

LCB File No. T008-02

**PROPOSED TEMPORARY REGULATION OF THE STATE BOARD OF
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

NOTICE OF INTENT TO ACT UPON A TEMPORARY REGULATION

**NOTICE OF HEARING ON PROPOSED AMENDMENTS TO REGULATIONS
OF THE NEVADA STATE BOARD OF PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

The Nevada State Board of Professional Engineers and Land Surveyors (the "State Board") will hold a public hearing at 1:30 p.m. on Thursday, November 7, 2002 at the State Board's offices at 1755 East Plumb Lane, Suite 135, Reno, Nevada 89502. The purpose of the hearing is to receive comments from all interested persons regarding proposed amendments to existing Regulations that pertain to Chapter 625 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed amendments to existing Regulations are as follows:

a. The proposed amendments to NAC 625.420 require a licensee who wishes to change his license status from retired to active to comply with the requirements for the issuance of an original license and to submit proof that he has completed at least 30 professional development hours within the 2 year period immediately preceding his request to reinstate his license to active status. The amendments also provide that a licensee who wishes to change his license status to active from inactive must submit proof that he has completed at least 30 professional development hours within the 2 year period immediately preceding his request to reinstate his license to active status. However, the licensee who desires to change his status from inactive to active does not have to comply with the requirements for the issuance of an original license.

b. The amendment to NAC 625.490 clarifies that the 6 month grace period for submission of proof of completion of 30 professional development hours acceptable to the Board applies only to those licensees who submitted proof of completion of at least 30 professional development hours regardless of whether the Board ultimately accepts all of the professional development hours submitted for approval. If a licensee fails to timely submit proof of completion of at least 30 professional development hours, then the 6 month grace period does not apply and the licensee's license shall be immediately placed on inactive status.

2. The proposed language of the amended Regulations is attached as Exhibit "A" to this Notice.

3. The State Board does not believe that the Regulations, if adopted as amended, will have an economic effect on the engineering or land surveying professions or on the public. The proposed amendments concern the steps which a licensee must take in order to reactivate his license or to renew his license.

4. The estimated cost to the State Board for enforcement of the proposed amendments to the existing Regulations is \$2,000.00 annually.

5. The proposed amendments to the existing Regulations do not establish a new fee nor do they increase an existing fee.

Persons wishing to comment upon the proposed action of the State Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Nevada State Board of Professional Engineers and Land Surveyors, 1755 East Plumb Lane, Suite 135, Reno, Nevada 89502. Written submissions must be received by the Board on or before Monday, November 4, 2002. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this Notice and the Regulations to be adopted or amended will be on file at The State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the Notice and the Regulations to be adopted or amended will be available at the State Board's office at 1755 East Plumb Lane, Suite 135, Reno, Nevada 89502, and in all counties in which an office of the State Board is not maintained, at the main public library, for inspection and copying by members of the public during business hours.

This Notice and the text of the proposed Regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.065, and on the internet at <http://www.leg.state.nv.us>. Copies of this Notice and the proposed Regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any Regulation, the agency, if requested to do so by an interested person, either before adoption or within thirty days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reasoning for overruling the consideration urged against said adoption.

This Notice of Hearing has been posted at the following locations:

Nevada State Board of Professional Engineers and Land Surveyors
1755 East Plumb Lane, Suite 135
Reno, Nevada 89502

City of Reno, Engineering Division
450 Sinclair, 3rd Floor
Reno, Nevada 89501

City of Sparks, Engineering Division
431 Prater Way
Sparks, Nevada 89431

Clark County Building Department
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-3530

City of Las Vegas, Building and Safety
400 E. Stewart Street
Las Vegas, Nevada 89101

Elko County Recorder
571 Idaho Street
Elko, Nevada 89801

Should you have any questions concerning the proposed amendments to the existing Regulations, please write to Noni Johnson, Executive Director of the State Board, at 1755 East Plumb Lane, Suite 135, Reno, Nevada 89502.

DATED: This _____ day of September, 2002.

State of Nevada Board of Professional
Engineers and Land Surveyors

By _____
NONI JOHNSON
Executive Director

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED TEMPORARY REGULATION

The Nevada State Board of Professional Engineers and Land Surveyors (the "State Board"), 1755 East Plumb Lane, Suite 135, Reno, Nevada 89502, 775-688-1231, is proposing amendments to Regulations pertaining to Chapter 625 of the Nevada Administrative Code. A workshop has been set for 9:00 a.m. on Wednesday, November 6, 2002 at the offices of Post Buckley Schuh & Jernigan, 2270 Corporate Circle, Suite 100, Henderson, Nevada 89074. The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed amendments to Regulations:

Copies of the proposed amendments to Regulations are attached as Exhibit "A" to this Notice. The terms of the proposed amendments may be summarized as follows:

1. It is proposed that NAC 625.420 be amended to provide that a licensee who has changed his status to retired may only reinstate his license to active status by complying with all of the requirements for the issuance of an original license. The retired licensee must also submit proof that he has completed at least 30 professional development hours within the 2 year period immediately preceding his request to reinstate his license to active status.

It is further proposed that NAC 625.420 be amended to provide that a licensee who wishes to change his status to active from inactive must submit proof that he has completed at least 30 professional development hours within the 2 year period immediately preceding his request to change his license to active status.

The proposed amendments clarify what steps must be taken by a licensee who wishes to reinstate his license to active status.

2. It is proposed that NAC 625.490 be amended to provide that a licensee must submit proof of completion of at least 30 professional development hours acceptable to the Board at the time that the licensee submits his application for renewal. The amendment clarifies that the 6 month grace period within which to submit 30 acceptable professional development hours applies only to those licensees who submitted proof of completion of at least 30 professional development hours. If the licensee failed to timely submit proof of completion of 30 professional development hours, then the 6 month grace period does not apply and the licensee's license is placed on inactive status.

A copy of all materials relating to the proposed amendments to existing Regulations may be obtained at the workshop or by contacting Noni Johnson, Executive Director of the State Board at 1755 East Plumb Lane, Suite 135, Reno, Nevada 89502. The State Board's telephone number is 775-688-1231. A reasonable fee for copying the proposed Regulations may be charged.

This Notice of Workshop to Solicit Comments on Proposed Amendments to Regulation has been sent to all persons on the State Board's mailing list for administrative Regulations and posted at the following locations:

Nevada State Board of Professional Engineers and Land Surveyors
1755 East Plumb Lane, Suite 135
Reno, Nevada 89502

City of Reno, Engineering Division
450 Sinclair, 3rd Floor
Reno, Nevada 89501

City of Sparks, Engineering Division
431 Prater Way
Sparks, Nevada 89431

Clark County Building Department
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-3530

City of Las Vegas, Building and Safety
400 E. Stewart Street
Las Vegas, Nevada 89101

Elko County Recorder
571 Idaho Street
Elko, Nevada 89801

DATED: This _____ day of September, 2002.

State of Nevada Board of Professional
Engineers and Land Surveyors

By _____
NONI JOHNSON
Executive Director

NAC 625.420 Retired or inactive status of licensee; reinstatement to active status. (NRS 625.140, 625.390)

1. In lieu of the renewal of his license, a licensee may apply to the board to change his status to:

(a) Retired, by filing with the board a notice in writing that states his intention to retire from practice. The board will issue an identification card indicating that the licensee is retired and showing the period of his active professional licensure in this state.

(b) Inactive, by filing with the board a notice in writing that states his intention to change his status to inactive and paying a fee that is equal to the fee required for a licensee who wishes to renew his license. The board will issue an identification card indicating that the licensee is inactive.

2. If an identification card is issued to a licensee pursuant to this section, his license expires and he is not licensed to continue to practice.

3. A licensee who has changed his status to retired ~~[or inactive status]~~ pursuant to this section may reinstate his license to active status by complying with the requirements for the issuance of an original license ~~[prescribed in chapter 625 of NRS and this chapter]~~ *and by submitting proof that he has completed at least 30 professional development hours within the 2 year period immediately preceding his request to reinstate his license to active status.*

4. *A licensee who has changed his status to inactive pursuant to this section may reinstate his license to active status by submitting proof that he has completed at least 30 professional development hours within the 2 year period immediately preceding his request to reinstate his license to active status.*

NAC 625.490 Notification of failure to complete required number of professional development hours. (NRS 625.398) ~~[If the board accepts less than 30 professional development hours for which a licensee submits proof of completion]~~ *If less than 30 of the professional development hours submitted by the licensee pursuant to NAC 625.430 are acceptable to the board,* the board will notify the licensee not later than 60 days after the date on which he submitted his application for renewal that:

1. He must successfully complete the number of professional development hours which are deficient within 6 months after the date on which he submitted his application; and

2. His failure to complete those professional development hours will result in the licensee being placed on inactive status.