

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

LCB File No. R138-01

Effective April 5, 2002

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

AUTHORITY: §1, NRS 648.030.

Section 1. Chapter 648 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The board will interpret the term “private investigator,” as defined in NRS 648.012, to exclude a gaming licensee who maintains an employer-employee relationship with:

(a) A natural person to act as a customer or client of the gaming licensee to evaluate the service provided to actual customers or clients of the gaming licensee by its employees;

(b) A natural person to act as a customer or client of the gaming licensee to evaluate:

(1) The operational procedures of the gaming licensee;

(2) The cleanliness of the property of the gaming licensee; or

(3) The quality, availability and prices of the goods and services of the gaming licensee;

or

(c) A business entity, licensed pursuant to chapter 648 of NRS, to evaluate the operational procedures and methods of prevention and study used by the gaming licensee relating to the problems of gambling and the consumption of alcoholic beverages by minors.

2. As used in this section, “gaming licensee” means a holder of a nonrestricted gaming license issued pursuant to chapter 463 of NRS.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R138-01

The Private Investigator's Licensing Board adopted regulations assigned LCB File No. R138-01 pertaining to chapter 648 of the Nevada Administrative Code on March 6, 2002. A copy of the regulations as adopted is attached hereto.

Notice date: 12/11/2001

Date of adoption by agency: 3/6/2002

Workshop/Hearing date: 3/6/2002

Filing date: 4/5/2002

INFORMATIONAL STATEMENT

The following is an informational statement on the adoption by the Nevada State Private Investigator's Licensing Board to Nevada Administrative Code (NAC) 648 concerning the need for clarity in pertaining to the exemption of non-restricted license holders and/or their employees being licensed as private investigators as described in Nevada Revised Statute (NRS) 648.

LCB File No. R138-01 was noticed for public workshop on December 11, at the Grant Sawyer State Office Building. The proposed regulation was submitted to the Legislative Counsel Bureau on November 8, 2001. The notice of intended action was filed with the Nevada State Librarian and also with Secretary of State and the Legislative Counsel Bureau. The notice of hearing was posted at the following locations:
Office of the Attorney General, Carson City
Office of the Attorney General, Las Vegas
Nevada State Capitol, Carson City
Legislative Counsel Bureau, Carson City
Nevada State Library, Carson City

A copy of the proposed regulation was also made available at the Office of the Private Investigator's Licensing Board, for the inspection by the public during business hours. The Board received no written comments

A public hearing was held at 3:pm on December 11, 2001, at the Grand Sawyer State Office Building, Legislative counsel Bureau, Room 4400, 555 E. Washington Ave, Las Vegas, Nevada, in accordance with Nevada Revised Statute (NRS) 233B. Although written comments were solicited, none were received prior to the hearing.

Copies of the proposed amendment were sent to those persons who are licensed and would be affected. They are licensed in the private investigation category under NRS 648. Also, copies were sent to all Nevada County Public Libraries for compliance with NRS 233B.066. Numerous licensees attended the four public workshops. The Board and the licensees worked together on the final drafted language.

At the public hearing the regulation was read, discussed briefly, some changes were made and it was amended by the Board accordingly. On March 6, 2002, the Board voted for approval with the amended language being placed into the final draft.

It is estimated that the amendment to the regulation will have no economic impact.

It is estimated that for the agency to enforce the proposed regulation the agency will have to spend minimal monies.

The amendment does not overlap or duplicate any other regulation of a state or government agency.