

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

LCB File No. R107-06

May 19, 2006

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

AUTHORITY: §1, NRS 648.030.

A REGULATION relating to the Private Investigator's Licensing Board; revising provisions governing an exemption from the prohibition on a licensee employing certain unlicensed persons; and providing other matters properly relating thereto.

Section 1. NAC 648.338 is hereby amended to read as follows:

648.338 1. Except as otherwise provided in subsection 2, a licensee may not employ an unlicensed person who is or becomes employed:

- (a) As a peace officer, as defined in NRS 169.125;
- (b) By a federal, state or local law enforcement agency; or
- (c) In a position which makes him eligible to contribute to any public employees' retirement system.

2. Upon receipt of a written request for exemption, the Board [~~will~~] *may* grant an exemption from the prohibitions set forth in subsection 1 if the Board finds that the private activities of the unlicensed person on behalf of the licensee would not create or tend to create:

- (a) A conflict of interest with his responsibilities to his public employer and his duty to discharge them; or
- (b) The possibility of a use of his position with the public employer for personal advantage in his private activities.