may proceed immediately to act upon any written submissions.

(1) The proposed amendment is needed and its purpose is to have clarity and consistency with NRS 648 as it pertains to the standard of training of registered unlicensed security personnel.

The proposed regulation does not establish a new fee or increase an existing fee. It is estimated that the only impact the proposed regulation will have is the economic time factor of the testing program. At this time there does not appear to be any other economic effect on either the industry or the public, and it is estimated that there will be no additional cost to the agency to enforce the proposed regulation.

Persons wishing to comment on the proposed actions of the Nevada State Private Investigator's Licensing Board may appear at the scheduled public hearing. Also, they may address their comments, data, views or arguments, in written form, to Mechele Ray, Program Assistant, Private Investigator's Licensing Board, Office of the Attorney General, 100 N. Carson St., Carson City, NV 89701-4717, on or before December 1, 1999.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

A copy of the regulations to be adopted and amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, and at the main public library in each of Nevada's counties, except for Clark and Washoe counties, for inspection by members of the public during business hours. Additional copies of the regulation to be adopted will be available at the Nevada State Private Investigator's Licensing board, Office of the Attorney General, 100 N. Carson St, Las Vegas, NV 89701-4717, for inspection and copying by members of the public during

business hours. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This notice of hearing has been posted at the following locations:

Office of the Attorney General, Carson City, Nevada
Legislature Building, Carson City, Nevada
Nevada State Library, Carson City, Nevada
Washoe County Library, Reno, Nevada
Clark County Library, Las Vegas, Nevada
Office of the Attorney General, Las Vegas, Nevada

EMPLOYMENT COMPETENCY TESTING FOR NON LICENSED SECURITY OFFICERS

AUTHORITY: NRS 648.030

Chapter 648 of NAC is hereby amended by adding thereto the provision set forth as sections 1, 2, and 3 of this regulation and are to read as follows:

Section 1.

The competency requirements set forth are pre-requisite for in-service individuals who are potential employees of a private patrol or security guard company licensed by the Private Investigator's Licensing Board. Those employees, who perform any and all private patrol and security guard functions, armed or unarmed must complete a pre-registration competence exam; this does not apply to employees otherwise exempt under Nevada Revised Statute 648.140(2).

A licensee shall employ no security officer after October 1, 2000, unless and until the conditions outlined herein have been met. All unlicensed employees registered prior to the effective date, shall be required to successfully complete competency testing and be accordingly reregistered prior to October 1, 2002, no additional fees will be required for reregistering an existing employee for purposes of complying with this regulation

In order to assure these most basic competencies, the Private Investigator's Licensing Board shall prepare a form by which all private patrolman licensees shall stipulate that each registered employee has demonstrated, by the successful completion of an exam provided by the Board, a functional familiarity with core competencies and a thorough understanding thereof.

EMPLOYMENT COMPETENCY TESTING FOR UNLICENSED REGISTERED SECURITY OFFICERS

Sec. 2. These should include but not be limited to:

- 1) responsibility to recognize non-compliance with specific laws,*
- 2) responsibility to recognize non-compliance with specific ordinances,*
- 3) general citizens rights*
- 4) powers of arrest*
- 5) limits of authority*

a) Nevada Revised Statutes (NRS) 648.013; 648.016; 648.030(5); 648.060; 648.063; 648.140(1)(2)(3); 648.160; 648.200; 648.203;

b) Nevada Administrative Code (NAC) 648.431(5); 648.550; 648.----(3)

c) Nevada Revised Statute (NRS) 171.126

d) Nevada Revised Statute (NRS) 207.200

e) Nevada Revised Statute (NRS) 199.310; 199.430

Sec. 3. PROCEDURE

- 1) Prior to an offer of employment, each security officer/employee candidate will satisfactorily complete an exam, provided by the Board. A score of 100% will be required.**
- 2) Forms, provided by the Board, will be completed in triplicate and distributed as follows:**
 - a) Licensing Board**
 - b) Employers file**
 - c) Employee**
- 3) Registration forms must be filed with the Private Investigator Licensing Board within 10 days of employment. Employers copy (b) and original test results are to be retained by employer and are subject to audit. Original registration forms must be forwarded to the board within 10 days of termination of employment.**
- 4) Every registered non-licensed employee will be required to re-certify as to his/her competence on the current exam as provided by the Board, every two years.**
- 5) A licensee may accept a copy of an employee's current registration prior to hiring, providing a copy of that document is forwarded with that individuals registration; the licensee is responsible for assuring the required re-certification is conducted from the date of initial testing, and biannually there after.**