

**ADOPTED REGULATION OF THE NEVADA ATHLETIC
COMMISSION OF THE DEPARTMENT OF BUSINESS AND
INDUSTRY**

LCB File No. R003-09

Effective October 27, 2009

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

AUTHORITY: §§1 and 2, NRS 467.030 and 467.100; §3, NRS 467.030 and 467.125; §4, NRS 467.030 and 467.108; §§5-12, NRS 467.030.

A REGULATION relating to unarmed combat; revising the conditions for which an applicant for a license to engage in unarmed combat must have his or her application reviewed by the Nevada Athletic Commission; revising provisions relating to the insurance provided by the promoter for certain contests and exhibitions; revising provisions relating to wrappings of the hands; allowing a referee to view a replay in certain circumstances and make certain determinations therefrom; revising provisions relating to when an unarmed combatant is deemed to be down; revising provisions relating to the duration of certain contests or exhibitions; revising provisions relating to fouls in certain contests or exhibitions; and providing other matters properly relating thereto.

Section 1. NAC 467.017 is hereby amended to read as follows:

467.017 1. If an applicant for a license to engage in unarmed combat or an unarmed combatant has:

- (a) Not reached 18 years of age;
- (b) Reached 36 years of age or will reach 36 years of age during the current calendar year;
- (c) Competed in more than 425 rounds of unarmed combat in contests or exhibitions

sanctioned by the Commission or any other agency that regulates unarmed combat in another jurisdiction; or

- (d) Not competed in unarmed combat for at least 36 consecutive months,

↳ the applicant or unarmed combatant must have his application for a license or for renewal of a license reviewed by the Commission or, if time does not permit and no concerns about the application have been raised by the Executive Director ~~[, the Chairman of the Board]~~ or any Commissioner, reviewed by the Chairman of the Commission or his designee, so that his experience and fitness may be considered before the license is issued or renewed.

2. The Commission will not issue or renew a license to engage in unarmed combat to an applicant or unarmed combatant who is found to be blind in one eye or whose vision in one eye is so poor that a physician recommends that the license not be granted or renewed. This rule is effective regardless of how good the vision of the applicant or unarmed combatant may be in the other eye.

3. ~~[The Commission will not issue or renew a license to engage in unarmed combat to an applicant or unarmed combatant who has suffered cerebral hemorrhage.~~

~~—4. Except as otherwise provided in subsection 3, if]~~ ***If*** an applicant for a license to engage in unarmed combat or an unarmed combatant has suffered a serious head injury, ***including, but not limited to, a cerebral hemorrhage,*** the applicant or unarmed combatant must have his application for a license or for renewal of a license reviewed by the Commission before a license is issued or renewed.

Sec. 2. NAC 467.045 is hereby amended to read as follows:

467.045 A person who engages in unarmed combat as an amateur may apply to become a professional unarmed combatant in Nevada by serving notice of his intention in writing at the office of the Commission. The person must furnish the Commission with:

1. ~~[His birth certificate;]~~ ***Proof of the person's age;***

2. The results of his physical examination and any medical tests required by the Commission;
3. A written statement as to his personal fitness from a physician; and
4. His record as an amateur in contests or exhibitions or proof of his ability to compete.

Sec. 3. NAC 467.149 is hereby amended to read as follows:

467.149 1. The promoter of a contest or exhibition shall provide primary insurance coverage in the amount of \$50,000 or more for each licensed contestant to provide medical, surgical and hospital care for licensed contestants who are injured while engaged in a contest or exhibition.

2. The terms of the insurance coverage must not require the contestant to pay a deductible for the medical, surgical or hospital care for injuries he sustains while engaged in a contest or exhibition.

3. If a licensed contestant pays for the medical, surgical or hospital care, the insurance proceeds must be paid to the contestant or his beneficiaries as reimbursement for the payment.

4. A person who promotes an amateur contest or exhibition shall provide primary insurance coverage in the amount of \$25,000 or more for each unarmed combatant who is not a licensed contestant to provide medical, surgical and hospital care for unarmed combatants who are injured while engaged in an amateur contest or exhibition.

5. A promoter or a person who promotes an amateur contest or exhibition shall provide excess insurance coverage under the terms set forth in this section if:

(a) He or she provides written proof that primary insurance coverage is not available for purposes of this section; and

(b) He or she provides such proof to the Commission at least 15 days prior to the contest or exhibition.

Sec. 4. NAC 467.151 is hereby amended to read as follows:

467.151 1. Not later than 20 days after the completion of a live professional contest, match or exhibition is held in this State, the promoter shall pay the fees required by subsections 1 and 2 of NRS 467.108 to the Commission by check or money order.

2. To apply for a grant from money collected pursuant to NRS 467.108, an organization that promotes amateur contests or exhibitions of unarmed combat in this State must submit an application to the Executive Director on a form prescribed by the Executive Director.

3. After considering an application for a grant, the Commission may:

(a) Award the grant, in whole or in part;

(b) Refuse to award the grant; or

(c) Require the Executive Director or the organization applying for the grant to submit supplemental information.

4. When determining whether to award a grant, the Commission will consider:

(a) The need for, and the propriety of, the grant requested;

(b) The recommendation of the Executive Director;

(c) Previous grants to, and the accounting procedures of, the requesting organization;

(d) The benefits to amateur ~~boxing~~ *unarmed combat* in this State to be derived from a requested grant; and

(e) The current and prospective balance of the total amount of money collected pursuant to NRS 467.108.

Sec. 5. NAC 467.432 is hereby amended to read as follows:

467.432 1. Bandages on the hand of an unarmed combatant may not exceed one winding of surgeon's adhesive tape, not over ~~[1-1/2]~~ 2 inches wide, placed directly on the hand to protect the part of the hand near the wrist. The tape may cross the back of the hand twice, but may not extend within three-fourths of an inch of the knuckles when the hand is clenched to make a fist.

2. Each unarmed combatant shall use soft surgical bandage not over 2 inches wide, held in place by not more than ~~[6]~~ 10 feet of surgeon's adhesive tape for each hand. Up to one ~~[15]~~ 20-yard roll of bandage may be used to complete the wrappings for each hand. Strips of tape may be used between the fingers to hold down the bandages.

3. Bandages must be adjusted in the dressing room in the presence of a representative of the Commission and both unarmed combatants. Either unarmed combatant may waive his privilege of witnessing the bandaging of his opponent's hands.

Sec. 6. NAC 467.586 is hereby amended to read as follows:

467.586 Each unarmed combatant must report to the representative of the Commission in charge of dressing rooms before the scheduled time of the first contest or exhibition of a program of unarmed combat ~~[1]~~ *or, if a later report time is set by the Commission or its representative, then by that report time.*

Sec. 7. NAC 467.682 is hereby amended to read as follows:

467.682 1. A referee is responsible for enforcing the rules of the contest or exhibition. He shall not permit unfair practices that may cause injuries to an unarmed combatant.

2. The referee shall warn the unarmed combatants whenever they are committing fouls.

3. If an unarmed combatant commits a foul, the referee may deduct points from him or disqualify him.

4. After making a determination, a referee may view a replay, if available, at the conclusion of a contest or exhibition stopped immediately due to an injury to an unarmed combatant pursuant to NAC 467.718 in order to determine whether the injury in question was caused by a legal blow or a foul.

(a) If the determination is made that the injury was the result of a legal blow, the injured unarmed combatant shall be determined to have lost the contest via technical knockout.

(b) If the determination is made that the injury was the result of a foul, it must be determined whether the foul was intentional or accidental.

(1) If deemed intentional, the outcome of the contest shall be determined in accord with NAC 467.698; or

(2) If deemed accidental, the outcome of the contest shall be determined in accord with NAC 467.702 or 467.7966.

Sec. 8. NAC 467.760 is hereby amended to read as follows:

467.760 1. An unarmed combatant shall be deemed to be down when:

(a) Any part of his body other than his feet is on the floor; ~~or~~

(b) He is hanging over the ropes without the ability to protect himself and he cannot fall to the floor ~~or~~; *or*

(c) The unarmed combatant would have fallen to the floor but was held up by the ropes.

2. A referee may count an unarmed combatant out if the unarmed combatant is on the floor or is being held up by the ropes.

3. The provisions of this section do not apply to a contest or exhibition of mixed martial arts.

Sec. 9. NAC 467.7954 is hereby amended to read as follows:

467.7954 Except with the approval of the Commission or its Executive Director:

1. A nonchampionship contest or exhibition of mixed martial arts must not exceed three rounds in duration.
2. A championship contest of mixed martial arts *or any other mixed martial arts contest or exhibition which the Commission considers to be a special event* must ~~be~~ *not exceed* five rounds in duration.
3. A period of unarmed combat in a contest or exhibition of mixed martial arts must ~~be~~ *not exceed* 5 minutes in duration. A period of rest following a period of unarmed combat in a contest or exhibition of mixed martial arts must be 1 minute in duration.

Sec. 10. NAC 467.7962 is hereby amended to read as follows:

467.7962 The following acts constitute fouls in a contest or exhibition of mixed martial arts:

1. Butting with the head.
2. Eye gouging of any kind.
3. Biting.
4. Hair pulling.
5. Fishhooking.
6. Groin attacks of any kind.
7. Putting a finger into any orifice or into any cut or laceration on an opponent.
8. Small joint manipulation.
9. Striking to the spine or the back of the head.
10. Striking downward using the point of the elbow.
11. Throat strikes of any kind, including, without limitation, grabbing the trachea.
12. Clawing, pinching or twisting the flesh.

13. Grabbing the clavicle.
14. Kicking the head of a grounded opponent.
15. Kneeing the head of a grounded opponent.
16. Stomping a grounded opponent.
17. Kicking to the kidney with the heel.
18. Spiking an opponent to the canvas on his head or neck.
19. Throwing an opponent out of the ring or fenced area.
20. Holding the shorts or gloves of an opponent.
21. Spitting at an opponent.
22. Engaging in any unsportsmanlike conduct that causes an injury to an opponent.
23. Holding the ropes or the fence.
24. Using abusive language in the ring or fenced area.
25. Attacking an opponent on or during the break.
26. Attacking an opponent who is under the care of the referee.
27. Attacking an opponent after the bell has sounded the end of the period of unarmed combat.
28. Flagrantly disregarding the instructions of the referee.
29. Timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury.
30. Interference by the corner.
31. Throwing in the towel during competition.
32. *Applying any foreign substance to the hair, body, clothing or gloves immediately prior to or during a contest or exhibition that could result in an unfair advantage.*

Sec. 11. NAC 467.845 is hereby amended to read as follows:

467.845 1. A petition for a declaratory order or advisory opinion *regarding the applicability of any statute in chapter 467 of NRS or any regulation in chapter 467 of NAC* may be filed only by a holder of or applicant for a license.

2. The original written petition and seven copies of the petition must be filed with the Commission.

3. The Commission will hear the petition within 60 days after receipt of the petition.

4. Within 60 days after hearing the petition or, if good cause exists for an extended period of consideration, within 120 days after hearing the petition, the Commission will issue its declaratory order or advisory opinion.

Sec. 12. NAC 467.850 is hereby amended to read as follows:

467.850 1. The administration of or use of any:

(a) Alcohol;

(b) Stimulant; or

(c) Drug or injection that has not been approved by the Commission, including, but not limited to, the drugs or injections listed in subsection 2,

↳ in any part of the body, either before or during a contest or exhibition, to or by any unarmed combatant, is prohibited.

2. The following types of drugs, injections or stimulants are prohibited pursuant to subsection 1:

(a) Afrinol or any other product that is pharmaceutically similar to Afrinol.

(b) Co-Tylenol or any other product that is pharmaceutically similar to Co-Tylenol.

(c) A product containing an antihistamine and a decongestant.

(d) A decongestant other than a decongestant listed in subsection 4.

(e) Any over-the-counter drug for colds, coughs or sinuses other than those drugs listed in subsection 4. This paragraph includes, but is not limited to, Ephedrine, Phenylpropanolamine, and Mahuang and derivatives of Mahuang.

(f) Any drug identified on the most current edition of the *Prohibited List* published by the World Anti-Doping Agency, which is hereby adopted by reference. The most current edition of the *Prohibited List* may be obtained, free of charge, at the Internet address.

3. The following types of drugs or injections are not prohibited pursuant to subsection 1, but their use is discouraged by the Commission:

(a) Aspirin and products containing aspirin.

(b) Nonsteroidal anti-inflammatories.

4. The following types of drugs or injections are approved by the Commission:

(a) Antacids, such as Maalox.

(b) Antibiotics, antifungals or antivirals that have been prescribed by a physician.

(c) Antidiarrheals, such as Imodium, Kaopectate or Pepto-Bismol.

(d) Antihistamines for colds or allergies, such as Bromphen, Brompheniramine, Chlorpheniramine Maleate, Chlor-Trimeton, Dimetane, Hismal, PBZ, Seldane, Tavist-1 or Teldrin.

(e) Antinauseants, such as Dramamine or Tigan.

(f) Antipyretics, such as Tylenol.

(g) Antitussives, such as Robitussin, if the antitussive does not contain codeine.

(h) Antiulcer products, such as Carafate, Pepcid, Reglan, Tagamet or Zantac.

- (i) Asthma products in aerosol form, such as Brethine, Metaproterenol (Alupent) or Salbutamol (Albuterol, Proventil or Ventolin).
- (j) Asthma products in oral form, such as Aminophylline, Cromolyn, Nasalide or Vanceril.
- (k) Ear products, such as Auralgan, Cerumenex, Cortisporin, Debrox or Vosol.
- (l) Hemorrhoid products, such as Anusol-HC, Preparation H or Nupercainal.
- (m) Laxatives, such as Correctol, Doxidan, Dulcolax, Efferyllium, Ex-Lax, Metamucil, Modane or Milk of Magnesia.
- (n) Nasal products, such as AYR Saline, HuMist Saline, Ocean or Salinex.
- (o) The following decongestants:
 - (1) Afrin;
 - (2) Oxymetazoline HCL Nasal Spray; or
 - (3) Any other decongestant that is pharmaceutically similar to a decongestant listed in subparagraph (1) or (2).

5. An unarmed combatant shall submit to a urinalysis or chemical test ~~before or after a contest or exhibition~~ if the Commission or a representative of the Commission directs him to do so.

6. A licensee who violates any provision of this section is subject to disciplinary action by the Commission. In addition to any other disciplinary action by the Commission, if an unarmed combatant who won or drew a contest or exhibition is found to have violated the provisions of this section, the Commission may, in its sole discretion, change the result of that contest or exhibition to a no decision.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R003-09**

The Nevada Athletic Commission adopted regulations which pertain to chapter 467 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

R003-09 was noticed by posting at the (1) Office of the Athletic Commission, 555 East Washington Avenue, Suite 3200, Las Vegas, Nevada 89101, (2) Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104, (3) Washoe County District Courthouse, 75 Court Street, Reno, Nevada 89502, (4) Department of Parks & Recreation, 2601 East Sunset Road, Las Vegas, Nevada 89120, and (5) State of Nevada Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, Nevada 89101; by mailing to all main public libraries in each Nevada county; and by mailing to all persons and businesses who had requested in writing that they be placed upon a mailing list pursuant to NRS 233B.0603. It was also noticed on the website of the Office of the Athletic Commission, <http://boxing.nv.gov/agendas.htm>. Comments from the public focused on the rules of professional and amateur mixed martial arts. There were 2 written comments submitted, and there were six persons who testified. A copy of a summary of the public response may be obtained by calling the Office of the Athletic Commission at (702) 486-2575, or writing to the Office of the Athletic Commission, 555 East Washington Avenue, Suite 3200, Las Vegas, Nevada 89101, or email to boxing@boxing.nv.gov.

2. The number of persons who:

- (a) **Attended the**
 - November 20, 2008 workshop:** 3
 - August 19, 2009 hearing:** 11

- (b) **Testified at the**
 - November 20, 2008 workshop:** 1
 - August 19, 2009 hearing:** 5

- (c) **Submitted to the agency written comments:** 2 written comments were submitted to the agency.

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by posting at the (1) Office of the Athletic Commission, 555 East Washington Avenue, Suite 3200, Las Vegas, Nevada 89101, (2)

Bradley Building, 2501 East Sahara Avenue, Las Vegas, Nevada 89104, (3) Washoe County District Courthouse, 75 Court Street, Reno, Nevada 89502, (4) Department of Parks & Recreation, 2601 East Sunset Road, Las Vegas, Nevada 89120, and (5) State of Nevada Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, Nevada 89101; by mailing to all main public libraries in each Nevada county; by mailing to all persons and businesses who had requested in writing that they be placed upon a mailing list pursuant to NRS 233B.0603; and by posting on the website of the Office of the Athletic Commission, <http://boxing.nv.gov/agendas.htm>. Comments from interested businesses related to the rules of professional and amateur mixed martial arts. There were no written comments submitted. A copy of a summary of the businesses' response may be obtained by calling the Office of the Athletic Commission at (702) 486-2575, or writing to the Office of the Athletic Commission, 555 East Washington Avenue, Suite 3200, Las Vegas, Nevada 89101.

4. A summary of the reasons for making changes to the regulation as proposed.

The Nevada Athletic Commission adopted R003-09 as permanent regulation with some changes. The Commission made changes to (1) Section 1 by deciding *not* to raise the age from 36 to 40 for applicants need to be review by the Commission at a public hearing, and by making specific reference to cerebral hemorrhage and the Medical Advisory Board in the subsection on serious head injury, (2) Section 3 by placing a time limit on when a promoter would need to notify the Commission that primary insurance is not available, (3) Section 7 by clarifying that a referee will have first made a decision before viewing a replay, and (4) Section 10 by adding clothing and gloves as places where a foreign substance can not be used that could result in an unfair advantage.

5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

- a. The proposed regulation is not expected to have an immediate or long-term adverse economic effect, nor an immediate or long-term beneficial economic effect upon the regulated community.
- b. There is no estimated adverse effect on the public. However, there should be both immediate and long-term beneficial effect on the public because of improved regulation of unarmed combat in Nevada.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of these regulations.

7. A description of any regulations of other state or government agencies that the proposed regulation overlaps or duplicates and a statement explaining why the duplication or

overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or governmental agency regulations that the proposed regulation duplicates.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Not applicable.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide a new fee or increase an existing fee. Since no fees are involved, there is not a total amount expected to be collected or used.

10. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?

The Commission has determined that the proposed regulation does not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination the Commission considered the estimated economic effect on private businesses.